

GENERAL PROCEDURES FOR JUDGE LISA HERNDON

(All are subject to change at the Court's discretion)

PROCEDURES FOR SCHEDULING HEARINGS

When e-mailing or calling to obtain available hearing time, please have available the case number, case style, type of motion to be scheduled, the amount of hearing time requested, and names of all counsel of record. The Motion **must** be filed prior to obtaining hearing time. Once hearing time is coordinated with all counsel, confirm the date with this office prior to preparing your Notice of Hearing, to assure that time is still available, as hearing dates cannot be "held."

Please provide the Court with a courtesy copy of the Notice of Hearing, once filed, by e-mail at swaldron@circuit5.org. A courtesy copy of the Motion being heard **does not** need to be sent with the Notice of Hearing, as the Motion should already be in the court file.

The Court requires that all hearings be coordinated. Typically, unilaterally set hearings are not scheduled. If you are unable to coordinate a hearing, counsel may wish to **file** a motion for the Court's consideration.

NOTICES FOR TRIAL

Notices for Trial should include the amount of trial time anticipated, and whether the trial is a jury or non-jury trial. Once the Notice is filed, please forward a copy to this office at swaldron@circuit5.org. The case will be set for a case management conference to schedule the matter for trial.

NOTICES FOR TRIAL - FORECLOSURE CASES

Notices for Trial should include the amount of trial time anticipated, and once filed, please forward a copy to this office at swaldron@circuit5.org. These cases will not automatically be set on a trial docket and usually do not require a pre-trial conference. Counsel will need to contact the Judge's office (either by phone or by e-mail) to obtain available hearing time on a foreclosure docket.

TELEPHONIC APPEARANCES

Telephonic appearances are typically permitted for most hearings set for 30 minutes or less, via CourtCall, without the requirement of filing a motion for telephonic appearance. Hearings scheduled for more than 30 minutes will require the filing of a Motion for Telephonic Appearance and the submission of a proposed order (per instructions below) for the Court's consideration.

For CourtCall appearances, contact CourtCall directly at 888-882-6878, at least 1 business day prior to the hearing date, to schedule a telephonic appearance.

Personal appearances are required for Trials and Pre-Trial Conferences.

PROCEDURES FOR CANCELLING HEARINGS/TRIALS

In addition to filing your notice of cancellation, immediately notify this office by telephone or e-mail, when a hearing is to be cancelled. If a case has settled and should be removed from the trial docket, please file documentation in

the court file to indicate that the matter has settled, until the closing documents are filed. Only the party that scheduled the hearing, or the Court, has the authority to cancel the hearing.

CROSS-NOTICING HEARINGS

Cross-noticing a hearing without the Court's approval is not permitted. If a case has been set for a hearing and opposing counsel is requesting the setting of additional motions at this previously scheduled hearing (a/k/a piggy-backing or cross-noticing motions), **prior** to noticing these additional motions for hearing, counsel **must** contact the Judge's office who will determine if sufficient time is available to have the additional motion(s) heard. Counsel will then be directed to follow the procedures to schedule the additional motion(s) for hearing. Should the initial party who set the motion object to cross-notice, the additional motion(s) may have to be scheduled for hearing at another time on the Court's calendar.

PROPOSED ORDERS

A proposed order should **always** be submitted immediately, upon filing the following motions:

- Motions for Extensions of Time
- Motions for Leave to Amend Complaint
- Motions to Appoint Process Server
- Motions to Appoint Guardian or Attorney Ad Litem
- Motions for Telephonic Appearance

Proposed orders are not accepted through the Florida Courts E-portal at this time. Proposed orders must be submitted either by US Mail or by email (but please, not both).

Proposed orders may be submitted by email at swaldron@circuit5.org, if all parties are represented by counsel. If there are any pro se parties, conforming copies and envelopes will need to be submitted with the proposed order, via U.S. Mail, or hand delivery.

If submitting a proposed order by email, Word format is preferred.

All proposed orders shall include a certificate of service, with the **names** of all parties/counsel to be served.

HEARING/TRIAL NOTEBOOKS AND BINDERS

Judge Herndon would prefer that you NOT send binders of the case file to her. If the pleadings have been filed, please do not waste valuable time and resources copying what can be accessed in the court file. If you have case law for the Judge to consider, you may email it to swaldron@circuit5.org, or send by US Mail (your preference), giving the Court sufficient time to review it, prior to the hearing date.