

**IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT
IN AND FOR CITRUS COUNTY, FLORIDA
JOEL D. FRITTON, CIRCUIT JUDGE**

STANDING ORDER FOR CASES IN FRONT OF JUDGE FRITTON

It is hereby **ORDERED**

1. This Standing Order shall apply to all matters assigned to Circuit Judge Joel D. Fritton.
2. Hearing dates and times are provided telephonically, or via email and must be coordinated with opposing counsel, subject to an order ratifying date and time to be prepared by the requesting party.
3. All motions must be filed prior to setting a hearing on the same. Proof of service or waiver of service on emergency motions and all adoption proceedings must be filed with the Clerk of Court prior to the hearing. The preference is for evidentiary hearings to take place in person.
4. **PROPOSED ORDERS:** Copies of motions, or proposed orders should be forwarded in digital format to Susan Jones via email at sjones@circuit5.org with the EXCEPTION OF PROBATE CASES, proposed order related to probate matters shall still be e-filed.
5. **CASE MANAGEMENT:** Parties shall abide by Rule of Judicial Administration 2.250 and Rule of Judicial Administration 2.45 which instructs judges and lawyers of their “professional obligation to conclude litigation as soon as it is reasonable and justly possible to do so.”
6. **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 the previously scheduled hearing 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 motions(s) heard. Counsel will then be directed to follow the procedures to schedule the additional motion(s) for hearing.
7. **CASE LAW:** If you have case law consideration and the submission is less than fifteen pages (15) pages, you may email it to sjones@circuit5.org or send it by U.S. Mail (all submissions over 15 pages) giving the Court sufficient time to review it prior to the hearing date.
8. **ADMINISTRATIVE ORDERS:** Parties/counsel should familiarize themselves with C-2007-22-B “Second Amended Administrative Order Standing Family Law Pretrial Court Order” and A-2020-1 “Administrative Order Requiring Filing of Family Law Financial Affidavits Prior to Mediation.”

9. **TEMPORARY RELIEF (Family Cases):** Temporary relief is designed to be heard early in the litigation to protect the best interest of the children and the financial health of the parties. Hearing time will not be granted for temporary relief motions once the litigation has been protracted beyond six (6) months absent exigent circumstances. Mediation is not required prior to a temporary relief hearing.

10. **MOTION PRACTICE:**

a. Courtesy copies of emergency motions or those seeking an expedited response should be provided to the court at sjones@circuit5.org. Copies of standard motions should be filed with the Clerk and NOT copied to the Judge.

b. “Meet and Confer”: Parties/counsel shall attempt to resolve any disputes prior to filing a motion or scheduling it for hearing. A certification that this requirement has been satisfied shall be included in any motion for an extension of time, discovery dispute, or similar request for relief.

c. Legal Memorandum: While not required for family law or probate matters, legal memorandum are encouraged when counsel believes one may be helpful for the Court.

d. Page Limitation: Absent prior permission of the Court, no party shall file a legal memorandum which exceeds ten (10) pages in length.

e. Response: Opposing party shall have ten (10) days from receipt of a motion to file a response. Failure to timely respond may result in the issuance of an order as if motion was unopposed.

f. Discovery: Motions related to the content of discovery shall include the interrogatory, question or request being challenged, the grounds for the objection, and the legal authority for the position taken by the movant.

g. Oral Argument: Non-evidentiary motions will ordinarily be ruled upon by the contents of the motion and legal memorandum unless a hearing is required by law. This includes but is not limited to: motions to compel, extensions of time, substitute/withdrawal of counsel, leave to amend, and motions to dismiss. Hearing time for evidentiary motions or those required by law may be obtained by contacting the judicial assistant at sjones@circuit5.org. Exhibit exchange shall be governed by the family rules.

11. **ZOOM:**

a. Attorneys, parties, and other participants will require access to a computer/laptop/tablet with a camera or a “smart phone.” Anyone participating in a Zoom hearing shall ensure that they are in an environment that provides sufficient internet access or signal strength and is free of background noise. It is

strongly encouraged that counsel and parties unfamiliar with the Zoom platform test their devices and practice using the technology prior to the hearing.

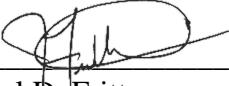
- b. **DECORUM:** A Zoom hearing is an electronic hearing that shall be regarded by the parties as if the parties were physically present in the courtroom. There shall be no smoking, eating, or other distracting or improper behaviors during the hearing. Proper attire is required just as if you were appearing in an actual courtroom.
- c. **EVIDENCE:** The Court's preference, as stated above, is to conduct evidentiary hearings in person. However, in the event an evidentiary hearing is necessary via electronic means, any documents, photographs or other evidence that counsel or a pro-se party intends to use at the hearing must be shared with the opposing party, and the Court, **no later than 48 hours** before the hearing. Evidence may be shared with the Court by email attachment to sjones@circuit5.org or some means of physical delivery (US Mail, hand delivery, etc). The electronic exhibits should be in a commonly recognized format such as JPEG or PDF. The exhibits are to be named in such a manner as to make them easily located such as "P#1 – Photo" etc. and shall be submitted as separate documents (do not submit one PDF containing multiple exhibits). Counsel and pro-se parties are directed to confer to maximize the use of stipulations. Pursuant to F.S. 90.202(6), the Court will take judicial notice of items already in the Court file (pleadings, orders, financial affidavits, etc.) so those items need not be provided. Failure to follow these directives may result in the exclusion of your evidence.

12. PROCEDURES FOR CANCELLING HEARINGS/TRIALS AND CONTINUANCES: In addition to filing your notice of cancellation, immediately notify our office by telephone or email 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 the matter has settled and file closing documents. Only the party that scheduled the hearing, or the Court, has the authority to cancel the hearing/trial. Requests for continuances should comply with Rule 1.460, Fla.R.Civ.P., and Rule 2.545(e) Fla.R.Jud.Admin.

13. FAILURE TO COMPLY: Should a party/counsel fail to abide by the terms of this Standing Order, the Court may deny the motion, strike the pleading, dismiss the action, or enforce the order through any appropriate sanction authorized by law.

This Order is subject to amendment. If you have any questions about this Standing Order, please contact Judicial Assistant Susan Jones at sjones@circuit5.org.

DONE AND ORDERED this 17 th day of August 2021.



Joel D. Fritton
Circuit Judge