



DONALD SCAGLIONE
CIRCUIT JUDGE
FIFTH JUDICIAL CIRCUIT OF FLORIDA

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HERNANDO COUNTY JUDICIAL CENTER
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5TH CIRCUIT WEBSITE:
www.circuit5.org

ZOOM PROCEDURES
(Updated 9/29/21)

Non-Evidentiary Hearings:

All parties must agree to the Zoom Hearing. It is the moving party's responsibility to set up the Zoom hearing and send invitations to all parties, including an invitation to the Court at DES-circuitcivil@circuit5.org. The Court notes it is not a "party" to the case and **does not** set up Zoom hearings or send out invitations.

It is discretionary with the parties as to whether a clerk or court reporter is needed or desired. (If desired an invitation to them must be included as well)

A Zoom Notice of Hearing must be filed with the Court at least 5 days prior to hearing date. Any paperwork to be considered at the hearing must be filed 5 days prior to hearing, with a courtesy copy to the Court.

Evidentiary Hearings:

In addition to the above – A clerk **must** be included and invited.

Parties must submit all Evidence to be considered 5 days prior to hearing with the clerk, Court and all parties and witnesses. Evidence/documents will be tabbed and marked pursuant to the Hernando County Clerk's procedures.



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REMOTE HEARING WITNESS ADMONITIONS

- **You understand that you are in a virtual courtroom at this time. While you are testifying, please remain seated in one quiet space. Remember a courtroom is a formal place — please do not engage in other activities, including eating, smoking or vaping, while you are testifying.**
- **You understand that you are under oath and any false statements you make may subject you to prosecution for perjury or obstruction of justice.**
- **Do you have any electronic communication devices, such as another phone or computer, with you? If so, please turn them off and do not turn them on again until I tell you you may do so, or you are finished testifying.**
- **Are you alone? If anyone walks in, please identify them immediately.**
- **Is that a virtual background? If so, please turn it off so we can see where you are. Also, please be advised that you may be asked to move your camera so that we can see you from a different angle.**
- **While testifying, it is important that you do not communicate with anyone else. That means you may not talk, text, or email with anyone while you are testifying in our virtual courtroom. Do you understand?**
- **Also, while you are testifying, you may not look at any documents, electronic or paper, unless I have given you prior permission to do so. That includes any of your reports or any notes you may have that relate to your testimony. Do you understand?**
- **While you are testifying, you may hear the attorneys object to something you are saying. Please wait for me to rule on the objection before continuing with your answer.**
- **If you have any technological issues while you are testifying — if, for example, you can't hear someone, or your screen freezes up — please let me know immediately. If you can't communicate in any other way, you may use the chat function to let us know what is happening, but please do not otherwise use the chat function.**
- **Do the parties have any other admonishments they wish the Court to make to this witness?**



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REMOTE HEARINGS: PRE-HEARING ADMONITIONS

- I want to put on the record that this is a remote hearing using the Zoom audio-video platform. I am looking at the gallery view and can see everyone. Everyone already made his or her appearances and I could hear everyone clearly as well.
- If you have not already done so, please change your Zoom name so that it reflects your first and last name and any formal title you may have.
- Please remember you are in a virtual courtroom. While you are here, I expect you to be on video. Please do not eat, smoke, vape or engage in other activities while you are in our courtroom.
- Please keep yourself on mute unless it is your turn to speak.
- If you like, you and your attorney may speak to each privately during the hearing using the private Zoom chat or by texting on private phones. If you are going to use private phones, please let me know. Other than for that use, please do not use any other electronic devices during the hearing.
- If at anytime a party needs to speak to counsel, or vice versa, please let me know and I will arrange for you to do so.
- If at any time anyone has any technical issues with hearing or seeing anything, or if their screen freezes, please let me know immediately.
- If you can't otherwise communicate, you may use the chat function but otherwise please do not use the chat function.

REMOTE HEARINGS: POST HEARING FINDINGS

- I already noted that this is a remote hearing. I want to put on the record that I was able to see and hear all of the parties, attorneys and witnesses throughout the hearing. Whenever there were any technical glitches, I addressed them on the record at the time.
- The parties were advised they could consult with their attorneys, and in fact did so.