

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

STANDING ORDER

THIS STANDING ORDER shall apply to all matters assigned to Circuit Judge Joel D. Fritton.

IT IS HEREBY ORDERED as follows:

ALL COURT PROCEEDINGS

SCHEDULING HEARINGS. Hearing requests should be made via email to the Court's Judicial Assistant, Susan Jones, at sjones@circuit5.org, and shall include the case name and number, the type of hearing/motion to be heard, and the amount of time being requested. The opposing party/counsel should be copied on the email. Upon confirmation by the Judicial Assistant of the coordinated hearing date and time, the requesting party shall prepare the notice for the hearing and e-file same, providing a courtesy copy to the Judicial Assistant via email. The notice should **include the amount of time set aside** for the hearing.

MOTIONS. All motions must be filed prior to the scheduling of a hearing on same. Proof of service or waiver of service on emergency motions must be e-filed with the Court prior to the hearing.

PROPOSED ORDERS. Copies of motions, or proposed orders should be forwarded in digital format via email to the Judicial Assistant, *(with the exception of Probate cases, wherein the proposed Orders shall be e-filed through the e-portal).*

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."

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.

CASE LAW. Case law to be considered by the Court that is less than fifteen (15) pages shall be submitted via email to the Judicial Assistant. Case law over fifteen (15) pages shall be submitted by U.S. Mail or Hand Delivery. Said case law shall be submitted to the Court a minimum of 48 hours in advance of the proceeding date in order to give sufficient time for the Court to review same.

INTERPRETERS. If an Interpreter will be needed for any hearing, a request must be submitted by counsel through the Fifth Circuit website at www.circuit5.org, using the online form provided at least seven (7) days prior to the proceeding.

MOTION PRACTICE

Courtesy Copies. Courtesy copies of emergency motions or those seeking an expedited response should be provided to the Court through the Judicial Assistant. Copies of standard motions should be filed with the Clerk and NOT copied to the Court's Judicial Assistant.

"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.

Legal Memorandum. While not required for Family Law or Probate matters, legal memorandums are encouraged when counsel believes one may be helpful for the Court.

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

Response. Opposing party/counsel 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.

Zoom. If permitted by the Court, parties/counsel 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 Parties/Counsel are unfamiliar with the Zoom platform, test their devices and practice using the technology prior to the hearing. 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 proceeding. Proper attire is required just as if you were appearing in an actual courtroom.

CRIMINAL PROCEEDINGS

CONTINUANCES. Continuances are granted at the discretion of the Court. Either party may file a motion to continue for good cause. All motions to continue must be e-filed at least five (5) days prior to the Court proceeding, with a courtesy copy provided to the Court's Judicial Assistant. The motion must contain the specific reason for the continuance and state whether the opposing party agrees or objects to the continuance. The moving party must also provide a proposed Order of continuance to the Court once the motion has been e-filed. Joint stipulations for continuances also require a proposed Order and should be e-filed and provided to the Judicial Assistant. Alternatively, to seek a continuance, the attorney or the covering attorney must be present in Court.

CHAMBER CONFERENCES. Chamber conferences are held prior to Court typically at 8:30 or 8:45 AM and must be scheduled via email to the Judicial Assistant. When requesting dates, please include the specific Assistant State Attorney assigned to the case, as well as the case name and number. The Judicial Assistant will provide available dates/times for the attorneys to coordinate a date.

ZOOM. **All criminal proceedings are in person,** NOT via Zoom. The use of Zoom is **only** permitted in exigent circumstances. Such circumstances would need to be addressed with the Court prior to the proceeding, and only upon the Court's approval, then would the Zoom meeting be set up.

WAIVER OF APPEARANCE. If a defendant is requesting that his/her appearance be waived at any given Court proceeding, counsel for defendant may file a written Waiver of Appearance for the specific date of the Court proceeding. Said Waiver of Appearance shall be signed by the defendant and e-filed prior to the day of the proceeding. The filing of said **Waiver is for one specific Court date** and shall not be deemed to waive any other Court proceeding other than for the date specified in the Waiver.

FAMILY LAW PROCEEDINGS

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."

TEMPORARY RELIEF. 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. All temporary hearings are conducted in person.

PROCEDURES FOR CANCELLING HEARINGS/TRIALS AND MOTIONS CONTINUANCES. In addition to filing your notice of cancellation, you must immediately notify the Court via Tele. No. (352) 341-7001 and email this Court's Judicial Assistant, 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.

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.

EVIDENCE. As stated above, the Court shall 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 attachments to the Court's Judicial Assistant via email, (or via U.S. Mail/Hand Delivery, if more than fifteen (15) pages). 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.

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. Exhibit exchange shall be governed by the Family Rules of Procedure.

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 and or concerns regarding this Standing Order, please contact Judicial Assistant, Susan Jones, via email at sjones@circuit5.org.

DONE AND ORDERED this 15 day of February, 2023.

A handwritten signature in black ink, appearing to read 'J. Fritton', written over a horizontal line.

JOEL D. FRITTON
Circuit Judge