

Judicial Practices and Procedures

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A.Communications with the Judicial Office

•**Method of Communication:** All communications to the judicial office must be submitted by e-mail to jwhite@circuit5.org. The subject line must contain the case number, case name, and relevant matter.

•**Ex parte Communications:** All communications with the judicial office must comply with Canon 3 of the Code of Judicial Conduct, which prohibits a judge from initiating, permitting, or considering ex parte communications and from considering other

communications outside the presence of the parties concerning a pending or impending proceeding, unless authorized by law. All parties must be copied on any e-mail directed to the judicial office, unless an ex parte communication is authorized by law.

•**Unsolicited Communications:** Unsolicited communications from non-parties will not be considered by the court. Parties may only contact the judicial office in accordance with these practices and procedures.

•**E-Filing Portal Contact Information:** All attorneys and self-represented litigants must provide an e-mail address to receive signed orders electronically, unless excused. Fla. R. Gen. Prac. & Jud. Admin. 2.516. It is the responsibility of attorneys and self-represented litigants to update their contact information using Form 2.603 any time there is a change in the e-mail account registered for electronic service.

•**Response to Inquiries:** Judicial assistant is not authorized to provide legal advice and will respond to all emails and inquiries in a timely fashion.

B. Scheduling Procedures

•**Scheduling Hearings:** Please email judicial assistant (jwhite@circuit5.org) for all scheduling and ensure all parties are copied.

•**Notice of Hearing:** A notice of hearing must be filed and served immediately after reserving hearing time. A notice of hearing involving any remote appearance must list the judicial Zoom credentials. All notices of hearing must contain the ADA notification required by Florida Rule of General Practice and Judicial Administration 2.540.

•**Submission Deadlines:** The court must receive all materials for the hearing no later than five business days before the hearing.

• **Order of Proceedings:** Matters will be heard in the order they appear on the docket.

• **Continuance Procedure:** Continuances are disfavored and will be granted only upon good cause shown. A request for continuance must be submitted at least five days prior to the scheduled court date. Except for good cause shown, the motion must be signed by the party requesting the continuance, as required by Florida Rule of General Practice and Judicial Administration 2.545 (e).

• **Cancelling Hearings:** You must cancel hearings by notifying the judicial assistant immediately via email (jwhite@circuit5.org). You must also immediately file and serve a notice of cancellation on opposing counsel and any self-represented litigant.

C. Remote Appearance

- **Remote Appearance Procedure:** The court maintains a hybrid virtual courtroom, allowing parties to appear either in person or remotely, as provided by Florida Rule of General Practice and Judicial Administration 2.530. Requests to use communication technology for an appearance must be made by motion.

- **Platform Used:** The court uses Zoom for remote appearances is allowed.

- **Platform Meeting ID#:** The judicial assistant will provide the zoom hearing information for the Notice of Hearing.

- **Requirements:** A motion to appear via zoom must be filed with the court at least 5 days prior to the hearing along with a proposed order emailed to the judicial assistant.

D. Submission of Orders and Judgments

- **Format:** All proposed orders must be submitted in PDF/a or Word format. All proposed orders must be accompanied by a cover letter either (1) certifying that all parties agree to the order or (2) containing a statement identifying any disagreement of the parties as to the proposed order and (3) required to be in compliance with Fla. R. Civil Procedure, Rule 1.202.

- **Submission Method:** All proposed orders must be emailed directly to the judicial assistant (jwhite@circuit5.org).

- **Deadline for Submissions:** Proposed orders must be submitted within 10 days after any hearing.

E. Courtesy Copies of Case Law and Other Documents

- **When Required:** Courtesy copies of case law or other specified document must be submitted to the court for any evidentiary proceeding.

- **Format:** PDF/a format or Word document.

- **Submission Method:** All hearing materials should be sent via Fed Ex.

- **Deadline for Submissions:** Courtesy copies must be delivered to the court no later than five days before any evidentiary proceeding.

F. Emergency and Other Urgent Matters

- **Requirements:** If a party believes there is a factual basis for setting an emergency hearing, a detailed motion setting forth the following must be filed: (1) the issues to be resolved, (2) reasons why an emergency hearing is necessary, and (3) the amount of time needed for each party's presentation.

- **Scheduling:** If the court determines that an emergency exists, a hearing will be scheduled unilaterally by the court. All parties shall make themselves available for the emergency hearing, barring exigent circumstances.

G. Exhibits for Evidentiary Proceedings

- **Submission Method:** Submit all exhibits via Fed Ex directly to our office.
- **Format:** Exhibits must be submitted to the clerk of court in paper format. All attorneys and self-represented litigants must bring sufficient copies of each exhibit for the clerk, the court, and each party to review during the hearing or trial. Exhibits must be labeled in the following format: 'Petitioner/Plaintiff 1' or 'Respondent/Defendant A.'
- **Deadline for Submissions:** All exhibits must be received in chambers at least five days prior to the evidentiary proceeding.

H. Pretrial Procedures and Conferences

- **Case Management Conference:** Any party may request a case management conference (CMC) when a case requires. The court strongly encourages the early use of CMC in more complex cases, multiple-party litigation, or any case that might benefit from court intervention. Unless excused by the court in advance, all CMCs are mandatory for attorneys and self-represented litigants. Parties represented by counsel are not required to appear at a CMC.

- **Status Conference:** Any party may request a status conference when a case requires.
- **Requirements:** Any request for a CMC or status conference must articulate the reasons for the necessity of the conference.
- **Scheduling:** If the court agrees that a CMC or status conference is required, the moving party may schedule the CMC or status conference through the judicial assistant.

I. Setting Case for Trial

- **Procedure:** File a notice for trial to set the case for trial.
- **Notice Period:** The court does not set date-certain trials. After the pre-trial conference, the court will assign cases to specific days during the trial period and may assign back-up cases. Attorneys, self-represented litigants, parties, and witnesses are expected to be available during the entire trial period.

J. Forms

- **Access:** Division forms are available at <https://www.circuit5.org/courts-judges/hernando-county/judiciary/pam-vergara/>
- **Usage:** Division forms must be used for all relevant filings.

K. Other Division Procedures

- **ADA Accommodations:** If you need an ADA accommodation, Please contact the ADA Coordinator at the Office of the Trial Court Administrator, Hernando County Courthouse, 20 North Main Street, Brooksville, Florida 34601, Telephone (352) 754-4402, at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.
- **Interpreter Requests:** If an interpreter is needed for a hearing or trial, please visit, <https://www.circuit5.org/programs-services/interpreting-services/>
- **Other Division Procedures:** For any further information please visit <https://www.circuit5.org/courts-judges/hernando-county/judiciary/pam-vergara/>