

DIVISION G GENERAL PROCEDURES – effective June 16, 2023
Robert A. Segal, Circuit Judge

Cases for which Defendant's appearance is mandatory and cannot be waived by counsel:

1. First day of trial period where case has been scheduled for trial
2. Trial as set forth in Fla. R. Crim. P. 3.180
3. Evidentiary hearings
4. VoP hearings
5. Calendar call when Defendant is not in custody (inmates will be brought to court only upon advance request of counsel made to the Sheriff's Office)
6. VoP arraignments when Defendant is not in custody (inmates will be brought to court only upon advance request of counsel made to the Sheriff's Office)
7. Hearings on motions to revoke or modify bond
8. Hearings on motions for fingerprints or DNA buccal swabs
9. Any other matter for which court has issued an order to appear

Any individual appearing pro se must attend all court events for that case

Cases where inmates will be transported:

1. First day of trial period where case has been scheduled for trial and each successive day of trial
2. Evidentiary hearings
3. VoP hearings
4. Hearings on motions to revoke or modify bond
5. Hearings on motions for fingerprints or DNA buccal swabs
6. Any other matter where counsel specifically requests Sheriff to transport

Court will take pleas at the following events:

1. Calendar call after all cases have been addressed
2. VoP arraignments
3. VoP hearings
4. Evidentiary hearings
5. Times specifically set aside for pleas
6. First day of trial period

The Court will not accept any plea (felony or misdemeanor) without a written plea form signed by the Defendant, defense counsel, and counsel for the State

Any Motion to Suppress must be filed and noticed for hearing (a hearing date must have been selected and a notice of hearing filed) at least seven (7) days before calendar call.

Motions filed after this time, or not duly noticed for a hearing, will be denied as untimely without a hearing. *Powell v. State*, 717 So.2d 1050 (Fla. 5th DCA 1998)

ALL requests for continuance must be sought in the manner set forth in Fla. R. Crim. P. 3.190(a) and (f). Failure to comply with these rules may serve as an adequate basis for the Court to deny the request

COURT'S TRIAL CALENDAR -- Cases placed on the trial calendar will not be continued without a showing of extraordinary good cause. All cases set on a given trial period will be addressed on the first Monday of the trial period. The Court will not be requesting any jurors for that Monday. It is the Court's intent to furnish the parties with adequate opportunity to resolve cases without unnecessarily consuming the time that jurors must be present in court. The Court will not accept a negotiated plea after close of business on the first Monday of the trial period.

In the event that either counsel or a party is unavailable to appear on the first Monday of the trial period, and the Court has excused the appearance, counsel will remain responsible to advise the Court, by noon on the first Monday of the trial period, if the case will be a plea or trial. If the Court is not notified that a plea offer has been extended and accepted by noon on the first Monday of the trial period, the case will be placed on the trial calendar and the opportunity to accept a negotiated plea will expire.

Cases will be called up in the order each case appears on the trial order, though this is subject to the discretion of the Court. Absent a showing of extraordinary good cause, the Court will not continue a case set on the trial calendar due to a failure to engage in discovery, e.g., unfiled or unheard Motion for Fingerprints.