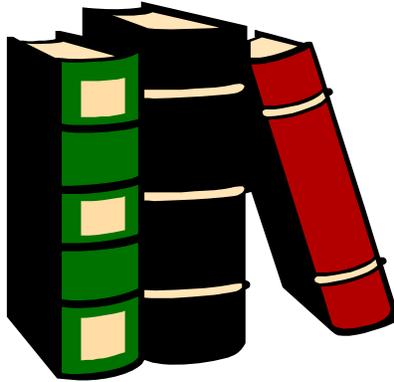


**EIGHTEENTH JUDICIAL CIRCUIT
SEMINOLE COUNTY
CIVIL/FAMILY DIVISION K**



**ADMINISTRATIVE
POLICIES AND PROCEDURES
GUIDELINES**

JUDGE MELISSA D. SOUTO

UPDATED MAY 2019

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COURTROOM DECORUM

ALL PARTIES AND COUNSEL SHALL EXERCISE PROPER COURTROOM DECORUM WHILE IN COURT

- The use of cell phones and/or pagers in the courtroom is strictly prohibited;
- Address all remarks to the Court and not to opposing counsel or the opposing party;
- The judge may remove anyone from the courtroom who hinders the orderly conduct of business;
- **All parties and counsel should read and familiarize themselves with Administrative Order 09-06, Supersedes 92-116** regarding Courtroom Decorum and Procedure: <http://www.brevardclerk.us/administrative-orders?MonthDisplay=6&YearDisplay=2009>.

HEARINGS

1. SCHEDULING: All parties are required to give a good faith assessment of the time needed for the hearing. If other parties are waiting for their hearing, and your case goes over the time limit, your hearing will be terminated and rescheduled for a subsequent hearing. Hearings (up to one hour) are to be scheduled online using the JACS system. To use JACS, please go to www.flcourts18.org; under the Attorney/Citizen Resources tab; then select (under Attorney Resources) Available Hearing Time (JACS). This will show you the Court's available hearing time. After you have coordinated and you are ready to schedule your hearing, go to www.flcourts18.org, under the Attorney/Citizen Resources tab; then select (under Attorney Resources) Schedule A Hearing (JACS). (If you do not have a user name/password, please visit the "Answers to FAQs" to learn how to obtain one.) Click on "Scheduling Functions" and enter your user ID and password to schedule a hearing. You may schedule in 15 minute increments up to ONE HOUR. *(For example, if you need a 45 minute hearing, you will schedule your hearing for 3 15-minute slots.)* **If evidence will be presented, please note "evidentiary" in the Judge's Notes on JACS.** **IF YOU NEED A HEARING FOR MORE THAN ONE HOUR, PLEASE CALL THE JUDICIAL ASSISTANT.** If you have two motions requiring one hour each, you CANNOT set them on the same day through JACS, even if the time is available. They must be set on different days, or set by the JA for 2 hours.

Coordinating: Reasonable attempts need to be made to clear a date with opposing counsel before scheduled on JACS. Several attempts on the same day is not sufficient. **DO NOT** contact the JA to determine what a reasonable attempt is, or how much time is reasonable. This must be determined by the attorney.

Pro Se Parties Only: If the opposing party is pro se and a telephone number is listed on any of their pleadings, **you must make two attempts on two different days to coordinate.** A message must be left on both days requesting them to call your office by the end of that business day to coordinate the hearing. If, at the end of the second business day, you do not receive a call back,

then you may set a hearing unilaterally online at least fourteen (14) days from the current date. If no phone number is listed in the Court file, then a hearing cannot be scheduled sooner than one month out.

Once your hearing is set on JACS, you will receive a confirmation number. Please print out the confirmation page and attach it to your copy of the Notice of Hearing for your records. Please do not send a copy of the Notice of Hearing to the Judge, just file the original Notice in the Court file.

Motions: When scheduling a hearing on JACS, if you do not see the subject of your motion that you are trying to set for hearing listed in the drop down box, please click cancel and logout at the bottom of the main menu and review the “Answers to FAQs.” The JACS system will only allow you to select one motion in the drop down box. If you have more than one motion that you wish to address on that date and time, please list the other motions in the “Additional Motions to be Addressed” box. The Court may review the motion from the Court file.

Courtroom: When scheduling in JACS, do not select a courtroom in the drop down box, as this will limit your search for available hearing time. Leave the box blank. Judge Souto holds hearings in **Courtroom L**, unless otherwise noted on the door.

Select role of Scheduling Attorney: If you get a prompt while trying to schedule your hearing that you need to select a role of the scheduling attorney, you need to logout of JACS and log back in, and attempt to schedule the hearing again. After you select the date for your hearing, there will be an option right above where you input your case number for you to select whether your attorney represents the Plaintiff or Defendant.

Telephonic Hearings: Telephonic hearings are permitted. Please file a Motion and proposed agreed Order to appear by phone. The Order **must** include the date and time of the hearing, a telephone number for the Judge to call at the time of hearing, and **must** specify the name of the attorney appearing by phone. *If multiple parties wish to appear by phone*, please file a Motion and proposed Order with the date and time of the hearing, **one phone number** for the Judge to call (Counsel scheduling the hearing should use a conference call service, if possible, for the Court to call only one number to reach all parties), and the name of each party attending via telephone. The parties appearing by phone need to stand-by for one hour, **from** the time the hearing is set, for the Judge’s phone call. After hearing and the Judge has ruled, a proposed Order may be submitted through the e-portal, along with a separately filed cover letter confirming there are no objections to the proposed Order.

2. CONTINUANCES: If a continuance of a hearing is requested by a party who did not set the hearing, and the party who scheduled the hearing will not agree to reschedule, then a Motion for Continuance may be presented at a noticed Short Matters hearing (see below for Short Matters procedures).

If agreed, the attorney must obtain new dates, and re-coordinate with the opposing parties. When you are ready to reschedule, go to JACS and select “To Re-Schedule a Hearing” under the Main Menu. Type in your confirmation number and select “Reschedule.” Click on the newly coordinated date, and the hearing will be rescheduled and you will receive a new confirmation number for your records. An Amended Notice of Hearing must be prepared, with an attached copy of your confirmation page to your copy of the Amended Notice for your file. Please do not send a copy of the Amended Notice to the Judge, just file the original in the Court file.

3. CANCELLING: Only the party who scheduled the hearing may cancel the hearing. The attorney who scheduled the hearing must go on JACS and click “To Cancel a Hearing” under the main menu. Enter your confirmation number and click “Cancel Hearing.” You **MUST** follow up by filing a Notice of Cancellation in the Court file. Attach a copy of your confirmation page to your Notice for your file. **Please send a copy of the Notice of Cancellation to the JA** (Nicole.daniels@flcourts18.org). **IF A HEARING IS CONTINUED OR CANCELLED, IT IS THE RESPONSIBILITY OF THE SCHEDULING ATTORNEY TO ADVISE THE JUDICIAL ASSISTANT THAT THE SCHEDULED HEARING IS CONTINUED OR CANCELLED SO THAT IT IS REMOVED FROM THE COURT’S DOCKET.** Should a hearing be cancelled less than 24 hours prior to the hearing, the scheduling attorney’s office **must** email and/or call the JA to advise of same to avoid the Court requiring further in person appearances.

4. CROSS-NOTICING/PIGGY-BACKING: If you wish to add a motion to a previously set hearing and you do not need more time, you must contact the party who scheduled the hearing and obtain permission to share their time. If you need additional time, you may either set a new hearing on JACS for the same date and time (if available), or have the party who set the original hearing cancel theirs and reschedule for a timeslot with sufficient time for both hearings. Please make sure that Amended Notices and/or Cross-Notice of Hearings are filed with the Clerk. Please do not send a copy of your Amended Notice or Cross-Notice of Hearing to the Judge. Should the opposing party not agree to schedule your motion for the same time, you must find additional available time in JACS.

5. NOTICE OF HEARING: A Notice of Hearing must specifically state the matter(s) to be heard. A Notice of Hearing that states “All Pending Motions” is a nullity. Any party scheduling a hearing **MUST** provide notice to the other parties, even if defaulted by the Court. If a Guardian ad Litem appointed in the case is not given notice of a hearing, the hearing may be subject to cancellation by the Court pending proper notice to the Guardian ad Litem. Please do not send a copy of your Notice of Hearing to the Judge, just file the original with the Clerk.

6. MATTERS NOT REQUIRING A HEARING: **The following matters do not require a hearing** and a proposed Order may be submitted through the e-portal as an “Agreed Order,” along with a separately filed cover letter indicating no objection to the proposed Order; and/or with a Stipulation. For any other motion, the Court may enter an order, or may require hearing.

- Appointment of Special Process Server

- Appointment of Special Magistrate to hear UCD
- Stipulated Modifications
- Stipulated Orders
- Motion for Substitution of Counsel (Signed by Attorney **and** Party)
- Motion to Enter an Agreed Order
- Motion to Cancel and Reschedule a Foreclosure Sale
- Motion to Vacate Foreclosure Judgment (because of reinstatement)
- Default Judgment of liquidated amounts
- Motions to Withdraw (WITH SIGNED CONSENT FROM CLIENT)
- Uncontested Final Judgment for Dissolution of Marriage (**when BOTH parties are represented by counsel**)

7. EMERGENCY HEARING: Please **do not** drop-off or fax your Emergency Motion to the Judge. If you feel that your motion is an emergency (i.e., a child is seriously endangered) and you need the Judge to hold a hearing within 24 hours, please contact the JA via email (nicole.daniels@flcourts18.org) and attach the Emergency Motion for the Judge to review and determine whether any time is available. If time is available and the Motion is deemed an emergency, the JA will contact you with hearing time.

Expedited: If you need a hearing within 5 business days, then your motion is an expedited motion, and you must contact the JA for available hearing time.

8. SHORT MATTERS/EX PARTE: Short Matters/Ex Parte hearings are five to ten minutes or less, and no evidence or testimony is allowed. Judge Souto holds Short Matters/Ex Parte Monday through Thursday at 9:00 a.m. WITH EXCEPTIONS. You may check the JACS header under Judge Souto's calendaring page; Judge Souto's docket on JACS; or contact the JA (nicole.daniels@flcourts18.org; 407-665-4245) for exception dates. Exception dates are also included in the JA's voicemail, should you be unable to reach her. Short Matters are not scheduled through JACS, nor through the JA. Simply coordinate with the parties and **file a Notice of Hearing with the Clerk and the JA.** Telephonic Appearances during Short Matters/Ex Parte are permitted with proper Motion and proposed Order.

9. TEMPORARY RELIEF FOR FAMILY CASES: Motions for Temporary Relief are scheduled before and conducted by the General Magistrate's office (407) 665-4050. If the case has never been referred to the GM in the past (from the date of initial filing until present, regardless if you were attorney of record at that time), and you **do not** wish to have the GM hear the motion, then **an objection must be filed in writing.** Before the hearing can be scheduled before the Judge, **mediation MUST have occurred regarding the temporary issues, prior to the scheduled hearing date.** Temporary Relief hearings before the Judge are limited to 60 minutes.

If a temporary relief hearing is set before the GM, and this is the first hearing that has ever been referred to the GM and the opposing party objects within the ten (10) days, the **objection must**

contain the agreed date and time for mediation, or the objection is not a valid objection and the hearing will remain on the GM's docket (*Administrative Order 17-08S*).

10. RULE/ORDER TO SHOW CAUSE: A verified Petition for Rule to Show Cause, or Order to Show Cause, with accompanying Affidavit, can either be presented at Short Matters/Ex Parte, or can be forwarded by letter to the Court. If the Petition is granted at Short Matters/Ex Parte, the attorney may obtain a date for the Order to Show Cause on JACS. If the Petition has been mailed to the Court and the Court has granted it, the JA will contact your office to let you know that you may schedule on JACS.

11. CONTEMPT:

Civil: Motions for Contempt in civil cases are scheduled on JACS.

Family: Motions for Contempt in family cases are scheduled with the General Magistrate's office (407) 665-4050. If the case has never been referred to the GM in the past (from date of filing to present, regardless if you were the attorney of record at that time), and you do not wish to have the GM hear the motion, then **an objection must be filed in writing**, then a hearing can be scheduled on JACS.

12. UNCONTESTED DISSOLUTIONS OF MARRIAGE: Uncontested Dissolutions of Marriage, where at least one party is represented by counsel, can be filed through the e-portal with a proposed Final Judgment, along with a separately filed cover letter stating there are no objections to the proposed Final Judgment. These can also be scheduled during Short Matters. Also, if there are children involved, the Final Judgment must incorporate specifics on child support (i.e., how much, how it is to be paid, and how often).

If both parties are pro se, they must fill out Form A located on www.flcourts18.org under "Program/Services, Self Help (Represent Yourself)," and file with the Clerk of Court.

13. ADOPTIONS and TERMINATION OF PARENTAL RIGHTS PENDING: These motions are set during Short Matters. If both parties are pro se, they must fill out Form A located on www.flcourts18.org under "Program/Services, Self Help (Represent Yourself)," and file with the Clerk of Court.

14. MOTION TO WITHDRAW AS COUNSEL: If the attorney is able to obtain a **signed consent** from their client, then the proposed Order may be submitted through the e-portal. If the attorney is unable to obtain a signed consent from their client, the motion must be heard during Short Matters with at least 5 days notice to the parties. Please make sure the motion and Notice of Hearing has a Certificate of Service that indicates that they were mailed to the client. The proposed Order allowing withdrawal of counsel must reflect the following:

- The client's name, last known address, telephone number, and, if possible, e-mail address;

- A statement that all pleadings are to be furnished to the client;
- A statement that the client is responsible for notifying the Clerk of Court, in writing, within 5 days of any change of address.

15. MOTION FOR SUMMARY JUDGMENT (RESIDENTIAL FORECLOSURE):

Mediation Required: Any case where the owner filed a responsive pleading **MUST BE** mediated before a hearing on an MSJ can be scheduled. Mediations can be conducted at the Seminole County Courthouse or through a private mediator. Please review the Practices and Procedures under the foreclosure link at www.flcourts18.org for the required forms and information.

Dispense with Mediation: If the Plaintiff feels that mediation is not necessary or the case has been pre-mediated, then a Motion to Dispense with Mediation may be filed explaining the reason(s). Orders to Dispense with Mediation can be signed ex parte. Please upload the proposed Order to the e-portal for entry.

Mediation Not Required: If no responsive pleading has been filed by the owner, then no Motions to Dispense with Mediation are required. You may set your case for an MSJ hearing (using JACS, or if unopposed, you may schedule during Short Matters). Please do not send proposed Orders to the Judge, they will not be signed.

16. MOTION FOR REHEARING / RECONSIDERATION: Once a Motion for Rehearing/Reconsideration is filed with the Clerk, please mail a copy to the Judge for review. The Judge will either rule on the motion, without a hearing, and copies will be sent out; or, the JA will contact your office to let you know that you may schedule a hearing on JACS. **DO NOT SET A HEARING UNLESS YOU RECEIVE APPROVAL FIRST.** The hearing is NOT the rehearing of the issue itself, but is simply an opportunity for the party to argue their Motion for Rehearing/Reconsideration before the Court.

17. MOTIONS IN LIMINE/PRE TRIAL MOTIONS: All Motions in Limine and Pre Trial Motions must be scheduled for hearing prior to the trial date.

18. NOTICE OF INTENT TO RELOCATE: Pursuant to Fla. Stat. § 61.13001, the following information **MUST BE INCLUDED** with the Notice, and the Notice **MUST** be signed under oath under penalty of perjury:

- A description of the location of the intended new residence, including state, city, and specific physical address (if known);
- The mailing address of the intended new residence, if not the same as the physical address (if known);
- The home telephone number of the intended new residence (if known);
- The date of the intended move, or proposed relocation;

- A detailed statement of the specific reasons for the proposed relocation of the child. If one of the reasons is based upon a job offer, which has been reduced to writing, the written job offer **MUST** be attached to the Notice of Intent to Relocate;
- A proposal for the revised post-relocation schedule of time-sharing, together with a proposal for the post-relocation transportation arrangements necessary to effectuate time-sharing with the child;
- Substantially the following statement, in **ALL CAPITAL LETTERS**, and in the same size type (or larger) as the type in the remainder of the Notice:

AN OBJECTION TO THE PROPOSED RELOCATION MUST BE MADE IN WRITING, FILED WITH THE CLERK OF COURT, AND SERVED ON THE PARENT OR OTHER PERSON SEEKING TO RELOCATE, WITHIN 30 DAYS AFTER SERVICE OF THIS NOTICE OF INTENT TO RELOCATE. IF YOU FAIL TO TIMELY OBJECT TO THE RELOCATION, THE RELOCATION WILL BE ALLOWED, UNLESS IT IS NOT IN THE BEST INTERESTS OF THE CHILD, WITHOUT FURTHER NOTICE AND WITHOUT A HEARING.

- The mailing address of the parent or other person seeking to relocate to which the objection should be sent.

If an objection has been filed within 30 days, the party **MUST** file a Petition to Relocate to seek relief. A hearing **CANNOT** be set until an objection has been filed, or the time for filing an objection has expired.

If no objection is filed within the 30 days, the moving party is to send the Judge a proposed Order titled “Order Approving Relocation and Modifying Time Sharing,” and the Order must repeat the proposed time-sharing schedule.

ORDERS

19. MOTION FOR CHILD PICK-UP ORDER: Without notice, a copy of the motion with justification for lack of notice must be provided to the Judge via hand/mail/or email along with the approved proposed Order. The Order must have the heading, case number, division and the parties’ names filled out. If the Judge enters the Order *ex parte*, a certified copy can be obtained through the Clerk’s office for service, and a hearing will be indicated on the Order as to the date and time for the parties to appear in Court to present evidence.

The Judge may deny the *ex parte* request, but also set a hearing and will either notify you with a verbal denial, or by an Order denying. A hearing will be set on an expedited basis (14 days), and the moving party will be responsible for preparing the Notice of Hearing.

20. PROPOSED ORDERS: All proposed Orders should be submitted through the e-portal in Word format and **must** be accompanied by a separately filed cover letter stating that opposing

parties have reviewed the proposed Order and they have no objection to the form or content of the Order. If the parties cannot agree, please schedule a hearing. Do not ask opposing parties to contact the Judge's office with objections to a proposed Order. If opposing parties have been forwarded a copy of the proposed Order, but have not responded within a reasonable time frame, you may state so in your cover letter **if the motion was already heard before the Court**. If the matter has not been heard by the Court, and you have not received a response from opposing parties, then it **MUST** be set for a hearing.

If the other parties are pro se, a copy of the proposed Order is to be sent simultaneously to the pro se party and the Court, with a cover letter stating that the opposing parties must voice any objections, in writing to the Court, within 5 days.

When formatting, please do not leave the Judge's signature line by itself on the last page without some content of the Order. The signature line and date entered must be on the same page. For example:

"DONE AND ORDERED this _____ day of _____, 201____, in Chambers in Sanford, Seminole County, Florida.

MELISSA D. SOUTO
Circuit Judge"

21. MOTIONS FOR JUDICIAL DEFAULT: Motions for Judicial Default **WILL NOT** be signed without a hearing. If you are unable to obtain a Clerk's Default, a hearing **MUST** be set.

22. FINAL JUDGMENTS OF DISSOLUTION OF MARRIAGE:

The Final Judgment of Dissolution of Marriage **MUST** contain the following:

- Appropriate paragraphs relating to any child issues, for example, support, time sharing, abatement of support, etc., if any. The Final Judgment cannot merely ratify and confirm the agreement. It must specifically state what is also in the agreement. Should it attempt to confirm a Marital Settlement Agreement or Parenting Plan, said document **MUST BE ATTACHED** to the Final Judgment as an Exhibit;
- The signature page must contain text. It cannot only contain the "DONE AND ORDERED" clause, or a line for the Judge's signature;
- Certification that conformed copies are being forwarded to all counsel of record and/or pro se parties, giving their names and addresses (or email addresses), and a place for the Judicial Assistant to sign and date;

- A separate sheet with identification information of the parties – name, address, and last four (4) digits of their social security number, as well as the name and date of birth of any children;
- A separate paragraph regarding payments, which are to be through the Clerk’s office, similar to the following:

The husband/wife _____, whose address is _____, shall pay child support in the amount of \$ _____ per _____, commencing _____, and on the ____ of each month thereafter, to the Clerk of Circuit Court, Support Division, Seminole County Courthouse, Sanford, Florida (mailing address: P.O. Box 819, Sanford, FL 32772-0819), together with the statutory service charge of 4% of the payment, or \$5.25, whichever is less. Payment shall be made in the form of cash, cashier’s check, certified check, money order, or other payment form acceptable to the Clerk, and must include the case number, name of the payor and payee, for proper identification.

Child Support payments shall continue until the minor child(ren) reach the age of 18 years, marries, dies, becomes emancipated, or otherwise ordered by this Court, whichever event shall occur first.

Each party shall inform the other, and the Clerk of Court, immediately of any change of name or address.

- If there are matters that cannot be completed by Final Judgment, or are ongoing, such as alimony, child support, security, etc., then the Final Judgment shall contain a statement that each party shall keep the other party advised of their current address and telephone number;
- All Final Judgments of Dissolution of Marriage shall be accompanied by a Final Disposition Form.

The attorney preparing the Final Judgment is to submit the proposed Final Judgment to opposing counsel for approval as to form and content **prior to submission to the Court**. All Final Judgments are to be accompanied by a cover letter stating that opposing counsel has reviewed and approved the form and content of the proposed Final Judgment. If the attorney cannot agree on the proposed Final Judgment, a hearing must be scheduled.

TRIALS

FAMILY DIVISION:

Family Coordinator: **Sandy Gorman**
 (407) 665-4222
 Sandy.Gorman@flcourts18.org
 Contact regarding Pre Trial Conferences and Trials

Notice for Trial: A Notice for Trial stating that the cause is at issue must be filed with the Clerk's office, accompanied by an email address to all counsel of record, or if pro se parties, stamped, self-addressed envelopes to all parties. If emails or envelopes are not accompanying the Notice for Trial, the Court will take no action. The Notice shall include an estimate of time required, and whether the trial is on the original action or a subsequent proceeding. The case will then be forwarded to the Family Division Coordinator for review.

**ALL CONTESTED CASES WILL BE REQUIRED TO ATTEND AND COMPLETE A
MEDIATION SESSION**

Pre Trial Conference: Orders Requiring Mediation, Setting Pre Trial Conference, and trial Date will be entered by the Court. Pre Trial Conferences will be conducted telephonically. Parties are to be available for at least one hour from the stated time for a phone call from the Court. If an attorney has made an appearance and will not be in the office during the necessary timeframe, the attorney **MUST** contact the Trial Coordinator **before the Pre Trial Conference** with an alternative phone number where the attorney will available at the time of the Pre Trial Conference, or should have coverage counsel. If the party is *pro se*, they **MUST** contact the Trial Coordinator **before the Pre Trial Conference** with a phone number. A time certain trial time will be given during the Pre Trial Conference. If it becomes necessary to place a case on the trial docket as a back-up, the parties will be notified of the actual time of trial no less than 24 hours prior to trial time. The Court will not address any pending motions at this time.

Case Management Conference: A Case Management Conference will be set if both parties are pro se. The Case Management conference will be conducted by the General Magistrate's Office. The General Magistrate will determine the status of the case, Order the parties to attend mediation, and ensures the parties meet full compliance with Florida Statutes Chapter 61 prior to Trial.

CIVIL DIVISION:

Civil Coordinator: **Kelley Rowland**
(407) 665-4203
Kelley.Rowland@flcourts18.org
Contact regarding Case Managements, Pre Trial Conferences, and
Trials)

Notice for Trial: A Notice for Trial stating that the cause is at issue must be filed with the Clerk's office, and must contain complete, current e-mail addresses to all counsel of record or pro se parties. The Notice shall include an estimate of the time required, whether the trial is to be by a jury or not, and whether the trial is on the original action, or a subsequent proceeding. The case will then be forwarded to the Civil Division Coordinator for review. The Court will issue an Order Setting Case Management Conference, which is required for all cases requiring one day or more to complete.

Case Management Conference: The Trial Coordinator will conduct a Case Management Conference telephonically to determine the exact status of the case. Parties are to be available for at least one (1) hour from the stated time for a phone call from the Trial Coordinator. If an attorney has made an appearance, the attorney **MUST** contact the Trial Coordinator **before the Case Management Conference** with a phone number where the attorney will be available at the time of the Case Management Conference. Pro se parties **MUST** contact the Trial Coordinator **before the Case Management Conference** with a phone number if they wish to appear by phone. Parties will be required to strictly adhere to the Order Setting Case Management Conference. The Trial Coordinator may, at the time of the conference, schedule expert disclosure deadlines and/or set a Pre Trial Conference and Trial date.

Pre Trial Conference: Pre Trial Conferences are automatically set for any case requiring more than one day. If less time is required, a Pre Trial Conference will have to be requested at the time of noticing the case for trial. The Court will expect full compliance with the Order Setting Pre Trial Conference and Trial Date. **Unless specifically excused by the Judge, all attorneys/parties are required to attend the Pre Trial Conference in person**, even if a time certain for trial has been set. The Court may designate counsel to send written Notice to opposing counsel or pro se parties who did not appear at the Pre Trial Conference. The Court **will not address** any pending motions at this time.

Jury Selection: All juries are selected on Monday morning of the trial week. All attorneys and parties are expected to be present for trial at 8:30 a.m. The presiding Judge will normally review the docket for last minute adjustments at that time.

Jurors will be excused from the Courtroom before the Jury selection process begins. The Court will alternate between counsel asking them to accept or challenge jurors. The Plaintiff will be requested to accept or challenge the first juror. This procedure will be continued until a jury is selected. Backstrikes are allowed until the jury is sworn.

Responsibility for preparation of jury instructions is upon the party requesting the instruction, unless the Court orders otherwise. Jury instructions shall be in 12 point type, Times New Roman font, and follow the format of the Standard Jury Instructions in Civil Cases. All draft jury instructions should be provided to the Court by noon the Friday before trial.

FORECLOSURE DIVISION:

Foreclosure Coordinator: **Lisa Hockenhull**
(407) 665-4296
Lisa.Hockenhull@flcourts18.org
Contact regarding Trials

Notice for Trial: A Notice for Trial stating the cause is at issue must be filed with the Clerk's office, and must contain complete, current, e-mail addresses to all counsel of record or pro se parties. The Notice shall include an estimate of the time required. The case will then be forwarded to the **Foreclosure Division Coordinator** for review. The Court will issue an Order setting the case for trial, which is required for all cases. Should a case require more than two hours it may be rescheduled to the Court's civil trial docket to complete. Otherwise, cases will simply be placed on a single docket for all foreclosure trials to be heard by any of the civil/family division judges. The Court will expect full compliance with the Order Setting Foreclosure Trial.

MOTIONS TO CONTINUE PRE TRIAL/TRIAL: Opposed Motions for Continuance of Case Managements, Pre Trial Conferences and/or Trials must be heard at Short Matters/Ex Parte. Any Motion for Continuance must be made in writing, signed by counsel for the parties, and shall state when the cause will be ready for trial. In ruling upon such motions, the Court will weigh the following factors:

- What are the legal grounds?
- When was the case filed?
- When was the case noticed for trial?
- When was the motion filed?
- Will the parties be prejudiced?
- Has the case been previously continued, and if so, how many times?
- Has there been compliance with the temporary support Order?
- What is the condition of the Court's calendar?

MISC.

- When contacting the Court (via mail or e-mail), you **must** copy all parties;
- Should you wish for Judge Souto to review materials or case law prior to a hearing, please submit via mail at least seven (7) days prior to your hearing.
- Please **do not** submit proposed Orders via multiple communication types (i.e., via e-portal; U.S. mail and electronic mail).