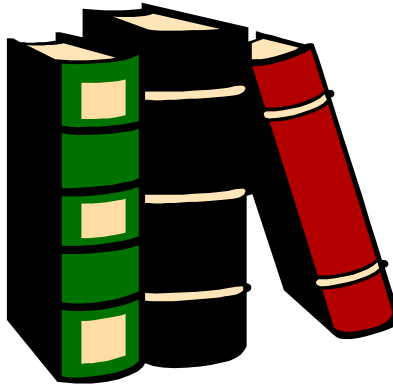


**EIGHTEENTH JUDICIAL CIRCUIT
SEMINOLE COUNTY
JUVENILE DIVISION B**

**(Juvenile Dependency, Juvenile Delinquency, Probate, Mental Health & Guardianship
Division)**



**ADMINISTRATIVE
POLICIES AND PROCEDURES
GUIDELINES**

JUDGE MELISSA D. SOUTO

SEMINOLE COUNTY JUVENILE JUSTICE CENTER

190 ESLINGER WAY

SANFORD, FLORIDA 32773

(407) 665-5342

JUDICIAL ASSISTANT: NICOLE DANIELS

NICOLE.DANIELS@FLCOURTS18.ORG

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COURTROOM DECORUM

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

- The Judge may remove anyone from the courtroom who hinders the orderly conduct of business;
- The use of cell phones is strictly prohibited.
- Address all remarks to the Court and not to opposing counsel or opposing party.
- 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/cache/files/0/3/0309ec7d-4b2b-4771-be51-42c5a69505e9/17CAA9D25C7C325506910EF3B8DE8F1C.09-06-click-here-.pdf>

HEARINGS

1. SCHEDULING: All parties are required to give a good faith assessment of the time needed for a hearing. Please contact the JA to obtain available dates and times for hearing. (Nicole.Daniels@flcourts18.org). Once the hearing has been coordinated with all appropriate parties, email the JA to confirm the date, time and courtroom. If your case goes over the time limit, your hearing may be terminated and rescheduled for another date.

Coordinating: Reasonable attempts need to be made to clear a date with opposing counsel and ALL PARTIES before scheduling a hearing. Several attempts made 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 or email address is listed on any of their pleadings, you must make at least 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 at least thirty (30) 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 to allow sufficient time for notice. The notice must be mailed with sufficient time for the opposing party to be present to make objections.

Courtroom: For ALL hearings, please confirm courtroom with the JA.

2. CANCELLING: Only the party who scheduled a hearing may cancel a hearing. If a hearing is continued or cancelled, it is the responsibility of the scheduling attorney to file a Notice of Cancellation and advise the judicial assistant that the scheduled hearing is continued or cancelled

so that it is removed from the Court's docket. The Court does not get notifications when you file documents in the court file.

3. NOTICE OF HEARING*: A Notice of Hearing must specifically state the matter(s) to be heard, the date, time and place of the hearing, and shall be e-filed with the Clerk with a courtesy copy of the Notice of Hearing emailed to the JA. Any party scheduling a hearing shall provide notice to all other parties.

***Dependency / Delinquency:** Notices of Hearing **MUST** be e-filed in order to be placed on the docket. If the Notice of Hearing is not e-filed, your hearing will not be placed on the docket. Please also email a courtesy copy of your Notice of Hearing to the JA.

***Probate / Guardianship / Mental Health:** After you have confirmed the hearing date/time with the JA, you must e-file a Notice of Hearing and email a copy to the JA (Nicole.Daniels@flcourts18.org).

4. TELEPHONIC APPEARANCE: Telephonic appearances at hearings are permitted in some cases. You must e-file a Motion to Appear telephonically, as well as, a proposed Order. The proposed Order must state the date and time of the hearing, the name of the party appearing by phone and a telephone number for the Court to call at the time of hearing. (See below for formatting and filing proposed Orders.) If multiple parties wish to appear by phone, the proposed Order must provide **ONE** telephone number (conference line) for the Court to call at the time of hearing. If a party appearing by telephone will be giving testimony, they must have a notary public present with them at the time of hearing so that he/she may be sworn in. Any party appearing by phone will be called last on the docket, so the call may not be right at the hearing time.

5. MATTERS NOT REQUIRING A HEARING: Several matters do not require a hearing and a proposed Order may be submitted through the e-portal in Word format as an "Agreed Order," along with a separately filed cover letter indicating no objection to the proposed Order; and/or with a properly filed Stipulation. Examples of matters not requiring hearing:

- Stipulated Modifications and Orders
- Motion for Substitution of Counsel (Signed by Attorney **and** Party)
- Motion to Enter an Agreed Order
- Motions to Withdraw (WITH SIGNED CONSENT FROM CLIENT – see below)

6. EVIDENTIARY HEARINGS & TRIALS: If you have scheduled an evidentiary hearing you **MUST** Notice it as such.

For all evidence and trial exhibits you must contact the Clerk of Court to schedule a date and time to come in to mark evidence, prior to your scheduled hearing / trial. Please contact the Clerk of Court directly at (407) 665-5354 to coordinate same.

7. HEARING MATERIALS: Should you wish for Judge Souto to review materials or case law prior to a hearing, please submit via hand delivery or U.S. mail at least ten (10) days prior to your hearing.

8. PROBATE TRIALS: Once you have noticed the case for trial, you must contact the Judicial Assistant to schedule a Case Management Conference before the Court to determine scheduling, witness/exhibit exchange, discovery cutoff, etc. Mediation must be completed prior to noticing the case for trial.

9. MOTION FOR RECONSIDERATION: Once you have filed your Motion for Rehearing/Reconsideration, please email a copy to the Judicial Assistant so that the Judge can review and determine whether a hearing is necessary. If the Court requires a hearing, the Judicial Assistant will contact you to coordinate.

10. 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 in Word format. If the attorney is unable to obtain a signed consent from their client, the motion must be set for hearing 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 served on 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.

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

12. WAIVERS OF APPEARANCE (Delinquency): Attorney and client appearance may be waived at **arraignment only** with properly filed Notice of Appearance, Entry of Plea, Waiver, etc. All parties MUST be present at Docket Sounding.

ADOPTIONS

13. HEARINGS: Please contact the Judicial Assistant via email for available dates to schedule adoptions.

ORDERS

14. PROPOSED ORDERS: Do not submit a proposed order until your Motion or Petition has been accepted and docketed by the Clerk of Court. Any Orders submitted without the corresponding motion or petition in the court file will be rejected.

All proposed Orders should be submitted through the e-portal main page in Word format as a “Proposed Order” (NOT “Pleading on Existing Case”), and should be accompanied by a separately filed cover letter (if necessary, 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. Please do not submit proposed Orders until AFTER your hearing.

ALL PROPOSED ORDERS SHOULD BE FORMATTED AS FOLLOWS:

DONE and ORDERED on DDDD in Chambers in Sanford, Seminole County, Florida.

JJJJ

Copies provided via e-service only. Moving party is responsible for service of all non-registered parties.

Please make sure there are no spaces before or after the JJJJ or the signature will not work. If you do not have the proper codes on the proposed orders, there will be no judicial signature and the order will be rejected for improper format.

The JJJJ should have at least 5 lines below it to make certain it appears on that page. Please do not have the signature block appear by itself on a page. When submitting an order, please do not use tables or blocks, as it is no longer necessary and delays processing. In order to expedite the processing of your orders, please only place the DDDD and JJJJ codes in the order. Additional codes will delay the processing times.

It is not necessary to follow up with an email to the Judicial Assistant with “courtesy copies” of a proposed order, or to notify the JA that a proposed order was E-filed.

MISC.

- **LANGUAGE INTERPRETERS:** To request and schedule a language interpreter please contact Court Administration at 407-665-4965; please give at least 48 hours notice.
- When contacting the Court (via mail or e-mail), please copy all parties.

SAMPLE ORDER:

**IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR SEMINOLE COUNTY, FLORIDA**

CASE NO.: 2023-CP-00XX

**IN RE: THE ESTATE OF
Name**

_____ /

**ORDER OF SUMMARY ADMINISTRATION
(with will)**

DONE and ORDERED in Chambers in Sanford, Seminole County,
Florida this DDDD.

JJJJ

***Copies provided via e-service only. Moving party is responsible for service of
all non-registered parties.***

****Please note that there is no square block in the upper right corner. That spacing is no
longer necessary, and will delay processing of your order. ****