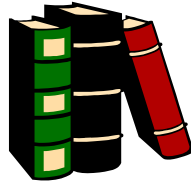


**EIGHTEENTH JUDICIAL CIRCUIT
SEMINOLE COUNTY
CIVIL/FAMILY – DIVISION W**



**ADMINISTRATIVE
POLICIES AND PROCEDURES**

JUDGE STACY

(Updated October 2023)

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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. Fifteen (15), thirty (30) or sixty (60) minute hearing times are to be identified and scheduled online by using JACS. To use JACS, go to www.flcourts18.org, click on Schedule a Hearing(JACS) under Attorney & Citizen Resources. You will then see a spot that says click here for instruction on how to schedule hearing through the JACS calendaring system. Print out this document and follow to schedule. If you do not find hearing time on JACS, check again after a few days as hearings cancel and time opens up on JACS. If you still do not find time, please contact the Judicial Assistant via email at Anne.Brezina@flcourts18.org. The Judicial Assistant often has the most up to date information on hearings that cancel.

If you need a hearing for more than one (1) hour, your motion will have to be placed on the **trial docket**. To be placed on the trial docket you need to contact the trial coordinator. Shelbi Ann Sisaleumsak (407) 665-4222 or DivisionWCM@flcourts18.org

Coordinating: Reasonable attempts need to be made to clear a date with opposing counsel or pro se litigant before scheduling on JACS. Several attempts on the same day is insufficient. Do not contact the JA to determine what a reasonable attempt is or how much time is reasonable. JA cannot approve unilaterally set hearings. Three (3) “good faith” attempts over a one month period of time must be made before unilaterally setting a hearing. The Judge will determine “good faith” and failure to act with professionalism will be addressed by the Judge upon the Motion and Request for Relief Hearing.

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 three (3) attempts to coordinate on three (3) different days over a three (3) week period of time. A message needs to be left on those days requesting them to call your office by the end of that business day to coordinate the hearing. If at the end of the third 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 or email address is listed in the court file then a hearing cannot be scheduled sooner than one (1) month. A notice of Hearing must be sent to the address on record for the Pro-Se litigant.

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

Motions: If you do not see the subject of your motion that you are trying to set for hearing listed in the drop down box when scheduling a hearing on JACS, please contact the JA for assistance. JACS will only allow you to select one motion in the drop down box. If you have more than one motion you wish to address on that date then the other motions need to be listed in the box that says “Additional Motions to be Addressed”. Please send a copy of the Motion to the JA after you e-file the original.

Courtroom: Judge Stacy is generally in **Courtroom F**, but occasionally the Judge holds Court in a different courtroom. If the Judge is not holding Court in in Courtroom F, there will be a sign on the courtroom door directing the parties where to go.

- 2. VIDEO HEARINGS:** Video Hearings via Microsoft Teams are available per the Civil Rules of Procedure by stipulation of the parties/counsel. A motion and order must be Efiled at least 7 days prior to the hearing date only if there is a disagreement between the parties with regard to the use of a video hearing. the parties must follow the Instructions sent by the Judicial Assistant. The attorney's first and last name, along with a direct contact number and email address must be listed in the Notice of Hearing. The attorney/parties needs to stand by in the virtual waiting room for three (3) hours from the time the hearing is set for the Judge's phone call. ***A camera and the ability to be seen by video is required for all evidentiary hearings.***

All parties and counsels appearing by video must download Microsoft Teams application and practice to become proficient in appearing via audio and video, and in sharing the screen. All proposed evidence or exhibits must be exchanged among the parties. One hard copy of the proposed evidence or exhibits must be provided seventy-two (72) business hours in advance to the Judicial Assistant for the Court and one copy for the Clerk of Court to utilize as they do not have an electronic system in place for evidence at this time.

Parties will utilize the link in the invitation to access the hearing. Use this link to download Microsoft Teams to your computer.

<https://teams.microsoft.com/downloads>. (Additional instructions on page 17&18)

- 3. 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 reschedule, then a Motion for Continuance may be presented at a noticed Short Matters hearing or at the time of the hearing. (*See below re: Short Matters/Ex Parte hearings*)

The attorney who scheduled the hearing needs to go on JACS and click on "Attorney & Citizen Resources" and then "Available Hearing Times (JACS)." Clear a new date with the opposing side. When you're ready to reschedule, go on JACS and click "To Re-Schedule a Hearing" (*see above re: Scheduling*). Type in your confirmation number and hit "Reschedule." Click the new coordinated date, and the hearing will be rescheduled and you will receive a new confirmation number for your records. An Amended Notice of Hearing needs to be prepared. Attach a copy of the confirmation page to your copy of the notice of hearing for your file copy of the Amended Notice of Hearing to the Judge, please file the original Notice of Hearing in the court file.

- 4. CANCELLING:** Only the party who scheduled the hearing can cancel the hearing. The attorney who scheduled the hearing needs to go on JACS and click "To Cancel a Hearing." Enter your confirmation number and click "Cancel Hearing." You must follow up with the filing of a Notice of Cancellation in the court file. Attach a copy of the confirmation page to your Notice of Cancellation for your file. Please send a copy of the Notice of Cancellation to the Judge. 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 CALENDAR.

- 5. CROSS-NOTICING/PIGGY-BACKING:** If you wish to add a motion to a previously set hearing date and do not need more time, you must contact the party who set the hearing and obtain permission to share their time. If you need additional time, you can either set a new hearing on JACS for that same date and time, if available, or have the party who set the original hearing cancel theirs and reschedule it for a timeslot with sufficient time for both hearings. Please make sure that Amended Notices and/or Cross-Notices of Hearing are filed with the Clerk to keep the file updated, and email a copy of your Amended Notice or Cross-Notice of Hearing to the Judge.
- 6. NOTICE OF HEARING:** A Notice of Hearing must specifically state the matter(s) to be heard, the date the Motion was filed, and the time frame reserved i.e. 15 minutes, 30 minutes etc. 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 is appointed in the case is not given notice of the 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. Please file the original Notice of Hearing with the Clerk of Courts.
- 7. MATTERS NOT REQUIRING A HEARING:** The following matters do not require a hearing and may be submitted through the Eportal to the court, stating that opposing counsel has reviewed the proposed order or stipulation and does not object to the court entering the relief requested.
 - Appointment of Special Process Server
 - Appointment of Special Magistrate to hear Uncontested Dissolution of Marriage
 - Stipulated Modifications
 - Stipulated Orders/Agreed Orders and Judgments
 - Motion for Substitution of Counsel (signed by attorney and party)
 - Motion to Enter an Agreed Order
 - Uncontested Cancellation and Rescheduling a Foreclosure Sale
 - Motion to Vacate Foreclosure Judgment Because of Re-Instatement
 - Default Judgment of Liquidated Amounts
 - Motion to Withdraw (with signed consent from client)
 - Uncontested Final Judgment for Dissolution of Marriage (with answer and waiver filed by respondent, and proof of residency)
 - Motion to Dismiss- Provide to the Court for Review
 - Uncontested Final Judgment of Foreclosure
- 8. EMERGENCY HEARING:** If you believe your motion is an emergency (e.g. a child is endangered) and need the Judge to hold a hearing on an Emergency Basis please file your emergency motion with the Clerk and contact the Judicial Assistant. You may also send a copy to the Judicial Assistant via e-mail with a Proposed Order. Once the emergency motion is reviewed by the Court, the Judicial Assistant will contact you to set the motion for hearing.

***Expedited Hearing:** If you need a hearing within five (5) business days, then your motion is not an emergency but an expedited motion, and you must contact the Judicial Assistant for hearing dates.

** An example of an emergency issue is a child endangered_or a matter with irreversible consequences after a time certain.*

9. SHORT MATTERS/EX PARTE: Short Matters/Ex Parte hearings are **five (5) minutes** or less. These hearings are scheduled on a docket, so you should contact the JA to schedule or cancel. This ensures timely processing of your case. Before you notice your hearing, check with the JA to verify date, do not check the daily dockets. For specific dates, see JACS. The dates are found by going online to our website, click “Attorney Resources,” then “Available Dockets (JACS),” and select the Judge’s name in the drop down box. Short Matters are not heard when the Judge presides over Civil Jury Trials or Family Trials. Unless the opposing side agrees to your motion and will not be appearing, it must be coordinated like any other hearing. Please send the JA via email a copy of the Notice of Hearing. Testimony is NOT permitted during Short Matters without prior Court approval.

Do not schedule contested residential foreclosure Motions for Summary Judgment for Short Matters.

10.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 General Magistrate in the past, (this is determined from the time the case was first opened until now irrespective of the fact you were not the attorney at the time the case opened) and you do not wish to have the GM hear the motion then an objection must be filed in writing. Objection must be filed within the time frame permitted by law. Temporary Relief hearings before the Judge will be limited to 1 hour unless it is set on a trial docket.

11.RULE TO SHOW CAUSE: A Verified Petition for Rule to Show Cause or a Petition for Order to Show Cause, with accompanying Affidavit, can either be presented at Short Matters/Ex Parte or can be forwarded through the Eportal. 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 is granted you will be notified via the Eportal and you may then schedule a hearing on JACS.

12.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) 665-4558

If the case has never been referred to the General Magistrate in the past (this is determined from the time the case was first opened until now irrespective of the fact you were not the attorney at the time the case opened) and you do not wish to have the GM hear

the motion then an objection must be filed in writing. Hearings before the Judge will be limited to 30 minutes.

13.UNCONTESTED DISSOLUTIONS OF MARRIAGE: Uncontested Dissolutions of Marriage can either be heard on the Short Matters calendar, (*see Short Matters/Ex Parte above*) or can be Efiled. If the Final Judgment is Efiled the cover letter needs to specify that all parties, *pro se* or opposing counsel, have reviewed the Final Judgment and have no objection to waiving the hearing. Be sure to include a copy of the answer and waiver as well as a copy of your client's driver's license. Also, if there are children involved, the Final Judgment needs to incorporate parenting plan and specifics on child support—i.e., how much, how it is to be paid, and how often.

If both parties are *pro se*, then they must include Child Support payments that must be paid through the State Disbursement unit at P.O. Box 8500, Tallahassee, FL 32314 child support guidelines, Parenting Plan and equitable Distribution Form, located on the 18th Circuit website flcourts18.org under "Court Programs," "Self Help (Represent Yourself) Pro Se," and hand deliver or file it with the Clerk before the hearing.

14.ADOPTIONS: These motions are set at Short Matters (*see Short Matters/Ex Parte above*). If both parties are *pro se*, then they must comply with all requirements on the 18th Circuit website under "Court Programs," "Self Help (Represent Yourself) Pro Se," and file it with the Clerk.

15.MOTION TO WITHDRAW AS COUNSEL: If the attorney is able to obtain a signed consent from their client, then the proposed order is to be sent via the Eportal for signature. The motion and signed consent are to be Efiled as well. If a signed consent is unable to be obtained, then the Motion is to be set at Short Matters with at least five (5) days' notice to the parties. The proposed order allowing withdrawal of counsel must reflect the following:

- a) The client's name, address, telephone number and email address;
- b) Statement that all pleadings are to be furnished to the client;
- c) New counsel shall be retained within 30 days or the parties may presume the party is proceeding pro-se,
- d) Statement that the client is responsible for notifying the Clerk, in writing, within ten (10) days of any changes of address.
- e) The matter is or is not on the trial docket.
- f) The Party is responsible for notifying the Clerk, in writing, within five (5) days of any changes of address.
- g) All parties are required to follow Court orders. Failure to follow a Court order may result in the case being dismissed without a decision on the merits, or the case being decided on procedural issues and not on the substance of the merits.
- h)The Party is presumed to be representing themselves unless and until a Notice of Appearance by subsequent counsel is filed. and;
- i) Petitioner/Plaintiff is responsible to prosecuting the case to its conclusion. If the case is not prosecuted, that is no actions are taken to prosecute the case within ten

(10) months, the case will be dismissed without a decision on the merits of the case.

16.MOTION FOR SUMMARY JUDGMENT — RESIDENTIAL

FORECLOSURE: Residential mortgage foreclosure Motions for Summary Judgment may be set on JACS or at Short Matters if uncontested, and 5 minutes or less is needed. See Foreclosure Procedures located on the 18th Circuit website at <http://flcourts18.org> under “Attorney & Citizen Resources.” Parties are not permitted to attend by Video Conference without prior Court Approval. Contact Trial Coordinator for trial dates.

17.MOTION FOR REHEARING/RECONSIDERATION and MOTION TO

DISMISS: Once a Motion for Rehearing/Reconsideration or a Motion to Dismiss is filed with the Clerk’s office, you must also efile your Motion and a Proposed Order. The Judge will either make a ruling on the motion without a hearing, and copies will be sent out, or the Judicial Assistant will contact your office to let you know to set a hearing on JACS. Do not set a hearing unless you receive approval first. The hearing is first the argument on the Motion for rehearing of the issue and; if the Motion is granted, the rehearing if time permits.

18.PETITION TO RELOCATE:

Parties must comply with *Section 61.13001*, Florida Statutes. If a timely objection has been filed, and a party is seeking an expedited hearing time on their motion for temporary relocation they must contact the JA or Trial Coordinator Shelbi Ann Sisaleumsak at 407-665-4222. Failure to contact the JA or Trial Coordinator to obtain an expedited hearing time will constitute a waiver of the time frames contained in the statute.

19.MOTION FOR CHILD PICK-UP ORDER:

Without notice, a copy of the Motion for Child Pick-up Order, with justification for lack of notice, must be provided to the Judge either by hand delivery or email, with the appropriate proposed order. The motion must be sworn under oath. 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 set a hearing and will notify you with an Order denying but providing additional information.

20.PROPOSED ORDERS:

Proposed orders are to be submitted through the e-portal with a corresponding cover letter. If the opposing party/counsel agrees or does not object to the entry of the order this must be contained in the cover letter. All proposed orders will need to be submitted in **WORD FORMAT and with the correct ICMS codes (see page 14 for example)**. If the order is not submitted in word format the order may not be entered and may be rejected without notice.

If there is an objection and no agreement can be reached, the parties shall specifically detail in the cover letter what the dispute is in the wording of the Order/Judgment. Do not ask opposing counsel to contact the Judge's office with objections to a proposed order. If opposing counsel has been forwarded a copy of the proposed order, but has not responded within a reasonable timeframe, you may efile the proposed order to the Court with a cover letter so stating, if the motion was already heard before the court. If the motion has not been heard before the court and you have not received a response from opposing counsel as to their position, then a hearing must be set. If a matter has been ruled upon, and the parties disagree to what the Judge ordered, please list the issues clearly in the cover letter. If a transcript of the ruling exists, please include the transcript of the ruling only in the court file .

If the other party is *pro se*, a copy of the proposed order is to be sent simultaneously to the *pro se* party. Any objections to the proposed Orders must be in writing to the court.

If the opposing party does not respond to the proposed Order within five (5) business days, please forward the cover letter and Order indicating no response from the opposing party.

21 MOTION FOR JUDICIAL DEFAULT: If you are unable to obtain a Clerk's default, then a hearing must be set. Judicial defaults should only be sought if you're unable to obtain a Clerk's default. When filing the cover letter, motion and proposed order please indicate in the motion why you are/were unable to obtain a Clerk's default. The Court may require a hearing after review of the motion.

22. HEARING MATERIALS: For online hearings, please provide written hearing materials to the Court and opposing party in hard copy form at least two (2) Business days before, but not more than one (1) week before the hearing. Relevant portions of case law submitted to the Court may be highlighted if opposing counsels copies are as well. Please inquire about the Attorney upload system for pro se litigants (representing themselves) and attorneys. The Judicial Assistant will send instructions regarding utilizing this system to save expense and avoid preparing one (1) of the hard copies. Attorney upload instructions are included at the end of this document.

23. FINAL JUDGMENT OF DISSOLUTION OF MARRIAGE:

A Final Judgment of Dissolution of Marriage must contain the following:

- (a) Appropriate paragraphs relating to any child issues, for example, support, timesharing, abatement of support, etc., if any. The Final Judgment cannot merely ratify and confirm the parenting plan and settlement agreement. It must specifically state what is also in the agreement.
- (b) Signature page must contain text. It cannot only contain the "DONE AND ORDERED" clause or a line for the Judge's signature.
- (c) Certification that conformed copies are being forwarded to all counsel and *pro se* parties, giving their names and addresses and a place for the Judicial Assistant to sign and date.

(d) A separate sheet with identification information of the parties—name, address, and the last four (4) digits of their social security number, as well as name and date of birth of children.

(e) 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 _____ per _____, commencing _____, and on the _____ of each month thereafter,. Payment shall be made to State Disbursement Unit (SDU) at P.O. Box 8500, Tallahassee, FL 32314. Payment shall be made in the form of cash, cashier's check, certified check, money order, or other payment form acceptable to the Clerk or SDU, and must include the case number, name of the payer 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 the Circuit Court immediately of any change of name or address,

(f) If there are matters that cannot be completed by the 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 and the Court advised of their current address, telephone number, and email address.

(g) 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 include a statement that opposing counsel has approved the form of the order. This applies if the proposed order is Efiled. If the attorneys cannot agree on the order, then a hearing must be scheduled.

TRIALS

1. FAMILY DIVISION:

COORDINATOR

Shelbi Ann Sisaleumsak (407) 665-4222

DivisionWCM@flcourts18.org

(Contact regarding Pretrial Conferences & Trials)

Notice for Trial: A Notice for Trial stating that the cause is at issue must be filed with the Clerk's office only when the matter is at issue and ready for trial and the case is not on a pre-trial docket.. The Notice shall include an estimate of the time required to complete the trial 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 pre-trial exhibits and proposed evidence such as the Equitable Distribution Request, Alimony Request, Child Support Obligation and proposed Parenting Plan shall be emailed to the Judicial Assistant 72 hours before trial or at the earliest time frame agreed to in writing by the parties. The Trial is subject to cancellation by the Judge if the matter is held by video conference and the proposed evidence and exhibits are not submitted as required herein.

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

Pretrial Conference: Orders Requiring Mediation, Setting Pretrial Conference, and Trial Date will be entered by the Court. Pretrial conferences will be conducted by video conference. Parties are to be available for at least two (2) hours from the stated time for the Court to call your case. If the party is *pro se*, they must contact the trial coordinator before the pretrial conference with a phone number and email address. A time certain trial time or back-up position will be given during the pretrial 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 but usually by 12 noon on the Friday before the trial commences. The Court will not address any pending motions at pretrial conferences.

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 ensure the parties meet full compliance with Chapter 61, Florida Statutes, prior to trial. Case management conferences will be heard by the Court as requested by the parties.

2. CIVIL DIVISION:

COORDINATOR

Shelbi Ann Sisaleumsak (407) 665-4222

DivisionWCM@flcourts18.org

(Contact regarding Case Managements, Pretrial Conferences, & 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 non-jury trial, 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 via the Trial Coordinator will issue an Order Setting Case Management Conference, which is required for all cases requiring one day or more to complete. Cases requiring less time will simply be placed on a one or two-week trial docket.

Case Management Conference: The trial coordinator will conduct a Case Management Conference via video conference to determine the exact status of the case. Parties are to be available for at least two (2) hours from the stated time for a phone call from the trial coordinator. *Pro se* parties must contact the trial coordinator before the case management conference with an email address or phone number if they wish to appear by phone or video conference. Parties will be required to strictly adhere to the Order Setting Case Management Conference and the Administrative Procedures. The trial coordinator may, at the time of the conference, schedule expert disclosure deadlines and/or set a pretrial conference and trial date.

Pretrial Conference: Pretrial conferences are automatically set for all cases that file a notice for trial or the date is listed in the Case Management Order. The Court will expect full compliance with the Order Setting Pretrial Conference and Trial Date. Unless specifically excused by the Judge, all attorneys/parties are required to attend the pretrial conference even if a time certain for trial has been set. The Court may designate counsel to send written notice of the trial date to opposing counsel or *pro se* party who did not appear at the pretrial conference. Failure to appear at the Pretrial conference and/or failure to abide by this Court's orders subjects the party and potentially the attorney and their case to sanctions including dismissal with prejudice.

Our Pre-Trial and Trial dockets are online at www.FLcourts18.org

The docket's are under the "Resources" tab. Resources--> Attorney Resources (from the drop down menu) --> Civil Pre-Trial/Trial docket (menu on side of page). From there is where you click on the month under the judges name to view the Pre-Trial/Trial docket.

3. FORECLOSURE DIVISION:

FORECLOSURE COORDINATOR
COORDINATOR

divisionscm@flcourts18.org

Notice For Trial: A Notice for Trial stating that the cause is at issue must be Efiled 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 via the trial coordinator will issue an Order Setting the case for trial which is required for all cases. Should case be need 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.

CONTINUANCES: Opposed Motions for Continuance of Case Management, Pretrial, and/or Trial may 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?
- 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?
- When did the parties become aware of the need for a continuance?

HELPFUL PHONE NUMBERS

1. **Pro-Se Coordinator: Yonaery Ramos 407-665-4554**
GM Assistant- Meagan Rodriguez 407-665-4556

2. **Department of Revenue: 800-622-5437**

3. **Trial Coordinator: CIVIL and FAMILY**
Shelbi Ann Sisaleumsak (407) 665-4296
DivisionWCM@flcourts18.org

FORECLOSURE
(407) 665-4089
DivisionWCS@flcourts18.org

4. **Clerk- Family Division: 407-665-4357**

5. **Clerk- Civil Division: 407-665-4378**

6. **Judicial Assistant- Anne Brezina 407-665-4048**
Anne.Brezina@flcourts18.org

Forms can be found on <http://flcourts.org/>

EFILE INSTRUCTIONS

The Seminole County Clerk of the Courts has an E-Portal for filing all court documents, the address is <https://www.myflcourtaccess.com>. All documents must be filed in WORD format using the portal, eliminating the need to send anything to Judge Stacy or the Judicial Assistant via U.S. Mail or email.

If there is a **pro se litigant** then **you** are responsible for distributing copies to them after they are returned to you via the portal.

Please be advised that **orders must be submitted** via the Clerk of the Court's E-Portal and paper submissions via the **U.S. Mail will be returned**. All documents are visible online and the Court will view and access them there.

Guidelines for submitting online:

- Please do not submit orders prior to a hearing (if one is set) unless it is an Emergency.
- All orders must be submitted in Word format as PDF Orders do not comport with the Clerk's System.
- Cover letters are required when e-filing Proposed Orders.
- Order must have the correct ICMS codes when submitting (See page 14 for example)
- If Proposed Order is not an Agreed Order, All cover letters explaining objections to Proposed Orders and Letters to the Judge can be Efiled or can be emailed to the Judicial Assistant anne.brezina@flcourts18.org.

If you have any questions about e-filing please address them to the Clerk of the Court, who has requested all Motions, Orders, and Notices be filed through the Eportal.

EXAMPLE ORDER WITH ICMS CODES

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

CASE:

Petitioner

vs.

Respondent

_____ /

ORDER

THIS CAUSE came to be heard before the Court and the Court being fully advised in the matter, finds as follows

IT IS ORDERED and ADJUDGED:

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

JJJJ

CERTIFICATION OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by US Mail/Email or efilng portal to the following on MMMM

CCCC

AAAA

JUDGE STACY'S COURTROOM DECORUM POLICY

The purpose of this policy is to state certain basic principles concerning courtroom behavioral and decorum. When appearing in this Court, unless excused by the presiding Judge, all counsel (including all persons at counsel table) shall abide by the following:

1. If able, Stand when Court is opened, recessed or adjourned. Stand when addressing, or being addressed by the Court. Stand when the jury enters or retires from the courtroom. When making opening statements, closing arguments or examining witnesses, do not approach either the jury or the witness without the Court's permission. Remain at the lectern unless using exhibits or charts. Always keep approximately 2-3 feet between you and the jury box unless leave has been requested and granted by the Court.
2. Address all remarks to the Court, not to opposing counsel or the opposing party.
3. Avoid disparaging personal remarks or acrimony toward opposing counsel and remain wholly detached from any ill feeling between the litigants or witnesses.
4. Refer to all persons, including witnesses, other counsel and the parties by their surnames and not by their first or given names unless the permission of the Court is sought in advance.
5. Only one attorney for each party shall examine, or cross examine each witness. The attorney stating objections, if any, during direct examination, shall be the attorney recognized for cross examination.
6. Counsel should request permission before approaching the bench. Any documents counsel wishes to have the Court examine should be handed to the Deputy, then marked by the Clerk if it has not already been marked. Any paper or exhibit not previously marked for identification should first be handed to the clerk to be marked before it is tendered to a witness for his examination; and any exhibit offered in evidence should, at the time of such offer, be handed to opposing counsel.
7. No exhibit, whether marked for identification or not, shall be held in any manner, or placed in any position in the courtroom, that would allow the trier of fact to see the exhibit unless it has been admitted into evidence and permission to publish the exhibit to the jury has been obtained from the Court.
8. In making objections, counsel should state only the legal grounds for the objection and should withhold all further comment or argument unless elaboration is requested by the Court.
9. In examining a witness, counsel shall not repeat or echo the answer given by the witness.
10. Offers of, or requests for, a stipulation should be made privately, not within the hearing of the trier of fact.
11. In opening statements and in arguments to the trier of fact, counsel shall not express personal knowledge or opinions concerning any matter in issue. Opening statements should include only what the evidence is expected to show.
12. Counsel shall admonish all persons at the counsel table who make gestures, facial expressions, audible comments, or the like, as manifestations of approval or disapproval during the testimony of witnesses or at any other time. This behavior is absolutely prohibited.
13. Counsel shall refrain from attempting to make a re-argument after the Judge has ruled.
14. Counsel shall complete resolution negotiations and advise clients of their settlement options in advance of court hearings.

15. No smoking is permitted at any time. No bottles, beverage containers, paper cups, food or edibles are allowed in the courtroom, except permitted by the Court. No gum chewing is permitted.
16. Cell phones and pagers should be turned off or in a vibrate mode. Computers should be used with audio off.

ACCOMODATIONS WILL BE CONSIDERED UPON REQUEST

PLEASE INFORM THE COURT OF A NEED FOR ACCOMODATION AND THE COURT WILL BE HAPPY TO OBLIGE IF IT IS ABLE AND LAWFUL TO DO SO

**Video conference hearings are via Microsoft TEAMS and are not set as Special Set hearings.
Do not come to the Courthouse for hearing**

PROPER COURTROOM DECORUM IS EXPECTED DURING ALL HEARINGS.

We have docket at 9am (Short Matters), 9:30am and 1:30pm with *multiple hearings being set at the same time*. Parties will need to be available from the start time of your hearing until approximately 11:30am for morning hearings and approximately 4:30pm for afternoon hearings. Please efile your Notice of hearing which should include email addresses for all the parties who will be attending the hearing.

This includes any Pro-Se parties, witnesses and court reporters.

Parties will receive an invitation to the hearing 1 week prior to the scheduled hearing and additional instructions.

Download Microsoft Teams prior to accepting invitation if hearing is by VIDEO

Please accept the invitation which will be sent to you.

Check your spam folder as well.

The invitation will be added your TEAMS calendar and disappear.

IF TELEPHONIC - Copy the phone and ID number prior to accepting the invitation if by phone.

When you log in or call into the hearing, you will need to say or enter your name when prompted. **You cannot appear by phone if there will be testimony taken.**

If you do not and are listed as an unknown user in the hearing, you may be removed by the Court.

On the day of the hearing, once you have logged into the system, you will wait in a virtual waiting room until the Judge is ready to address your case.

VIDEO HEARINGS Do not use the web browser version.

**YOU MUST DOWNLOAD THE PROGRAM TO YOUR COMPUTER OR THE APP TO
YOUR PHONE FOR VIDEO HEARING**

Use this link to download the app to your computer - <https://teams.microsoft.com/downloads>.

Once the app is downloaded and installed on your device, simply use the Teams link in the invitation email to join.

You will need to have a computer with a built in or external video camera and a microphone. Headsets or earbuds with microphone can be used as well.

We suggest that you go to a quiet room at the start of the hearing.

Have proper form of ID available.

Select Audio and Video

OR

You can use your mobile phone.

When calling in via Mobile phone or device, there should be an option to allow video/camera. The camera should then be on along with audio.

You can also download a TEAMS App.

Android phone-via Google Play

Iphone- iOS App Store

In setting you will need to allow camera.

PLEASE TEST THIS SYSTEM PRIOR TO THE HEARING, DO NOT WAIT UNTIL THE DAY OF THE HEARING.

When all parties enter the hearing, you must enter your name, or you may possible be removed from the hearing by the Court.

We are now accepting Binders and packets for hearings/Trials and are no longer asking for exhibits to be efiled.

An Attorney upload process is available for all attorneys and litigants. See page 20

Binders, packets, and/or materials are to be mailed, or hand delivered.

This includes case law.

For All Non Jury Trials, and Evidentiary hearings two (2) copies of all proposed documentary or audiovisual evidence are required to be submitted 72 business hours in advance of the hearing to the Judicial Assistant. Failure to submit within the required timelines may result in the hearing being cancelled or the exclusion of the proposed evidence from consideration by the Court.

Do not email to JA.


Attorney Instructions for Uploading exhibits via Clerk's Case Records System

1. Open your internet browser and navigate to the Seminole Clerk's Case Records Search System. <https://courtrecords.seminoleclerk.org/accounts/default.aspx>
2. Search for your case or see all your associated cases.

The screenshot shows the 'Search Civil Cases Criteria' page. At the top, there is a header with the Seminole County logo, 'GRANT MALLOY CLERK OF THE CIRCUIT COURT AND COMPTROLLER SEMINOLE COUNTY, FLORIDA', and a user greeting 'Hello, asm0user' with 'Log off' and 'Manage Account' links. Below the header is a navigation bar with 'Home', 'About', 'Departments', and 'Online Services'. The main search area includes fields for 'Litigant's Last Name' (with a 'SHOW ONE LETTER (PERSON / BUSINESS NAME)' dropdown), 'First Name', 'Case Number' (with an example 'EX 2005CAB0106'), and 'Filing Date From' (with a date range selector). A dropdown menu is open, showing options: 'Show All My Cases', 'Show Only My Open Cases', and 'Show Only My Closed Cases'. Below these are 'Case Type & Case Category Selections' with buttons for 'County', 'Circuit', 'Domestic (Family)', and 'Probate'. At the bottom, there are 'Reset' and 'Submit' buttons. A red box highlights the dropdown menu, and another red box at the bottom says 'Filter through your cases'.

3. You will either see the case summary or a list of cases depending on your choice above. If you see a list of cases, click on the case number to open case record.

The screenshot shows the 'Case Details - Summary' page. At the top, there is a header with the Seminole County logo, 'GRANT MALLOY CLERK OF THE CIRCUIT COURT AND COMPTROLLER SEMINOLE COUNTY, FLORIDA', and a user greeting 'Hello, asm0user' with 'Log off' and 'Manage Account' links. Below the header is a navigation bar with 'Home', 'About', 'Departments', and 'Online Services'. The main content area is titled 'Case Details - Summary' and contains a table with case information. The table has two columns: 'Case Information' and 'Case Status'. The 'Case Information' column includes 'Case Number' (with a blue icon), 'Case Style' (STATE OF FLORIDA), 'Case Type', 'Closed Date' (04/12/2021), 'UCN', 'Judge', 'Arrest Date' (03/14/2021), 'Agency' (SEMINOLE COUNTY SHERIFF), and 'Case Bond Amount' (\$ 0.00). The 'Case Status' column includes 'View Status' (PUBLIC), 'Case Status' (CLOSED), 'Division' (03/15/2021), 'Clerk's File Date' (06/14/2021), 'Speedy Trial Date' (Waived? No), and 'Agency Rpt Number'. Below the table are sections for 'Party Information', 'Charge Details', 'Upload To Judge' (highlighted with a red box), 'Dockets', and 'Hearings'. A red box at the bottom contains the text: 'If you are the Attorney of Record, you will see the icon in Blue and have access to the tabs indicated in Red'.



GRANT MALOY
JUDGE OF SUPERIOR COURT

Hello, asmouser
Log off Manage Account

Home About Departments Online Services

Search Criminal Cases Criteria

Last Name
 First Name
 DOB
 Case Number
 Clerk Filing Date From
 Date To


☒ CF-FELONY ☒ MM-MISDEMEANOR ☒ CT-CRIM. TRAFFIC
☒ MO-MUNICIPAL ☒ CO-COUNTY ☒ IN-INFRACTION

Click on a case number to select it. Some information is blocked out for privacy.


Records Found 343

CASE NUMBER	NAME	TYPE	DOB	FILE DATE	CHARGES (Top Three)	JUDGE	STATUS	DUE
202-12345 A		MM	11/10/1974	03/15/2021	FRAUD - SWINDLE D.		C	
202-12345 A		MM	12/06/1980	03/12/2021	BATTERY TOUCH OR.		C	
202-12345 A		MM	04/28/1986	02/22/2021	DOMESTIC VIOLENCE.		A	\$ 114.45
202-12345 A		CT	05/24/1985	01/15/2021	DRIVING UNDER THE UNLAWFUL SPEED		C	

4. Within a case record, if you are the attorney of record, you will see a Justice Scale icon (Blue Box Below) to the right of the case number. If you are the attorney of record, you will see a new section below the Case Summary labeled **Upload to Judge (Red Box Below)**
5. Open the Upload to Judge menu bar and select the Add Item button. You will see a pop-up box called Upload to Judge.
6. Enter the name/description of the document being uploaded.
7. Click on Choose File button.
8. A Windows File Explorer or MacOS Finder window will appear and allow you to select the document file for upload.
9. Click on Add button when ready to upload.
10. Repeat steps 5-9 to upload multiple documents



GRANT MALOY
 CLERK OF THE CIRCUIT COURT AND COUNTY PROTECTOR
 SEMINOLE COUNTY, FLORIDA



Hello, asm3user
[Log off](#) [Manage Account](#)

[Home](#)
[About](#)
[Departments](#)
[Online Services](#)

Upload To Judge
 Attorney of Record (AOR) on cases may upload File Data (50 mb size limit) to be made available to the Judge. Data will not be stored in court records or made available to other attorneys. No indicator will be provided concerning the status of review by Judge.

Description:

Select File: No file chosen

View Status: PUBLIC

Case Status: CLOSED

Division: F
 Clerk's File Date: 03/15/2021
 Speedy Trial Date: 06/14/2021 Waived? No
 Agency Rpt Number: 202100001458

Upload To Judge

File Name	Description	File Size	Created
DockerQuickStart.docx	final demo	174 KB	01/13/2022 11:40 AM
fridgeCleanOut.docx	Word doc upload	5 MB	12/15/2021 10:41 AM
access-security-matrix-v9-november 2020.xlsx	spreadsheet upload	55 KB	12/15/2021 10:40 AM
ChangeOfAddress.pdf	PDF upload	150 KB	12/15/2021 10:39 AM

Dockets

Click the "Upload To Judge" tab and then select "Add Item" to start uploading your files. You can submit one at a time so you will need to click "Add Item" again if you need to upload multiple files.

Note: This process with support Microsoft Office Documents, Pictures and PDF's.

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<https://flcourts18.org/case-management/>
**THE EIGHTEENTH JUDICIAL CIRCUIT, IN AND FOR SEMINOLE AND BREVARD
COUNTIES, FLORIDA**

_____,
Plaintiff,
vs

CASE NO:

_____,
Defendant.

_____ /

CASE MANAGEMENT

PLAN (STREAMLINED)

The parties are to meet, review, and discuss the Case Management Plan to agree upon dates according to the guidelines set forth in the above Case Management Plan. The parties are to sign the certification below and submit the proposed Case Management Order with the agreed upon dates to the Court for approval and signature. This is required to be submitted to the court or filed in the court file for approval of the Case Management Order.

1. Date of First Response (i.e., Answer, Notice of appearance, Motion for Extension of Time, Motion to Dismiss)	The date of the first filing
2. Deadline for adding new parties, amendment of pleadings	Should be 45-60 days since response date
3. Deadline for Witness & Exhibit List (Witnesses MUST be listed by actual NAME of the witness, and not by designation (i.e., use of such designations as "Corporate Representative," "Records Custodian," "Adjustor," or "IME Doctor" standing alone is insufficient)	Should be 45-60 days before Trial
4. Deadline for Expert Disclosure	Should be 90-120 days prior to projected trial date for Plaintiff
(Parties should furnish opposing counsel with the names and addresses of all expert witnesses under Rule 1.390(a) to be called at trial and all information regarding expert testimony that is required by Rule 1.28(b)(5). Each party is limited to one expert per specialty. No other expert testimony should be permitted at trial. Information furnished pursuant to this paragraph should be timely filed with the Clerk of the Court.)	Should be 60-90 days prior to projected trial date for Defendant

5. Objections to pleadings	Should be resolved 120-150 days prior to projected trial date
6. Deadline for Discovery Completion (including Depositions)	Should be 30 days prior to projected trial date
7. Deadline for Dispositive Motions, including <i>Daubert</i> Motions-Failure to do so shall constitute a waiver at Trial of any <i>Daubert</i> related evidence objection or issue Responsibility for scheduling of the Hearing shall be upon the party filing the Motion or Objection.	Should be heard 15-30 days prior to projected trial date
8. Deadline for Mediation:	Should be 45-60 days prior projected trial date
9. Trial Date	Must include length of trial period and projected date trial is desired to commence approximately 12 months from date of the Case Management Plan and submission of Case Management Order to Court

I hereby certify that all parties have met and conferred regarding all proposed dates for the Case Management Plan and Case Management Order and certify that all dates proposed in the Case Management Order have been agreed to by the parties.

Date: _____

Signature of Counsel and Unrepresented Parties. Counsel must state FL Bar number. Unrepresented parties must include email address for service.

IN THE EIGHTEENTH
JUDICIAL CIRCUIT, IN AND
FOR SEMINOLE AND
BREVARD COUNTIES,
FLORIDA

CASE NO:

_____,
Plaintiff,

vs

_____,
Defendant.

_____ /

**CASE MANAGEMENT
ORDER
(STREAMLINED)**

Pursuant to the dictates of Administrative Order AOSC20-23 of the Florida Supreme Court, and AO 21-24, Eighteenth Judicial Circuit, it is, hereby,

ADJUDGED that the following deadlines are applicable to this action, and that same will be strictly applied by the Court:

The projected date of trial for this matter is the trial docket beginning Insert month day and year*. A firm trial date will be ordered by the presiding judge when this matter is at issue and notice as to same is filed in accordance with Rule 1.440, Fla. R. Civ. P.

Any request(s) for the addition of new parties, or amendments to the pleadings, shall be served within____days from the response date.

The fact witnesses of all parties shall be disclosed to all other parties no later than____days prior to the above projected trial date.

All of Plaintiff's Expert Witnesses shall be disclosed to all other parties no later than____days prior to the above projected trial date. Defendant's Expert Witnesses shall be disclosed to all other parties within 30 days thereafter.

All fact AND expert discovery shall be completed no later than____ days prior to the above projected trial date.

All objections to the pleadings, and all pre-trial motions shall be resolved no later than____ days prior to the above projected trial date.

Mediation shall be completed no later than____ days prior to the above projected trial date.

ORDER

THE COURT, having reviewed the preceding Case Management Dates finding them to be satisfactory. Accordingly, it is hereby **ORDERED** that

1. COMPLIANCE WITH THIS CASE MANAGEMENT ORDER: The parties shall strictly comply with the terms of this Case Management Plan and Case Management Order unless otherwise ordered by the Court. **FAILURE TO COMPLY WITH ALL REQUIREMENTS OF THIS ORDER WILL RESULT IN THE IMPOSITION OF SANCTIONS.**

2. ADDITIONAL EIGHTEENTH CIRCUIT AND DIVISION SPECIFIC GUIDELINES: All counsel and unrepresented parties shall familiarize themselves and comply with the requirements of the following: (i) **Amended Administrative Order Establishing the Eighteenth Judicial Circuit Courtroom Decorum Policy (AO 09-06)**; and (ii) **any division-specific guidelines and policies that may be applicable.**

3. MODIFICATION OF THIS ORDER: The parties may not, individually or by agreement, alter or extend the deadlines in this Order, or waive any of the provisions of this Order. The provisions of this Order may be modified only upon motion/stipulation and Court order in accordance with applicable law.

4. NOTICES FOR TRIAL: Within ten (10) days of the case being at issue as defined by Rule 1.440, Fla. R. Civ. P., or when the case is ready to be set for trial, the Plaintiff shall confer with opposing counsel/party regarding the anticipated length of trial and file a Notice for Trial. The Plaintiff shall forward a copy of the Notice for Trial to the Case Manager at the email address noted on the Eighteenth Judicial Circuit website.

5. DISCOVERY: All counsel and unrepresented parties shall familiarize themselves with the current edition of the Florida Handbook on Civil Discovery Practice and seek to resolve discovery issues without court intervention whenever possible.

6. SERVICE OF THIS ORDER: Counsel is ordered to promptly serve and file proof with the Clerk, no more than five (5) business days from the date of this Order that all *pro se* parties, subsequently named or appearing herein, have been served copies of this Order. In the event a party is unrepresented and has not designated an email address for purposes of electronic service, counsel for Plaintiff shall be responsible for serving this Order and all future orders of the Court via a non-electronic means (U.S. mail, Federal Express or the equivalent) and shall file a Certificate of Service with the Court indicating who was served, the date of service, and the method of service (including any address or email used) within three (3) business days. If Plaintiff is unrepresented, Counsel for the

Defendant shall have this same obligation. If all parties are unrepresented, the Plaintiff shall provide stamped addressed envelopes to the Court with submission of this and any other proposed Order.

7. **SETTLEMENT:** *The case will not be removed from the docket until all documents necessary for closure of the case are filed with the Clerk and notification has been provided to the judicial assistant. A notice of settlement is not sufficient to remove the case from the trial docket.*

DONE AND ORDERED Sanford, Seminole County, Florida on DDDD

JJJJ

CERTIFICATION OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by US Mail/Email or efilng portal to the following on MMMM

CCCC

AAAA

A true and correct copy of the foregoing was distributed to all parties by filing and service via the eportal to all attorney(s)/interested parties identified on the eportal Electronic Service List.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator in your county 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

***The 1st of the month should be included as a placeholder if the actual date of the trial docket is unavailable.**