

State of Florida  
Ninth Judicial Circuit of Florida

CYNTHIA  
MACKINNON  
CIRCUIT JUDGE

orange county courthouse  
425 NORTH ORANGE AVENUE  
SUITE 1745  
Post Office Box 4934  
ORLANDO, FLORIDA 32802-4934  
(407) 836-2320  
www.ninja9.org

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**CIRCUIT CIVIL 39 - COURT SCHEDULE AND GENERAL INFORMATION**

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- CHAMBERS: Suite 1745. Ex parte and most hearings are held in hearing room 1700.02
- COURTROOM: 18-B (All trials are held in the courtroom)
- ALTERNATES: Judge Thomas W. Turner - Hearing Room 800.01
- EX PARTE: Ex parte is Monday-Thursday at 8:45 a.m. - 9:00 a.m.  
Uncontested or short matters not involving testimony and lasting 5 minutes or less may be set for ex parte. Obtaining the court file or copying relevant pleadings if they have been e-filed is the responsibility of the attorney setting the hearing.  
**No telephone hearings permitted at ex parte.**
- TELEPHONE HEARINGS: Judge Mackinnon allows out-of-town attorneys to appear by telephone if the hearing is set up as a telephone hearing with the JA in advance. Only one party may appear by phone per hearing (unless one of the attorneys sets up a conference call). Attorney should call to 407-836-2320 at the scheduled time of hearing.
- HEARING TIME OF 1 HR. OR MORE: Attorneys will be accommodated for long hearings usually during the non-jury trial period or during the hearing week if time is available.
- HEARINGS: Hearings are held one week a month. Available hearing times may be viewed on-line at the Judicial Automated Calendaring System (JACS) found at [www.ninthcircuit.org](http://www.ninthcircuit.org). Any hearing time request exceeding one hour must be in writing and approved by Judge Mackinnon. The date and time of hearing must be coordinated and confirmed with opposing counsel and Judicial Assistant. Motions must be filed before being set for hearing. Always provide the Judge a courtesy copy of the notice of hearing and motions to be heard. Memorandums of Law must be received by the Judge at least three business days prior to the hearing. If a matter set for hearing is resolved and the hearing time is not needed, **THE ATTORNEY WHO SET THE HEARING MUST CALL THE JA AND CANCEL THE HEARING. FAILURE TO CANCEL THE HEARING MAY RESULT IN SANCTIONS BEING IMPOSED.**

- CONTINUANCES: **Judge Mackinnon does not automatically grant motions or stipulations for continuance.** Please set the matter for a hearing with notice to all parties. If the Motion is stipulated to, the parties may appear at ex parte.
- WITHDRAWAL OF COUNSEL: Motions to Withdraw as Counsel should be noticed for ex parte with notice to all parties. If there are out of town counsel who wish to attend the hearing by telephone, a regularly scheduled hearing will be set so the attorney may attend by phone. Please include the name and address of the client to whom the pleadings will be sent in the body of the order as well as in the certificate of service.
- REHEARINGS: A copy of a Motion for Rehearing should be sent directly to the judge in addition to filing the original motion with the Clerk. The judge will review the motion to determine if a hearing is necessary. If so, the JA will call to coordinate a hearing time. Otherwise, you will receive an order from the court.
- JURY/NON-JURY TRIALS: Jury and Non-jury Trials will be conducted within a three (3) week trial period. Pretrial conferences are held in Hearing Room 1700.02 on Monday two weeks prior to the beginning of the trial period. **Appearance at the pre-trial conference by telephone is not permitted.** Lead attorneys should be present at the pre-trial conference, or an attorney who is familiar with the case may attend.
- SUMMARY JUDGMENT IN FORECLOSURE HEARINGS: Motions for Summary Judgment are heard between 9:00 a.m. and 9:30 a.m. on Mondays and Tuesdays except when the Judge is at a conference or out of town. Please check JACs to verify that the Judge will be available. Out of town firms must retain local counsel and must personally appear prepared with all necessary paperwork. The sale day for Div. 39 is Friday for residential foreclosures and Wednesday for Time Share Foreclosures.
- PROPOSED ORDERS: Stamped, pre-addressed envelopes and a sufficient number of copies for conforming must be provided to the Court for mailing to all parties, including *pro se* litigants. Please **include the date the hearing was held** in the first paragraph of the order, and indicate whether the Order has been agreed to by opposing counsel or whether Opposing counsel will submit his/her own order.
- E-FILING: Proposed Orders may be E-filed. Be sure to include a cover letter or stipulation so that the Judge will know if the Order is agreed to by opposing counsel. E-filed pleadings are not sent to directly to the Judge. Please send a courtesy copy of the Motion and notice of hearing directly to Chambers prior to the hearing date. The Judge needs a courtesy copy of the motion and notice of hearing sent directly to Chambers prior to the hearing date.
- GUARDIAN AD LITEM APPOINTMENTS: When submitting a Motion and Order to Appoint GAL to the Court, please fill in the name and GUARDIAN address of the attorney and provide a stamped addressed for the GAL.

Please note: these procedures apply to **Judge Mackinnon** only. It is recommended that attorneys refer to the procedure of each Judge or contact the Judicial Assistant in the division for instructions.

Rev. 1/09