

**State of Florida**  
**Ninth Judicial Circuit of Florida**

ORANGE COUNTY CRIMINAL COURT BUILDING  
425 N. ORANGE AVENUE, SUITE 830  
ORLANDO, FLORIDA 32801  
(407) 836-2481

DEBORAH B. ANSBRO  
COUNTY JUDGE

ZEE HOLLAND  
JUDICIAL ASSISTANT

**PROCEDURES FOR COUNTY MISDEMEANOR/TRAFFIC DIVISION 61**

1. **PRE-TRIAL PROCEDURES:**

- A. Schedule: Pre-trials in Division 61 are normally held at 1:00 p.m. for public defender clients; 1:15 p.m. for TOGA; and 1:30 p.m. for private/conflict attorneys and clients. Private attorneys/conflict attorneys **may** telephone prior to the date of the pre-trial to schedule a trial or plea date *within that trial period*. Each trial period normally runs for two (2) consecutive weeks, unless otherwise noted on the Div. 61 calendar. All trials are scheduled in Courtroom 7-C at 9:00 a.m. unless otherwise noted.
- B. Continuances: If a continuance is requested, the attorney must first contact the prosecuting attorney to advise him/her of the motion to continue and request the prosecuting attorney's position. In the event the prosecuting attorney has no objection to the continuance, then the original Motion to Continue containing note of the prosecuting attorney's consent, together with a proposed order must be provided to the Clerk of the Court and a copy faxed or emailed to the Judicial Assistant. **The Motion to Continue MUST contain a separate page Waiver of Speedy Trial signed by the defendant and a proper Certificate of Service as required by the Rules of Criminal Procedure.** When submitting a proposed order, you *must* provide sufficient copies for the Judicial Assistant to conform for all parties referenced in the Certificate of Service, and pre-addressed, stamped envelopes for all parties, unless that party has a pick-up box within the Judge's chambers. In the event properly prepared envelopes are not provided, the motion will not be considered in Chambers.

2. **TRIALS:**

- A. Appearance: On trial day, each defendant and his/her attorney must appear at the scheduled trial time. The attorney should be prepared with a fully executed plea form if the defendant intends to enter a plea of guilty or no contest. If the attorney has to be before another Judge and will be tardy for Court, the attorney's office **must** advise the Judicial Assistant of same and will be required to supply the name of the Judge the attorney is before and the attorney's projected time of arrival. In the event the court concludes its business for the relevant session prior to the defendant/attorney arriving, the court shall waive speedy trial, if relevant, and set the matter for another date and time without coordinating same with the defendant or his attorney, or, alternatively, the court may issue a capias and forfeit any bonds that may have been posted.
- B. Interpreters: Please advise the Judicial Assistant several days prior to the date of the trial/hearing of any party who is hearing impaired and who requires an interpreter or if you need a TV/VCR for court. If an interpreter is required, please notify the trial clerk upon your arrival in the courtroom so that the interpreter can be requested to appear. If an interpreter for a language other than Spanish or Creole is required, then prior notice **must be given** at least one week's notice must be given for interpreters needed for a trial.

3. **MOTION HEARINGS:**

- A. **Pleas/Sentencings/Written Pleas, Motion Hearings, Identity and Restitution Hearings** are heard during motion week and at other times as may be scheduled during the ten week rotation. All motions must be scheduled for hearing prior to the trial date.
- B. Adequate time is available for hearings and it is the attorney's **responsibility** to secure sufficient time on the court's calendar. No suppression hearing may be scheduled for longer than one hour without the court's consent. DO NOT call a day or two prior to the trial date to schedule a hearing, as the State is entitled to a minimum of ten (10) days notice in order to properly secure and serve subpoenas, if necessary.

C. INFORMATION REQUIRED:

The following information must be provided for each file:

**Defendant's name;**  
**Case number;**  
**Amount of time required for the hearing based on the**  
**number of witnesses to be called;**  
**Defendant's date of birth;**  
**Defendant's next scheduled court date; and**  
**Title of the motion(s) to be heard.**

You will be given the first available time for the type of hearing you are scheduling

D. CANCELLATIONS:

***Never cancel a hearing without personally speaking with the Judicial Assistant.***

If a plea is reached and the appropriate order is signed prior to the hearing date, please advise the Judicial Assistant to enable her to remove the case from the docket. In the event you desire to cancel a hearing for reasons other than a resolution of the pending motion, you must provide the specific reason(s) for the request in writing and whether the opposing party consents or objects to the motion.

4. **VIOLATIONS OF PROBATION:**

A. Status Hearings/Pleas:

Violation of Probation status hearings are held according to the Div. 61 calendar, usually every two to three weeks. The status hearings are held normally at 1:30 p.m. in Courtroom 7-C. The attorney should be prepared with a fully executed plea form if the defendant intends to enter an admission to the violation. If the attorney has to be before another Judge and will be tardy for Court, the attorney's office **must** advise the Judicial Assistant of same and will be required to supply the name of the Judge the attorney is before and the attorney's projected time of arrival. In the event the court concludes its business for the relevant session prior to the defendant/attorney arriving, the court shall issue a capias and forfeit any bonds that may have been posted or may reschedule without coordinating the new date with the attorney.

B. Evidentiary Hearings:

In the event the Defendant denies the violation and requests an evidentiary hearing, the hearing will be coordinated with Chambers. The notice of hearing must state that the hearing is evidentiary in nature so all parties are properly on notice that evidence will be presented to the Court.

5. **MOTIONS:**

All original motions and proposed orders must be filed with the Clerk of the Court. Your pleadings will then be forwarded to the Court for appropriate action. Please do not submit copies to Chambers. All motions and proposed orders must contain a properly completed Certificate of Service. When submitting a proposed order (on issues other than those requiring hearings, such as motions to suppress), please provide copies for the Judicial Assistant to conform for all parties and are addressed, stamped envelopes for mailing. The court will not consider a motion in Chambers unless the motion indicates whether the opposing side consents to entry of the proposed order.

5. **FAILURES TO APPEAR:**

In the event a Defendant or counsel wishes to file a motion to quash capias, and reinstate bond if applicable, the motion must specifically state the reason for the Defendant's failure to appear. The general statement "unintentionally failed to appear," is not sufficient and the motion will not be granted unless a specific basis/reason for the failure to appear is stated in the motion. Please further ensure that the proposed order adequately and correctly addresses all issues raised in the motion. In order to reinstate a bond, the *written consent* of the bondsman/surety must accompany the motion as required under Florida law.

6. **SENTENCE MODIFICATION/EXTENSIONS:**

All requests for sentence modifications, extensions of time, or requests to change a court date **MUST** be submitted in the form of a written motion. All correspondence must contain the defendant's name and case number. The Judge will respond to all correspondence in writing. If your request requires immediate attention, it is the responsibility of the "moving party" to initiate contact with the Court to advise of the emergency situation—which must actually be an "emergency."

7. **FINAL DISPOSITIONS:**

A copy of the Final Disposition should be requested in open court or from the Clerk of the Court. The Judicial Assistant has no information about what occurred in Court until she receives the docket from the trial clerk, which may be the following day.

8. **QUESTIONS:**

Please feel free to direct any questions regarding procedures utilized in Div. 61 to the Judicial Assistant. Please ensure that represented clients do not contact Chambers or the Judicial Assistant directly. In the event they do so, they will be referred to their attorney.

*All dates and times are subject to change.*