

**Temporary Supplemental Procedures for Orange County  
Domestic Relations Division 30 Judge Tennis**

Pursuant to Administrative Order Nos. AOSC20-13 and AOSC2020-015 and Ninth Judicial Circuit AO2020-06, requiring that no proceedings or other court events other than essential proceedings be conducted through in-person hearings, the following procedures are in effect beginning Monday March 23, 2020.

All proceedings in Division 30, unless specifically determined to be essential by the Judge, will be either by video or telephonic conference only. No parties/attorneys/court reporters will be allowed to attend in person at the Orange County Courthouse.

Please provide to the Court a digital copy of all motions/responses filed in all Division 30 cases, whether they are being set for hearing or not.

If you have received a *Notice of Cancellation* or rescheduling, and continuing during the period of the COVID-19 crisis, and both sides wish that hearing to continue as previously scheduled by telephone conference or video conferencing, please send an email request to Division 30 at [ctjakw1@ocnjcc.org](mailto:ctjakw1@ocnjcc.org) to remain on the docket. So long as both sides can be reached and the hearing can be effectively conducted remotely, the hearing will remain on the docket.

All hearings must be pre-approved and docketed, including short matter hearings. The process to secure hearing time on JACS and by emailing Division 30 remains the same. The requirement that attorney's attempt to discuss issues prior to setting hearings will remain in place, but those "meetings" may be done electronically. Unless the hearing is set by the Court, a courtesy copy of the Notice must be delivered by the moving party to the Court via email at least forty eight (48) hours prior to the hearing.

Please follow these guidelines depending upon the nature of your hearing:

**NON-EVIDENTIARY HEARINGS**

Parties for non-evidentiary hearings are expected to be prepared to go forward with their hearings unless they have received an Order from the Court, or written confirmation for the Judicial Assistant, that the hearing is cancelled. Orders Re-Setting Hearing will be issued by the Court with directions as to whether the hearing is to be telephonic or video conference. **NO MOTION TO APPEAR TELEPHONICALLY IS NECESSARY.**

The procedure for these hearings is as follows:

Telephone Conference: For noticing and utilizing telephone conferencing communication each participant (up to 20) will call **407-836-5646** or toll free **1-800-346-8020** and will be prompted to enter a "*participant code*". Each Judge has a specific code—make sure you are using the correct code for the correct division. The code for Division 30 is **369047**. A sample *Notice* is attached

depicting the number and code. These must appear on the face of the *Notice* so that all parties are clearly instructed on how to participate.

Do not call prior to your appointed time. The “conference space” created is not private, thus if a hearing is held past the appointed time or the next caller is early, they will enter the same space as the prior hearing. Just like if you enter a courtroom prior to your hearing and another matter is being presented, please remain quiet until it is your turn to proceed.

#### Video Conferencing:

In certain instances, the Judge would prefer or require video conferencing rather than telephonic appearances.

BEFORE a video conference hearing is approved, the Judge will arrange a time to “test” the program with all participants. Any emails requesting this procedure should include three times that the lawyers (and any parties/witnesses) are available for testing (over the noon hour is acceptable). The test should take less than 5 minutes. If the Hearing is set via Video Conference and not all parties have a computer or smart phone available to them, they will be able to “call in” and participate.

When the Video Conference hearing is approved and scheduled, the Participants will receive, by email, a link to the hearing. They can be using a desktop, laptop, mobile device or cell phone. There is no need for additional software, but the program runs best on Chrome, Firefox or Edge browsers – meaning NOT Internet Explorer. The program will work with Android Devices, but NOT iPhones. It is possible to participate with a device that has a mic/speakers and no camera, but this is, obviously, not optimal.

**NOTE:** Attorneys, parties, interpreters, notaries, and court reporters should all be in different rooms during telephonic hearings in order to facilitate compliance with Supreme Court orders, Ninth Circuit Orders, and CDC guidelines.

### **MOTIONS THAT CALL FOR EVIDENTIARY HEARINGS**

The Court realizes some matters are of great importance to the parties who would like the Court to rule on these matters. The Court will consider evidentiary issues for the time being in the following ways:

- A. Hearing Waivers: If attorneys and/or the parties are BOTH willing to (in writing) waive a hearing and simply provide all materials they wish the Court to consider (to include memorandums of law, transcripts from depositions, agreed upon exhibits etc.). The items to be considered should be emailed to [ctjakw1@ocnjcc.org](mailto:ctjakw1@ocnjcc.org) with the other side copied on the email.
- B. Proffers: If attorneys and parties are willing to (in writing) waive live testimony and simply proffer evidence and testimony, the Court will specially set this hearing telephonically or through video conference. PARTIES DO NOT NEED TO ATTEND.

- C. Uncontested Final Hearings: The Court will entertain uncontested final hearings consistent with the new instructions for “Final Judgments of Dissolution of Marriage via Electronic Submission” and “Email Final Judgment Packet” which become effective on March 23, 2020.
- D. Stipulated Documentary Evidence: The Court will consider stipulated documentary evidence submitted electronically, prior to the hearing. The witnesses and parties should be provided copies prior to the hearing.

### **EMERGENCIES**

The Court will continue to review Emergency Motions as received and may rule in Chambers based on the pleadings on a temporary or interim basis. Should the Court require more information, the Judicial Assistant will contact the parties with further instructions. If Pick Up Orders are entered, a return hearing of some type will be scheduled. The Court will provide certified copies of any Pick Up Order.

### **OUT OF COURT PERFORMANCE OF COURT ORDERS/PROCEDURES**

Parties and attorneys are expected to comply with the Supreme Court of Florida’s and the Ninth Circuit’s Administrative Orders. As such, to the extent possible, all events that would require in person contact may proceed electronically. This is to include mediations, depositions, and meetings of attorneys.

### **CASE MANAGEMENT CONFERENCES**

In certain instances, the Court, on its own initiative will proceed with a Case Management Conference in lieu of a cancelled hearing during the already reserved time period. The Court will alert the parties if it wishes to proceed with a CMC. Please note that CMCs are NOT evidentiary hearings and there will be no testimony taken.

Even if the Court does not, on its own initiative, elect to conduct a CMC, upon cancellation of any hearing by the Court, the parties may alert the Court they wish to proceed with a CMC during the previously scheduled time. Once the Court confirms, a CMC will occur during that designated time.