



State of Florida
Ninth Judicial Circuit of Florida

Craig A. McCarthy
CIRCUIT JUDGE

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UNIFIED FAMILY COURT - DIVISION 30-C PROCEDURES (REVISED 2/2/26)

The following Guidelines and Procedures are hereby adopted for those practicing in the Unified Family Court- Division 30-C in Osceola County, Florida before Judge Craig A. McCarthy

PLEASE NOTE, THE JUDGE'S OFFICE CANNOT RECEIVE EX-PARTE COMMUNICATIONS FROM ANYONE. YOU MUST ALWAYS COPY ALL PARTIES ON ANY AND ALL E-MAILS, CORRESPONDENCES AND/OR COMMUNICATION WITH THIS OFFICE.

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WHEN EMAILING THE JUDICIAL ASSISTANT FOR ALL MATTERS, THE OPPOSING COUNSEL OR PRO SE LITIGANT MUST BE INCLUDED.

- 1. Courtroom:** All hearings are held in Courtroom 4D or virtually via Webex Meetings. **All Hearings will be held in person** unless the Court grants prior permission for the hearing to be conducted by Webex. The link to the virtual courtroom is the following:

Meeting link:

<https://ninthcircuit.webex.com/meet/30osceola>

With the exception of the hearings described above that may be held virtually without prior permission from the Court, all requests for hearings to be conducted virtually must be submitted by motion showing good cause for the need for virtual hearing.

If a party requests that an individual party, attorney, or witness be permitted to appear remotely at an in-person hearing, a motion for the individual to appear remotely must be submitted **at least 7 days** prior to the hearing. The motion must state whether the opposing party agrees or objects to the requested remote appearance.

- 2. Hearings:** Before requesting a hearing, the mandatory “meet and confer” must be held per Administrative order 2014-19. This includes matters with pro se litigants. If the issue(s) are still unresolved then a hearing may be requested. A Certificate of Compliance must be attached to the Notice of Hearing. A copy is attached to Administrative Order 2014-19. Failure to comply with this may result in the Court not having the hearing or not awarding attorney’s fees.

For hearings in front of the Judge, please refer to the **[AI Calendar Link](#)** page on the Court’s website at:

Osceola Domestic Division 30-9th Judicial Circuit Court Calendar (ninthcircuit.org)

for available dates and times. You must coordinate the hearing time with opposing counsel/pro se litigant **PRIOR** to emailing the Judicial Assistant. Once a date/time has been confirmed by both parties, you must email the Judicial Assistant, **include opposing counsel or pro-se litigant**, in order to secure hearing time. **No hearings are set via phone.**

All requests for hearings must include a copy of the motion to be heard and the following information: (1) the Case Number; (2) Petitioner's name and attorney; (3) Respondent's name and attorney; (4) Hearing date and time requested; (5) Length of hearing; (6) Title of the Motion to be heard & date filed; (7) whether the hearing is evidentiary; (8) Date of the mandatory mediation conducted per Administrative Order No. 2004-14-02; (9) Date the mandatory meet and confer was conducted per Administrative Order No. 2014-19.

Please do not send a Notice of Hearing until you have confirmed the time with the Judicial Assistant and received an email confirmation from the Judicial Assistant.

Cross-notice is not allowed without agreement of opposing party and approval from the Court

Notice of Hearing: Notice of Hearing should include the full name of the motion and filing date, the length of the hearing, and a Certificate of Compliance per Administrative Order No. 2014-19.

If the hearing will be conducted via Webex, the Notice of Hearing must also include the following language:

All Parties MUST appear via Webex Meetings. When it is time for your hearing, cut and paste this address into your internet browser:

<https://ninthcircuit.webex.com/meet/30osceola>

You will then wait in a waiting room until your Hearing is called and the Judge joins the Conference.

To appear via telephone dial:

Audio connection
United States Toll (Jacksonville) +1-904-900-2303

Access code/meeting ID#
2347 557 1705

Parties Must Provide Notice of Hearing to The J.A. Immediately If Other Party Is Present, If Both Sides Are Represented Than No Later Than 2 Weeks Prior To The Hearing Date To Allow It To Appear On The Docket; Otherwise The Matter Will Not Be Heard

When Emailing Your Notice of Hearing Be Sure to Include in Your Email:

Subject Line: NOH, Date of Hearing, And Case Number

Cancellations: Please notify the Court at least 24 hours in advance of any cancellations so that the hearing time can be offered to other parties. A Notice of Cancellation should be emailed to the Judicial Assistant at the time the Notice of Cancellation is filed with the Clerk. If the Notice of Cancellation is not received at least 24 hours prior to the scheduled hearing, that hearing will remain on the Docket and parties are expected to appear.

Short Matters

Short matters are on designated Wednesdays at 9:30 a.m. and pre-scheduled with the Judicial Assistant. Short matter hearings are conducted by Webex. Short matters are for entry of orders for stipulated or unopposed matters only/ no oral argument. Short Matters are for hearings of five minutes or less.

Any party who notices a case for short matters **MUST** provide an email copy of the Notice of Hearing, the Motion and a proposed order to chambers at least **three** business days before the hearing date. If the notice and motion is not received, the matter may not be heard.

It is the responsibility of the moving party to coordinate and timely notify the opposing party of the date and time of the hearing.

**3. Attorney
Uncontested**

Final Judgements: Attorney Represented Uncontested Dissolution of Marriage final Judgements for Division 30 may be **ruled on administratively as long as all requirements have been met and required documents have been filed with the clerk.** If there are any Motions related to the Final Judgement (i.e., motions to deviate), please provide an email copy to the Court. The Attorney Uncontested Dissolution Checklist must be completed and emailed to the Court, along with the proposed Final Judgement and all previously filed agreements. The proposed Final Judgment should be emailed to the Court in Microsoft Word format. The checklist can be found on the Ninth Circuit website (www.ninthcircuit.org), under the domestic section listed under miscellaneous information. The Parenting Plan and any Marital Settlement Agreement must be incorporated into the Final Judgment by reference to the date they were filed. Please remember that any Final Judgement in a case with children must include full names and dates of birth of the child and all child support details.

Uncontested Final Judgements may also be conducted in writing without the need for attorneys or parties to appear by filing a Motion/Waiver for Written Final Hearing in the Court's approved format. The Written Final Hearing checklist must be submitted to the Court by email along with all applicable agreements and the proposed Final Judgment in Word format.

**Support or Income
Withholding
Orders:**

When submitting an order or Final Judgment directing a party to make payments to the State Disbursement Unit, please submit an Income Deduction Order (with attached Income Withholding Order if there is child support) to be entered simultaneously by the Court. It is the responsibility of the receiving party to ensure the Obligor's full employer receives a copy of the Withholding Order pursuant to statute. Ensure that the Obligor's full Social Security number is entered. Sample forms for IDO and IWO may be found on the Judge's page of the Ninth Circuit's Website at NinthCircuit.org.

**Uncontested
Paternity Final
Judgements/
Supplemental
Final
Judgements:**

Uncontested Paternity Final judgements and Supplemental Final Judgements may be emailed to the Judicial Assistant for review by the Judge without a hearing if all required documents have been filed. Please provide an email copy to the Judicial Assistant and include a cover letter stating whether the Final Judgment is agreed upon.

**Emergency
and Expedited
Motions:**

A party requesting emergency action must include the words "Emergency Motion" in the title of the motion and must set forth in detail the nature of the emergency, the date by which a ruling is necessary, and the reason the ruling is needed by the stated date. The emergency motion process should be rarely used. Emergencies requiring immediate action generally only arise when a child is threatened with harm or where a party plans to improperly remove a child from the state. *See Loudermilk v. Loudermilk*, 693 So. 2d 666 (Fla. 2d DCA 1997). If one of these circumstances exists or another that rises to the level that would require immediate action to prevent harm, a party may file an emergency motion. The unwarranted

designation of a motion as an emergency motion may result in sanctions.

All emergency motions must be **verified**. Emergency motions must be **e-mailed** to the Judicial Assistant for the Court's review. If the motion fails to raise an actual emergency, it will be denied to the extent that it seeks emergency relief (but not as to the merits) and may be scheduled to be heard in the ordinary course.

A party whose time-sensitive motion does not qualify as an emergency motion but who nonetheless requires an expedited ruling by a date certain may file an expedited motion. An expedited motion must include the words "Expedited Motion" in the title and must set forth in detail the date by which an expedited ruling is needed and the reason the ruling is needed by the stated date. As a general matter, an expedited motion is one that will become moot if not ruled upon by a date certain.

**General
Magistrate:**

If you wish to have your case heard by the General Magistrate, file a Motion for Referral to the General Magistrate and provide the Court an email copy, including the motion/issues you wish to have referred to the General Magistrate. The Court will issue an Order of Referral to the General Magistrate.

Mediation:

Mediation is required in all Domestic cases in accordance with local amended Administrative Order 2004-14-02. The parties are required to mediate before scheduling hearing time on temporary matters.

**Case
Management/
Pretrial:**

It is the policy of this division to have trial dates on all cases set once the case is at issue for trial. When the case is at issue (the pleadings are closed), the parties are instructed to expeditiously file a notice for trial. The notice for trial must be emailed to the Court's judicial assistant after filing. After the notice is received by the Court, a Case Management Conference/Pretrial will be scheduled. At the CMC/PTC, the parties will be given a trial date, discovery cutoff, mediation deadline, and other deadlines necessary to bring the case to an efficient resolution. Following the CMC/PTC, the Court will issue a Case Management Order and/or Order Setting Trial. This process should be done early in each case so that all parties and counsel have dates and deadlines that they are working towards. The

deadlines and requirements contained in the Case Management Order are to be scrupulously followed by counsel and pro se litigants.

Exhibits and Case Law

For all hearings and trials, the following rules apply unless a specific Court order in the case provides otherwise:

Note: Evidence is NOT to be filed with the Clerk's office

- (1) No later than four business days before the hearing, counsel and/or pro se parties shall exchange any and all exhibits and have a substantive, good faith telephone conference to address stipulations and objections to the admissibility of any exhibits. This is the same requirements as set forth in Administrative Order Establishing Ninth Judicial Circuit Court Domestic Court Guidelines, Admin. Order No. 2014-19, which may be found at www.ninthcircuit.org.
- (2) All exhibits must be pre-labeled.
- (3) Parties must email 30osceola@ninthcircuit.org copies of all exhibits to the Judicial Assistant at least **three** business days prior to the hearing or trial. Do not deliver hard copies to the Judge prior to the hearing or trial. (Bring in evidence folder the day of court to courtroom). Each exhibit should be sent as an individual PDF file, unless the file is a video or other file that cannot be provided in PDF format. The name of the file must state the Party offering the exhibit, the word "Exhibit", the exhibit letter for identification, and a short description of the exhibit, such as the following example: "Petitioner's Exhibit 1 – Car Title".
- (4) All case law and other non-exhibit documents that a party wishes the Court to review must be provided to the Court and the opposing party by email at least **three** business days prior to the hearing or trial. Each case or document should be provided as a separate file.
- (5) In addition to being submitted electronically, video or audio recording files must be provided in the form of a flash drive on the day of the hearing.
- (6) The Court does not accept anything via Dropbox or that requires downloading of any kind.

Motions for Rehearing:

Courtesy copies of Motions for Rehearing should be **emailed** to the Court for review. If they are filed in the court file only, the Court does not know that they have been filed. After review the Court may enter

a ruling without a hearing; notify the moving party that the hearing will be set on the Motion for Rehearing or notify the moving party that the Motion for Rehearing has been granted and a new hearing on the original motion shall be scheduled.

Orders:

****PLEASE NOTE: ANY/ALL PROPOSED ORDERS SUBMITTED TO THE COURT MUST CLEARLY STATE THE OPPOSING PARTY'S POSITION WITHIN THAT ORDER OR WILL NOT BE CONSIDERED****

If the Court requests counsel to prepare an order at a hearing, counsel will prepare and submit the order to the Court **via email within 7 days** unless a different deadline is set by the Court at the hearing. Unless the proposed order is being provided in person at a hearing, do not submit a hard copy of the proposed order. Counsel should provide the proposed order to opposing counsel/pro se litigant for approval before submitting it to the Court via an email that advises the Court that the Order is agreed upon. If the parties cannot agree on the form of the order, and both parties are represented, the lawyers shall email **ONE** proposed order with their differences **highlighted** to the Judicial Assistant. If the differences in the proposed Orders are so significant that a **highlight** is not practical, the lawyers may submit two separate proposed Orders within the same email, **(marked Petitioner or Respondent, for clarification purposes)**. If one or both parties are unrepresented, then each side shall email their proposed Order within the same email to the Judicial Assistant for the Court to review. The Court will render one Order after review. If the other side does not respond timely to a request for approval of a proposed Order, email your proposed Order to the Judicial Assistant explaining that the time frame has lapsed and opposing counsel was unresponsive.

All Orders should be titled with the name of the Motion and include a complete certificate of service.

Once Orders have been signed and e-filed by division 30 it is the attorney's responsibility to produce a copy to the Prose litigant if any, Within 5 days and file a certificate of compliance/or certificate of service with the clerk of court.

Interpreters:

If a Party needs an interpreter to understand what is being said in the Courtroom, or to communicate with the Judge, they **MUST** bring their own Interpreter. A Certified Interpreter is generally required, as it is difficult to interpret in a courtroom setting.
COURT IS REQUIRED TO BE CONDUCTED IN ENGLISH, AND

THE COURT WILL NOT PROVIDE ANYONE WITH AN INTERPRETER (unless in an injunction for protection case).

Website: Visit the Court's website at www.ninthcircuit.org for general information including scheduling, Court Services and Florida Supreme Court approved Family Law Forms.

Use of Artificial Intelligence in Papers:

The Court does not prohibit the use of Artificial Intelligence ("AI") in its division. However, if any party or self-represented party has used AI in the preparation of any complaint, answer, motion, brief, or other paper filed with the Court, and assigned to Judge McCarthy or Division 30, the party **MUST**, in a clear and plain factual statement, disclose that AI has been used in the filing, and **CERTIFY**, that each and every citation to the law or the record in the paper, has been independently verified as accurate. Failure to comply may result in sanctions against the party including the striking of pleadings and dismissal.

PLEASE NOTE: *These procedures apply to Judge Graig A. McCarthy only. Counsel shall also comply with Administrative Order 2014-25, "Uniform Policies and Procedures of the Domestic Division of the Circuit Court, Osceola County, Florida" which can be found on the Court's website at www.ninthcircuit.org.*