



State of Florida
Ninth Judicial Circuit of Florida

MARGARET H. SCHREIBER
CIRCUIT JUDGE

COUNTIES OF ORANGE AND OSCEOLA
ORANGE COUNTY COURTHOUSE
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ORLANDO, FLORIDA 32801
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DOMESTIC RELATIONS - DIVISION 31 PROCEDURES

- Courtroom:** All hearings are held in Courtroom 16-G
- Ex Parte:** **Tuesday thru Thursday from 9:00 a.m. to 9:30 a.m.** An updated list of dates that the Judge will be unavailable for Ex Parte & Short Matters is located on the JACS webpage at www.ninthcircuit.org under Division 31. Please visit this site to confirm that the Judge will be available on the date that the hearing is being scheduled. Ex parte is for entry of orders for stipulated or unopposed matters only.
- Short matters:** **Tuesday thru Thursday from 9:00 a.m. to 9:30 a.m.** Short Matters is for short legal argument of five minutes or less with no testimony or evidence presented. Motions to Compel, Motions to Dispense with Mediation, Motions to Withdraw & Motions for Substitution of Counsel are examples of short matters. An updated list of dates that the Judge will be unavailable for Ex Parte & Short Matters is located on the JACS webpage at www.ninthcircuit.org under Division 31.
- It is the responsibility of the moving party to coordinate and timely notify the opposing counsel/pro se litigant of the date and time of the hearing.
- Attorney Uncontested Final Hearings:** Attorney represented “uncons” are heard by the Domestic Violence Judges. The instructions for setting uncontested divorce hearings can be found under JACS on the Ninth Circuit website at www.ninthcircuit.org/services/jacs. This is not for uncontested hearings other than the Final Hearing.
- Adoptions:** These hearings will not be heard at Ex Parte/Short Matters. All available hearing time is located on the JACS webpage at www.ninthcircuit.org under Division 31. Family members are welcome and cameras are allowed.

Name Changes: Attorney represented Name Change hearings are held at Ex Parte/Short matters Tuesday-Thursday at 9:00 a.m. Please refer to the JACS page on the Court's website, www.ninthcircuit.org for available dates and times.

Pro se name changes will be scheduled through Family Court Services.

Cancellations: Please notify the Court promptly of any cancellations so that the hearing time can be offered to other parties. A Notice of Cancellation should be sent to the JA at the time the Notice of Cancellation is filed with the Clerk. It is not necessary to contact the JA regarding cancellations of Ex Parte or Short Matters hearings since they are not calendared.

Emergencies: Verified Emergency Motions may be hand delivered or mailed for the Court's review. The Court will not consider emergency motions at Ex Parte or Short Matters. The Court will enter an order without a hearing, enter an order setting a hearing in the near future, or set a hearing as soon as possible.

In the event Judge Schreiber is unavailable to review an emergency motion you may contact her alternate, Judge Heather Pinder Rodriguez to see if she is available to review the matter.

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 a 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.

Hearings: For hearings in front of the Judge, please refer to the JACS page on the Court's website, www.ninthcircuit.org for available dates and times. You must email the Judicial Assistant in order to secure hearing time. No hearings are set via phone. Please do not send a Notice of Hearing until you have confirmed the time with the JA and received an email **confirmation number** from the JA. All hearing times must be coordinated with the opposing attorney or pro se litigant.

If you are seeking a hearing time of more than one (1) hour, you must see the Judge during Ex Parte to get authorization before the hearing can be set.

Notice of Hearing: NOH should include the full name of the motion and filing date, the length of the hearing, the date the mandatory "meet and confer" was conducted, **and the confirmation number.**

Temporary Hearings:

Prior to scheduling temporary hearings, the parties must attend mediation. Also note that only one temporary hearing will be set. If a further hearing is needed, counsel should see the Div. 31 Judge during ex parte before scheduling additional time, or notice it for trial.

Telephone Hearings: A motion from the party seeking to appear by phone should be submitted to the Court with a copy sent to the opposing attorney or pro se litigant. If the Judge grants the motion/request, the party will be given a number to call at the time of the hearing. If multiple parties request to appear telephonically, all parties must be on the line before the call is initiated to the Court. If

testimony will be presented, the party must be in presence of a person authorized to administer the oath.

Mediation: Mediation is required in all Domestic cases in accordance with local amended Administrative Order 2004-14-02. The parties are to mediate prior to scheduling hearing time on temporary matters as well as prior to filing a Notice for Trial. Motions to dispense with mediation may be taken up at Short Matters.

Scheduling

Conference/Trials: After a Notice for Trial and Form 51 are received by the Court (with self-addressed, stamped envelopes) an Order Setting Non-Jury Trial and Pre-Trial Conference will be mailed to counsel of record/pro se litigants or the case may be referred to the General Magistrate for Trial.

Attorney/pro se litigants are required to file and deliver by mail or hand delivery to the Judge a Pre-Trial Memorandum **three business days prior to the pre-trial** as directed by said order. Trial periods are usually two weeks in length with trials held on Tuesdays, Wednesdays and Thursdays.

Motions for Rehearing:

Motions for Rehearing should be mailed or hand delivered to the Court for review. After review the Court will enter a ruling without a hearing, notify the moving party that a hearing will be set on the Motion or notify the moving party that a new hearing on the motion shall be scheduled.

Orders:

Bring proposed orders to scheduled hearings with sufficient copies. If the Court requests counsel to prepare an order from the hearing/trial, counsel shall prepare and submit the order to the Court **within 10 days. Counsel shall submit the order to opposing counsel/pro se litigant for approval before submitting it to the Court with a cover letter stating whether the opposing counsel/party has an objection to the form of the order.** If the parties cannot agree on the form of the order, both counsel and/or pro se litigant shall present proposed orders with the differences red-lined to the Court within the ten day window. Please do not submit an order and ask the Court to hold the order pending approval by the opposing party.

All orders should be titled with the name of the motion and the date the hearing was held and include a complete certificate of service.

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.

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