

State of Florida
Ninth Judicial Circuit of Florida

Evellen JEWETT
COUNTY COURT
JUDGE

COUNTIES OF ORANGE AND OSCEOLA
ORANGE COUNTY COURTHOUSE
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Div. 61

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Procedures for County Criminal
Division 61, Chambers 385-B & Courtroom 6-C

Division 61 is a County Criminal and Traffic Division in Orange County Florida. Please note these are general procedures and each case is unique. The Court or applicable law may require different or additional procedures than referenced below.

ARRAIGNMENTS

Arraignments are heard every Tuesday, Wednesday, and Thursday, on a rotating basis between the County Criminal Judges with the exception of official Court Holidays. Arraignments are scheduled on the Court's calendar at 8:00 a.m. for Traffic cases and at 1:00 p.m. for Misdemeanor cases. Defendants with the last name beginning with A-K will be directed to Courtroom 4D. Defendants with the last name beginning with L-Z will be directed to Courtroom 4C. The Clerk of the Court is responsible for the scheduling of Arraignments. **All** Defendants are required to appear at Arraignment. If, however, a Notice of Appearance, Plea of Not Guilty and Waiver of Arraignment has been filed **prior to the Arraignment date**, the attorney of record and the Defendant are excused from appearing at said Arraignment. It is the **sole responsibility** of the attorney of record and/or their staff to ensure that the appropriate pleadings are filed and incorporated into the Court file prior to the Arraignment.

If a Defendant fails to appear for the scheduled Arraignment or the Attorney of record fails to timely file the appropriate pleadings and a *capias* is issued, the Attorney must file a Motion to Recall *Capias* along with a proposed Order, copies for conforming and self-addressed stamped envelopes with the Judge that held the arraignment and issued the *capias*. If you are filing a Motion to Vacate and Set Aside Forfeiture and Reinstate Bond you must include a letter from the bondsman indicating that they are willing to remain on the bond if reinstated. If a hearing is required, the defendant will need to be present.

PRE-TRIALS & TRIALS

Judge Evellen Jewett requires the defendant to be present at the Pre-Trial conference, unless a Waiver of Appearance has been filed with the Clerk of Court prior to the Pre-Trial conference. Defendants should be present inside the Courtroom; family members and friends should remain outside if the Courtroom becomes overcrowded. If you are unable to attend the Pre-Trial you may email the Judicial Assistant to schedule a Trial or Plea date prior to the Pre-Trial date only if you have received an offer from the State and the offer has been discussed with your client. If a continuance is requested, please contact the Assistant State Attorney to see if they have any objection to the continuance. You must file a written Motion to Continue which outlines the purpose for the continuance and if the State Attorney has any objections. A Waiver of Speedy Trial signed by the defendant must also be filed along with the Motion to Continue before the Judge will consider the Motion. Provide a copy of the Motion, Proposed Order along with copies and self-addressed stamped envelopes to chambers for the Judge to review. To have a hearing cancelled or reset please email the Judicial Assistant for new hearing times. A notice of cancellation or notice needs to be filed with the clerk of courts prior to the hearing that. A copy of the filled notice should be included in any correspondence to the Judicial Assistant when requesting new hearing time. All Witness Lists must be filed no later than Pre-Trial Conference.

Trials are scheduled each day during the Trial period at 8:30 a.m. The defendant and counsel must appear on the day of Trial. If the defendant intends to enter a Plea of Guilty or No Contest, the Attorney should be prepared with a fully executed Plea form. If the Attorney has a conflict and will be late for Court, the Attorney should email the Judicial Assistant with the reason for being late and the estimated time of arrival so the Court can be informed. Trials not resolved may be rolled day to day at the discretion of the Court. If rolled day to day, Defendants are required to attend Court each day unless excused by the Court.

Please advise the Judicial Assistant several days prior to the date of the Trial/Hearing of any party who is hearing impaired, or who will require an interpreter. If you need a TV/VCR for Court you must go to the www.ninthcircuit.org website; click on the *Services* drop down menu, to *Technology Support-A/V Equipment*. Fill out the A/V Request Form and Submit. Your request must be received at least 48 hours in advance. If you experience any problems, please call 407-836-0522. If you need an interpreter, please email the Judicial Assistant.

MOTIONS

All original Motions and proposed Orders must be filed with the Clerk of the Court/e-portal. All Motions and proposed Orders must contain a Certificate of Service. When submitting a proposed Order, please provide copies and self-addressed stamped envelopes for all parties except the State Attorney. We forward State Attorney Mail inter-office. If the State Attorney objects to your Motion, please email the Judicial Assistant for available Motion Hearing times. All email correspondence needs to include the State Attorney assigned to the case. After the Judicial Assistant has provided available hearing dates and times please coordinate directly with the State Attorney; once coordinated, email the

Judicial Assistant with the agreed upon date and time for confirmation. When you receive confirmation from the Judicial Assistant please prepare and file your notice of hearing with the Clerk of Court and provide the State Attorney with a courtesy copy. The maximum time for all motion hearings is one (1) hour unless otherwise approved by the Judge. Please email the Judicial Assistant at least two (2) weeks prior to the trial date to secure hearing time on Pre-Trial Motions. If you need to cancel a hearing please email the Judicial Assistant as soon as possible.

MISCELLANEOUS

If you have any questions regarding these procedures, please feel free to contact the Judicial Assistant. Please never advise your client to call the Judge's office as they will only be referred back to you.

The Weekly Court Docket for Division 61 is set the proceeding week on Wednesday at 3pm. Judge Evellen Jewett's court docket is available on the Ninth Judicial Circuit JACS website.

Office hours are Monday - Friday from 8:30 a.m. - 12:00 p.m. and 1:30 p.m. to 5:00 p.m. If you reach the voice mail during the work day, the Judicial Assistant has been called away from her desk to assist the Judge, attend pre-trials, make copies, etc. Please listen to the voice mail as it contains pertinent information that is beneficial to you. Also, please note: These procedures apply to **Judge Evellen Jewett** only. It is recommended that you refer to the procedure of each Judge or contact the Judicial Assistant in the division for instructions. Also, please be aware that these procedures are subject to change and while every effort will be made to publish any changes as widely as possible, the ultimate responsibility will remain with attorneys for parties and parties when pro se to confirm the then existing procedure.

The drop-off box for Division 61 is located in the Room 370 which is open during the hours of 9:00 a.m. to noon and 1:30 to 4:00 p.m.

The Judicial Assistant requires any and all phone conversations to be followed up through email. The Judicial Assistant will not verbally set any hearings. All hearings need to be confirmed through email in order for them to be set on the court's docket.