



State of Florida
Ninth Judicial Circuit Court
The Orange County Courthouse
425 N Orange Ave
Orlando, FL 32801
www.ninthcircuit.org

DIVISION 46 POLICIES AND PROCEDURES

PLEASE NOTE: These procedures apply to Judge Kraynick ONLY. Where a [Ninth Circuit Administrative Order](#) or the [Florida Family Law Rules](#) conflict with these Policies and Procedures, the Order or Rule will control. Please read these rules in their entirety. If you have questions not answered below, please inquire via email at the division email.

CONTACT: The division email should be used for all hearing requests or other matters. You must copy opposing counsel and pro se litigants on all correspondence to the Judicial Assistant (JA) at the division email. The division email is: 46orange@ninthcircuit.org. The division telephone number is 407-836-0478.

ADDITIONAL RESOURCES: Additional information, resources, and forms can be found at the following links:

[Judge Kraynick's Ninth Circuit Page](#)
[Hearing Scheduling \(Domestic Violence Division 46\)](#)
[Ninth Circuit Administrative Orders](#)
[Judge Kraynick's WebEx Link](#)
[Family Law Forms](#)
[Ninth Circuit Family Court Case Management Services](#)
[Ninth Circuit Dispute Resolution Services](#)

DV AND RELATED DR COURTROOM ASSIGNMENTS:

There are four judges currently assigned to Domestic Violence Injunctions (DV) and their related Domestic Relations (DR) cases. The judges rotate through the courtrooms on a four-week rotation. A description of what is heard in each courtroom is detailed below. Please ensure that all Notices have the correct courtroom for the hearing being scheduled. If any party, witness, or attorney will be appearing virtually pursuant to the Virtual Hearing guidelines below, please also include [Judge Kraynick's WebEx Link](#).

COURTROOM 16-A INJUNCTION COMPLIANCE HEARINGS

Monday - Friday 9:00 am and 1:00 p.m.

All Injunction Compliance Hearings are set by the Court. They may be held virtually or in person, so check your Notice or Order Setting Hearing for information on how to appear. These hearings are not coordinated with counsel or the parties. Rather, they are set following the entry of an Injunction or at a prior Compliance Hearing. Cases requiring a Spanish interpreter are heard Wednesdays at 11 am. For all languages, please notify the JA by sending an email to the division email if an interpreter is needed.

COURTROOM 16-D SPECIAL SET INJUNCTION RETURN HEARINGS AND MISCELLANEOUS MOTIONS

Monday-Friday **times to be specifically set with the Court**

If a special set return hearing is set during this week, please carefully read the attachments to the temporary injunction or notice setting hearing for the procedure to appear virtually for the return hearings. Parties and counsel must appear on time as set forth in the temporary injunction or notice setting hearing in order to participate in the intake process.

If a hearing on a DV case is to be set during this week, please contact the JA by email to the division email for hearing time to ensure it is scheduled during the "D" week only. Parties and attorneys may appear virtually for non-evidentiary hearings that are less than 30 minutes by Motion and Order. Please see the Virtual Appearances section below for more

information on appearing virtually. Cases requiring a Spanish interpreter are heard on Wednesday afternoons. For all languages, please notify the JA by email to the division email at the time the hearing is scheduled if an interpreter is needed.

COURTROOM 16-B INJUNCTION RETURN HEARINGS

Monday-Thursday 8:30 am, 10:00 am, 1:00 pm and 2:00 pm
Friday 8:30 and 10:00 am

Please carefully read the attachments to the temporary injunction or notice setting hearing for the procedure to appear virtually for the return hearings. Parties and counsel must appear on time as set forth in the temporary injunction or notice setting hearing in order to participate in the intake process.

All Return Hearings are held in person. You may request permission for a witness to appear virtually via Motion. The e-filed Motion and proposed Order must be sent to the division email at least two (2) business days prior to the hearing. Cases requiring a Spanish interpreter are heard on Thursday mornings. If your case requires a Spanish interpreter and is not currently set for a Thursday morning, please notify the JA via the division email. For all languages, please notify the JA if an interpreter is required for any party or witness.

COURTROOM 16-C HEARINGS AND TRIALS ON RELATED DOMESTIC CASES ONLY

Monday – Trials at times to be specifically set
Tuesday – case management conferences, pretrial conferences, and Motions at times to be specifically set
Wednesday – Ex-parte and short matters from 9:00 a.m. to 10:00 a.m. and Motions at times to be specifically set
Thursday – Motions at times to be specifically set
Friday – Trials and/or Motions at times to be specifically set

Each Judge has a hearing week that occurs once every four weeks that is dedicated ONLY to related DR cases (including paternity and dissolution of marriage proceedings).

All hearings during this week are scheduled with the Judicial Assistant for each Judge at available times through the Judicial Automated Calendaring System (JACS). These hearing times are found on the Court's webpage at

<https://apps.ninthcircuit.org/jacsatt/availableslotframe.asp>.

EX PARTE & SHORT MATTERS

Ex-parte and short matters are Wednesdays 9:00 a.m. to 10:00 a.m. during the Court's hearing weeks and pre-scheduled with the Judicial Assistant. Ex parte and short matter hearings are conducted via [Judge Kraynick's WebEx Link](#). Ex parte is for entry of orders for stipulated or unopposed matters only. Short Matters time is for short legal argument of five minutes or less with no testimony or evidence presented. No court reporters are allowed. Discovery motions are not permitted at short matters. Any party who notices a case for ex parte or short matters MUST provide an email copy of the Notice of Hearing, the Motion and a proposed order to chambers at least three (3) business days prior to 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. All Notices of Hearing for Ex parte and short matters must include [Judge Kraynick's WebEx Link](#).

DISCOVERY MOTIONS

Prior to any discovery motion being set for hearing, the moving party must file proof of having communicated specifics of the dispute to the opposing party prior to filing a motion and any response received. See 12.380 of the [Florida Family Law Rules](#). This proof must be included with the motion. After a discovery motion has been filed, the responding party must file a written response no later than 7 days after the discovery motion has been filed, including their communications on the issue and also detailing what is and is not forthcoming or available by reasonable means. Fees will generally be awarded at discovery hearings and therefore, affidavits of fees should be filed prior.

B. SPECIFIC MOTIONS/HEARINGS

- 1. Reassignments:** Reassignments are done by Order of the Family Court Division Administrative Judge pursuant to Administrative Order 2017-10-01. Domestic Violence and Domestic Relations cases may not be consolidated, although related cases will be heard by the same judge.
- 2. Attorney Uncontested Dissolutions of Marriage:** Attorney Uncontested Dissolutions of Marriage will be set in front of the Judge to whom the case is assigned. For the four Domestic Violence divisions, please find the individual Judge's procedures found on that divisions' JACS page.
- 3. Requests for Emergency Hearings:**
 - a. All emergency motions must first be filed with the Clerk's office. When the Clerk has accepted the filing and it is viewable on the Clerk's system, the moving party shall email a copy to the Judge's division email address.
 - b. Once received by the Judge's office, the Court will:
 - i. Enter a ruling on the motion without a hearing; or
 - ii. Enter a ruling on the motion without a hearing and/or set a hearing on an expedited basis; or
 - iii. Set a hearing for the motion to be heard on an emergency or non-emergency basis.
- 4. Requests for Rehearing:**
 - a. The motion for rehearing must first be filed with the Clerk's office.
 - b. Once the Clerk has the original motion, the moving party shall email a copy of the motion to the Judge for review. The Court will:
 - i. Enter a ruling on the motion without a hearing, or
 - ii. Set a hearing on the Motion for Rehearing
- 5. Motions to Continue:**
 - a. The motion must first be filed with the Clerk's office before it is sent to the Judge.
 - b. The motion must be signed by the party requesting the continuance.
 - c. It shall be the responsibility of the moving party to contact opposing party/counsel to determine if they object to the

Motion for Continuance. If there is not an objection, the motion with e-filing information appearing at the top shall be emailed to the division email along with a proposed order in Word format. The email must indicate that the motion is unopposed. This is not a guarantee that the matter will be continued.

- c. If the opposing side objects or you are unsure of their position, the motion must be argued at the time that the hearing or trial is scheduled or at an earlier hearing time that counsel obtains through the JACS system. If the continuance is granted, a new hearing or trial time will be set. If the continuance is denied, the scheduled hearing or trial will proceed.

6. Other Motions:

- a. This section relates to motions requiring hearings other than those listed above under “Hearings Set By Court.”
- b. All motions must be filed and viewable in the Clerk’s system before a hearing time will be confirmed.
- c. Before coordinating a hearing time, counsel shall comply with Administrative Order 2014-19, specifically the “meet and confer” portion of the order. After compliance, hearing time may be acquired by going to the Court’s webpage at <https://apps.ninthcircuit.org/jacsatt/availableslotframe.asp>.
- d. It is the responsibility of the moving party to select and coordinate a date with opposing counsel and then contact the Judicial Assistant to confirm the hearing time. If the non-moving party is unrepresented, after attempting to confer, counsel may select a date and time from JACS and contact the Judicial Assistant to confirm the hearing.
- e. A Notice of Hearing should not be sent out until confirmation (either written or verbal) is received from the Judicial Assistant.

C. MEDIATION AND TRIAL

1. MEDIATIONS ARE REQUIRED.

- a. Mediation is required on all Domestic Relations cases in accordance with the Administrative Order 2004-14-02. A

motion to dispense with mediation can be filed with the Clerk and a hearing scheduled.

2. Temporary Matters (Form 50):

- a. Parties are required to attend mediation on temporary matters before requesting hearing time on temporary relief.
- b. File Form 50 with Dispute Resolution to schedule mediation. Form 50 may be faxed to 407-836-2367.
- c. If, after mediation, the parties are unable to agree on temporary matters, a hearing on temporary matters may be scheduled with the court. Motions to dispense with mediation can be set for a hearing for those parties with a history of domestic violence.

3. Prior to Trial (Form 50 and Form 51):

- a. Prior to trial the parties must return to mediation to attempt a resolution of all matters in the case. Form 50 should be prepared and faxed to Dispute Resolution at 407-836-2367 for scheduling of mediation.
- b. After mediation is concluded, if any or all issues are unresolved, Form 51 and a Notice for Non-Jury Trial should be filed with the Clerk's office. A copy of BOTH the notice for trial and the Form 51, showing the efilng information at the top, shall be emailed to the division email in order for a trial to be scheduled.

4. Scheduling Conferences and Trials:

- a. After a Notice for Non-Jury Trial and Form 51 are received by the Court, an order setting case management or an order setting pretrial and/or non-jury trial will be sent to counsel of record and/or unrepresented litigants. Attorneys and unrepresented litigants are required to file a pre-trial memorandum as directed in the order setting pretrial and/or non-jury trial. A copy should be emailed to the Judge's division email address.

5. Settlement/Cancelations:

Please notify the Judicial Assistant immediately if settlement is reached and a hearing or trial can be cancelled. The Court's hearing time is valuable and can be used in other cases. Filing a

Notice of Cancellation does not notify the Judge's office of the cancellation; it simply becomes part of the Clerk's record.

D. INTERPRETERS

The court will only provide interpreters for injunction cases, not the related divorce, paternity, or other cases. If you need an interpreter for a dissolution (divorce), paternity case, or any other non-injunction case, you must supply your own interpreter. The interpreter does not have to be a court-certified interpreter but must be someone who understands English and your preferred language fluently.