



DOMESTIC VIOLENCE DIVISION 46 **GUIDELINES & PROCEDURES**

Judge Denise Kim Beamer
Ninth Judicial Circuit – Orange County

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These procedures only apply to Judge Denise Beamer. Where a [Ninth Circuit Administrative Order](#) or the [Florida Family Law Rules](#) conflict with these policies and procedures, the Administrative Order or Family Law Rule will control.

In the Ninth Judicial Circuit, the Domestic Relations division is comprised of two (2) groups: Domestic Relations (“DR”) and Domestic Violence (“DV”). In the DR group, there are six (6) judges assigned, and currently, there are four (4) judges assigned to the Domestic Violence division.

PRO SE LITIGANTS: Please review [Administrative Order 2017-08-01](#), which establishes procedures for self-represented litigants in the Domestic Relations Division. The Judge and the JA cannot provide legal advice to you regarding your case. If you need additional assistance and cannot afford to hire an attorney, please contact [Family Court Case Management](#), [the Self Help Center](#), or [Legal Aid](#). The [Family Court Case Management Office](#) has an [online form](#) for pro se litigants to request assistance.

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

[Judge Denise Beamer’s Ninth Circuit Page](#)
[Judge Beamer’s aiCalendar Online Docket](#)
[Ninth Circuit Administrative Orders](#)
[Judge Beamer’s WebEx Link for Virtual Hearings](#)
[Florida State Courts System’s Self-Help Center & Family Law Forms](#)
[Ninth Circuit Family Court Case Management Services](#)
[Florida Courts’ Domestic Violence Resources](#)

PROCEDURAL STEPS OF A DOMESTIC VIOLENCE CASE WITHIN THE NINTH JUDICIAL CIRCUIT

1. A Petition for Protection Against (a) Domestic Violence, (b) Stalking, (c) Repeat Violence, (d) Dating Violence, (e) Sexual Violence is reviewed during the Court's "A week."
2. If the Petition for Protection against Violence is GRANTED, then either a Temporary Injunction is entered OR an Order Setting Hearing is entered.
3. Within 15 days and after the Respondent has been served (unless extended for good cause), the Court sets a "Return Hearing." The Return Hearing, set during the Court's "B Week," is for all parties to appear in-person before the Court with their exhibits and witnesses. The Court will either: (a) dismiss the Petition, (b) grant a continuance with a showing of good cause, or (c) grant a Final Judgment of Protection.
4. If the Return Hearing is continued, it may be specifically reset on the Court's "D Week" – a week reserved for complex or lengthy Return Hearings and/or other miscellaneous matters.
5. If the Court grants a Final Judgment of Protection and requires the Respondent to fulfill certain conditions (i.e., Batters' Intervention Program – "BIP", mental health evaluation, substance abuse evaluation, etc.), then the Court may set the matter during its "Compliance week" or "A Week."
6. If a Final Judgment of Injunction for Protection is granted, any related DR/Family Law case involving the same parties (i.e., Dissolution of Marriage, Paternity, Department of Revenue – Title IX) is transferred to the DV Judge. Thus, the DV judge will hear all DV and DR related matters. Any pending hearings set before the previous DR judge are cancelled, and matters must be reset before the DV judge. These matters are heard during the Court's Related Domestic Relations Cases or "C Week."

DV AND RELATED DR COURTROOM ASSIGNMENTS

**1. COURTROOM 16-A INJUNCTION COMPLIANCE HEARINGS "A Week"
WEDNESDAY MORNINGS**

All Injunction Compliance Hearings are set by the Court. They may be held virtually or in person. The Order Setting Compliance Hearing contains information on how to appear (virtually or in-person). These hearings are not coordinated with counsel or the parties. Rather, they are set after the entry of an Injunction or at a prior Compliance Hearing.

Interpreters

The DV division shares interpreters with other divisions within the courthouse. For all languages, please notify the JA by sending an email to the [division email](#) if an interpreter is needed. Cases requiring a Spanish interpreter are heard Wednesdays between 11 am and noon.

Proof of Compliance

If you are scheduled for a Compliance Hearing, and have proof of compliance to submit to the court, please email it to InjunctionsOrange@ocnjcc.org prior to the hearing date.

2. COURTROOM 16-B INJUNCTION RETURN HEARINGS “B Week”

Monday – Thursday 8:30 am, 10:00 am, 1:00 pm, and 2:00 pm
Fridays 8:30 am and 10:00 am (as needed)

All Return Hearings are held in person. For a witness to appear virtually, a Motion must be filed. The e-filed Motion and proposed Order must be sent to the [division email](#) at least one business day prior to the hearing.

Interpreters

Cases requiring a Spanish interpreter are heard on Thursdays. If your case requires a Spanish interpreter and is not currently set for a Thursday, please notify the JA via the [division email](#). For all languages, please notify the JA by sending an email to the [division email](#) if an interpreter is needed.

3. COURTROOM 16-C RELATED DOMESTIC RELATIONS CASES “C Week”

If a Final Judgment of Injunction for Protection is granted, any related DR case involving the same parties (i.e., Dissolution of Marriage, Paternity, Department of Revenue – Title IX) is transferred to the DV Judge. Thus, the DV judge will hear all DV and DR related matters. Any pending hearings set before the previous DR judge are cancelled, and matters must be reset before the DV judge.

Virtual Hearings

Parties and attorneys may appear virtually for non-evidentiary hearings that are less than 30 minutes by agreement or Motion/Order. Please see the Virtual Appearances section below for more guidance on appearing virtually.

Interpreters

Interpreters are not provided by the Court for DR cases. If an interpreter is needed, you must bring your own. Additionally, interpreters may not provide interpretation of exhibits.

4. COURTROOM 16-D MISC DV HEARINGS “D Week”

This week reserved for complex or lengthy Return Hearings and/or other miscellaneous matters.

Due to the four-week rotation and the complexity of the calendar, the parties must request hearing time by sending an email to the [division email](#). Parties and attorneys may appear virtually for non-evidentiary hearings that are less than 30 minutes by agreement or Motion/Order. Please see the Virtual Appearances section below for more information on appearing virtually.

Interpreter

Cases requiring a Spanish interpreter are heard on Wednesday afternoons. For all languages, please notify the JA by sending an email to the [division email](#) if an interpreter is needed.

HOW TO SCHEDULE A HEARING

1. **Complete the mandatory meet and confer process to the extent permitted by law**
 - Before coordinating a hearing, Counsel shall comply with [Administrative Order 2014-19](#). Specifically, the hearing coordination and “meet and confer” portions of the Order must be met prior to scheduling a hearing. Additionally, mediation is required before seeking temporary relief or setting a case for trial in a DR case. Please see the Mediation and Trial Procedure sections below for additional information.
 - Please note that DV hearings are recorded by the court reporting system, but DR hearings are not. If you require a recording of a DR hearing, you must hire your own court reporter.
2. **Reach out to Judge Beamer’s Judicial Assistant via email at ctjasb2@ocnjcc.org** and copy opposing counsel/pro se litigants for the hearing to be added to the docket. Copy and paste the list below in the email to the JA.
 - The emailed hearing request to the JA must include all of the following:
 - ✓ Date and time of the “meet and confer” conference
 - ✓ Date and time being requested for the hearing
 - ✓ Case number
 - ✓ Style of the case
 - ✓ Names of the attorneys (or pro se if applicable)
 - ✓ Title and date of the motion(s) to be heard
 - ✓ Amount of time being requested for the hearing
 - ✓ Whether the hearing will be conducted remotely or in-person, and whether an attorney/party will be appearing in-person
 - ✓ If DV, whether an interpreter is needed and language requested
 - ✓ Whether any party is in custody and needs to be transported to Court

- Coordinate the date and time with opposing counsel/pro se party. Hearing times must be cleared with opposing counsel and pro se party (to the extent possible). Please refer to [Administrative Order 2014-19](#) for guidance where the opposing counsel or pro se litigant fails to “meet and confer,” does not respond, or refuses to coordinate the hearing.
3. **Receive confirmation time for your hearing.** Your hearing time is **not confirmed** until you receive a reply from the Judicial Assistant.
- At the time of the emailed hearing confirmation, **the JA will provide video hearing information/link** including a phone connection should a party not be able to participate by video.
 - The video hearing information **must** be included in the Notice of Hearing.
4. **If the Hearing is Virtual, prepare accordingly.**
- Where virtual appearances are permitted, parties and attorneys may appear virtually for non-evidentiary hearings that are 30 minutes or less by using the [WebEx link](#).
 - “Non-evidentiary” means there will be little to no testimony, and nothing will be entered into evidence. Where there is agreement, please notify the JA while scheduling the hearing. If there is no agreement, the party or attorney requesting a virtual appearance should file a Motion and send a copy of the e-filed Motion and proposed Order in Word format to the division email while scheduling the hearing, or no later than two business days before the hearing. The Motion should state the good cause basis for a virtual appearance and include the opposing party’s position on the request.
 - If the hearing is set for over 30 minutes in length or is evidentiary in nature, the hearing shall be held in person unless prior approval is granted via Motion and Order. You may request permission for a witness, party, or attorney to appear virtually as detailed above.
 - If any witness, party, or attorney will appear by [WebEx](#), please ensure you are familiar with the technology, know how to mute/unmute yourself and turn your camera on/off, and are logged in at the start time for the hearing.
5. **Miscellaneous Issues re: Hearings**
- **Please note:** Due to the high frequency of pro se litigants and the sensitive nature of DV cases, the Court typically enters an Order Setting Hearing for pro se litigants. However, attorneys must file a Notice of Hearing.
 - **Emergency Hearings.** The body of the motion must contain a detailed

explanation of the circumstances constituting the emergency as well as the substance of the motion.

- Standard of Review: An Emergency Motion is only appropriate in “an emergency situation, such as where a child is threatened with harm, or where the opposing party plans to improperly remove the child from the state. [Loudermilk v. Loudermilk, 693 So. 2d 666, 668 \(Fla. 2d DCA 1997\)](#)).
 - The motion must be hand delivered or e-mailed to the Court before a hearing will be set. The Court will review the motion and, if it is determined an emergency exists, the Judicial Assistant will contact counsel to set the hearing.
 - Once an Emergency or Expedited Motion is received via the [division email](#), the Court will review the Motion and either (1) enter a ruling on the Motion without a hearing; (2) set a hearing for the Motion to be heard on an emergency basis; or (3) deny the Motion as an emergency, and direct the parties to coordinate a hearing for the Motion to be heard on an expedited or non-emergency basis.
 - If it is expedited relief that you are requesting, title your Motion “EXPEDITED” rather than “EMERGENCY,” and proceed accordingly.
- **Cross-notice Motions.** Please do not **cross-notice motions** without prior approval of opposing counsel and the Judicial Assistant. If permitted, counsel must email the JA to confirm it can be heard in the same time frame or that sufficient additional time is available for all matters to be heard.
 - **Canceling a Hearing.** Please note that only the party setting the hearing may cancel the hearing.

The party cancelling the hearing **must**:

1. Call or email the Judicial Assistant to notify the Court of the cancelled hearing. (filing the Notice of Cancellation with the Clerk is not sufficient as the Clerk does not notify the Court), and
2. File a **Notice of Cancellation** and email a copy of the notice of cancellation to the Judicial Assistant

MOTIONS

1. MOTIONS FOR REHEARING, RECONSIDERATION OR NEW TRIAL

- A. Upon filing said Motion, you must send a copy directly to chambers for review as the Clerk does not provide them to the Court.
- B. The Court will either: (i) rule without a hearing, (ii) direct that a written response be filed by opposing counsel, or (iii) direct the JA to contact the moving counsel to schedule a hearing.

2. MOTIONS TO WITHDRAW

- A. Please review [Florida Family Law Rules of Procedure 12.040](#) and [Florida Rules of Judicial Administration](#), as it relates to Motions to Withdraw. All Motions to Withdraw or for Substitution of Counsel should include the client's signature and must contain their last known address and an email address if available.

With Client Consent

- B. If you have written client consent (attached to the motion) you may submit a copy of the motion along with a proposed order to chambers.
 - i. All Motions to Withdraw or for Substitution of Counsel should include the client's signature.
 - ii. The body of the proposed order and certificate of service must include the name, address, telephone number and e-mail address of the client to whom the pleadings will be sent.

Without Client Consent

- C. The Motion must be served on the client, and set for a hearing with notice to all parties if client consent cannot be obtained.
- D. Please allow sufficient time for the client to be notified, and direct them to appear at the hearing. The Court considers a minimum of seven days' notice sufficient time.

3. UNCONTESTED FINAL JUDGMENTS

Dissolution of Marriage

When a Hearing is Required

- A. Attorney Uncontested Dissolution of Marriage are set in front of the Judge assigned to the case. Complete the [Uncontested Dissolution Checklist](#) and email it to the [division email](#), along with the proposed Final Judgment and all agreements.

Attachments

- B. The Parenting Plan and any Marital Settlement Agreement must be incorporated into the Final Judgment and attached as exhibits.
- C. Any Final Judgment in a case with children must include full names and dates of birth of the child and all child support details. Send all documents to the [division email](#) when requesting hearing time.
- D. Send the proposed Final Judgment in Word format.
- E. The proposed Final Judgment must be sent to the Court prior to the hearing because the hearing will likely be virtual.

When a Hearing is NOT Required

- F. When the parties have filed a Motion and Waiver for Written Final Hearing. The [Required Checklist for Entry of Final Judgment without Personal Appearance](#) must be submitted to the [division email](#) along with all applicable agreements and the proposed Final Judgment in Word format.

Paternity

- G. Uncontested Paternity Final Judgments and Supplemental Final Judgments may be emailed to the [division email](#) for review by the Judge without a hearing if all required documents have been filed. Please indicate whether the Final Judgment is agreed upon.

ORDERS AND RULINGS

1. **Rulings.** The Court will issue orders and rulings in a timely manner. Every effort will be made to rule the day of the hearing. If it is necessary to take an issue under advisement, the Court will attempt to set a date by which the Court will issue its ruling.
2. **Proposed Orders.** If counsel are asked to prepare an order, the order should be:
 - A. Drafted and circulated within three (3) working days, and
 - B. Submitted to the Court within seven (7) days of the hearing, with a copy to opposing counsel.
 - C. All Orders must describe, in the caption, the subject and ruling of the court.
 - D. Counsel must advise the Court of any objection to, or agreement on, the form of the proposed order when the order is submitted.
 - E. If the parties are **unable to agree** on the form of the order, both sides shall email their proposed Order in Word to the Court for consideration within the seven (7) days. All parties must be copied on all email submissions.
3. **Submitting Orders to Chambers:**

1. Proposed agreed orders should be:
 - ✓ emailed to ctjasb2@ocnjcc.org in **Word** format along with an
 - ✓ **e-filed cover letter** indicating whether:
 - Opposing counsel agrees to the content and form of the order.
 - The cover letter (but not the proposed order) must be e-filed by the attorney with the Clerk.
 - Must indicate that opposing counsel has reviewed and approved the form of the order when submitting to the Court for review.
2. Certificate of Service: Please be sure that the certificate of service on the proposed Order complies with the Rules of Civil Procedure.

COURTESY COPIES REQUIRED

1. Motion(s), supporting memoranda and/or case law to be heard **must be received**, by email or hard copy to chambers at least **THREE (3) business days prior** to the hearing to ensure an opportunity for the Court to review. Copy opposing counsel with the same information provided to the Court.
2. Copies sent to the Court should:
 - A. Be send in pdf or Word (not in a zip file or shared folder)
 - B. Copies over 50 pages should be provided electronically on a flash drive or via email to the JA.
 - C. If provided electronically, counsel must index the materials and ensure the index contains a hyper-link to the document/exhibit/case indexed. For technical assistance, please visit: <https://helpx.adobe.com/acrobat/using/creating-pdf-indexes.html>
 - D. Cases should be highlighted.

Failure to provide courtesy copies may result in the hearing being cancelled.

HOW TO SET A CASE FOR TRIAL

STEP 1: ATTEND MANDATORY MEDIATION

- A. Pursuant to [Administrative Order 2004-14-02](#), parties must attend mediation prior to seeking temporary relief or setting a case for Non-Jury Trial.
- B. After attending mediation, parties may seek temporary relief or file a Notice of Non-Jury Trial. Motions to Dispense with Mediation can be sought for those parties with a history of domestic violence pursuant to [Florida Statute 44.102\(2\)\(c\)](#).
- C. For Dispute Resolution, fill out [Form 50](#) to schedule the Mediation. [Form 50](#) may be faxed to 407-836-2367. If, after Mediation, the parties are unable to reach agreement, a hearing on temporary matters may be scheduled with the Court.

STEP 2: MATTER TO COMPLETE BEFORE NOTICE OF TRIAL

- A. Prior to trial, the parties must attend Mediation within the last 180 days before filing a Notice for Non-Jury Trial to attempt a resolution of all matters in the case or obtain approval from the Court to dispense with mediation.
- B. Notice for Non-Jury Trial should be filed with the Clerk's office.
- C. Pursuant to [Administrative Order 2004-14-02](#), counsel or pro se litigants must attach a [Form 51](#) to their Notice of Trial. If the case is a Dissolution of Marriage with Children or a paternity case, parenting class certificates must be filed with the Clerk's Office pursuant to [Florida Statute 61.21](#) and [Administrative Order 07-98-37-01](#).
- D. Email a copy of the e-filed Notice and [Form 51](#) to the [division email](#) in order for the trial procedure process to begin.

STEP 3: ATTEND A CASE MANAGEMENT CONFERENCE

- A. After the Notice for Non-Jury Trial and [Form 51](#) are received by the Court, the Court will issue an Order setting a Case Management Conference (CMC). The Court may also set a CMC on its own accord.
- B. Please note that where a CMC is set by the Court, it is held pursuant to [Florida Family Rule of Procedure 12.200](#), which may include the setting or disposition of any outstanding Motions, and place other

requirements on the parties. Prior to the CMC, counsel and pro se litigants must comply with all aspects of the Order setting the CMC.

- C. All counsel and parties must be present for CMC unless previously excused by the Court. CMCs will generally be held virtually using the [WebEx link](#). If any party or attorney wishes to appear in person, please send a request to the [division email](#).
- D. At the CMC, a Pre-Trial Conference (PTC) will be set if the case is ready for trial, and the Court will enter a Uniform Pre-trial Order (UPTO). If the case is not ready for trial, another CMC will be set.

STEP 4: ATTEND AND COMPLETE ALL UNIFORM PRE-TRIAL ORDER (“UPTO”) REQUIREMENTS
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- A. Prior to the Pre-Trial Conference (“PTC”) hearing, the Court will enter a detailed order, the Uniform Pre-Trial Order (“UPTO”) which shall require the parties to prepare the following:
 - 1. Parenting Plan
 - 2. Pre-Trial Memorandum
 - 3. Equitable Distribution Worksheet
 - 4. Updated Financial Affidavits

→ *These documents assist the Court in identifying the key issues at trial.* ←

See below for additional details about each document.

- B. Sample forms and instructions are available at the websites listed under Additional Resources on the first page of these policies and procedures.
- C. Noncompliance may result in cancellation of the PTC and other sanctions. If modifications or extensions of time are needed, a timely Motion to Modify the UPTO is required. If the parties are unable to cooperate to complete the following, the Court may decline to set the case for non-jury trial until completed, and fees may be assessed accordingly.

Before the PTC, the following documents in WORD format must be submitted to the Court at least three (3) days prior to the hearing:

- 1. Parenting Plan: Where the parties do not have agreement on a Parenting Plan, the court may require the parties to produce a joint redline Parenting Plan. [Instructions](#) for how to create a redline word document on how to create one is available online. You may also refer to the Parenting Plan in [Family Law Form 12.995](#).

2. Pre-Trial Memorandum: The UPTO requires a Joint Pre-Trial Memorandum with stipulations or proposed stipulations. A [sample form](#) is available online for your use.

3. Equitable Distribution Spreadsheet: The UPTO requires a Joint Equitable Distribution Spreadsheet. An [Excel spreadsheet](#) is available online for your use.

4. Updated Financial Affidavits

D. PRE-TRIAL CONFERENCE: All parties and their attorneys must appear at PTC.

The Non-Jury Trial will be scheduled at the PTC and will occur approximately 4 to 8 weeks after PTC or as soon as practical given the availability of hearing time. PTCs will be held virtually using the [WebEx link](#). After PTC, the Court will issue an Order setting the Trial.

STEP 5: PREPARING FOR TRIAL (and EVIDENTIARY HEARING)
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1. PREPARING EVIDENCE

This procedure applies to evidence presented at an evidentiary hearing and/or Trial.

1. **No later than 5 business days before the evidentiary hearing or Trial**, counsel and/or pro se parties shall exchange any and all exhibits, which must be bates-stamped.
2. The parties must have a substantive, good faith telephone conference to address stipulations and objections to the admissibility of any exhibits. If there are objections to the admissibility of any exhibits, the party raising the objection shall identify the exhibit by bates-stamped numbers and identify the ground(s) for any objection.
3. The objections shall be filed with the Clerk and any objections not noted are **WAIVED**.
4. After the substantive, good faith telephone conference and **no later than three (3) business days before the hearing**, the parties must:
 - a. pre-mark the bates-stamped exhibits that they intend to use during the hearing,
 - b. Bring 2 hard copies of the exhibits and the filed objections (one for the Judge and one

for the Clerk) to the Court for use at the hearing.

INFORMATION NOT COVERED: If any matters concerning the conduct of the hearing procedures of the division are not covered herein, counsel is free to contact the Court by email at ctjasb2@ocnjcc.org. The Court appreciates counsels' efforts to understand and comply with this Court's procedures.