



**State of Florida
Ninth Judicial Circuit Court**

The Orange County Courthouse
425 N Orange Ave
Orlando, FL 32801
www.ninthcircuit.org

DOMESTIC VIOLENCE (DV) COURT

PLEASE NOTE: These procedures apply to Judge Latimore, Judge Ashton, and Judge Blackwell ONLY. For all other matters not specifically included herein, please feel free to contact the Judicial Assistant for additional information.

A. CURRENT DOMESTIC VIOLENCE (DV) COURT JUDICIAL ASSIGNMENTS:

Division 44: The Honorable Alicia Latimore, Circuit Court Judge
Judicial Assistant: Julie Reyes – 407-836-0577 – E-Mail: ctjajr2@ocnjcc.org

Division 45: The Honorable Jeff Ashton, Circuit Court Judge
Judicial Assistant: Keitra Davis – 407-836-2008 – E-Mail: ctjakd3@ocnjcc.org

Division 46: The Honorable Alice L. Blackwell, Circuit Court Judge
Judicial Assistant: Jennifer Hough – 407-836-2084

B. COURTROOMS

16-A HEARINGS SET BY COURT (Note: These hearings are not coordinated with counsel or the parties.)

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

Status Hearings – Batterer’s Intervention Hearings and Compliance Hearings are set by the Court.

16-A Cont'd

As of July 1, 2019, the Domestic Violence judges will hear short matters in cases assigned to their particular division. You must schedule your short matter hearing in front of the judge to whom the case is assigned; the judges will not hear short matters for any other division other than their assigned division. Short Matters are defined as uncontested hearings and matters which can be heard in 5 minutes or less with no testimony and no evidence. **Short Matter hearings are held Monday through Friday (of designated weeks only) at 9:30 am in Courtroom 16-A.** Each division's designated weeks can be found on that judge's JACS page where hearing time is found. You must coordinate short matter hearings with opposing counsel/party in the same manner as other hearings are coordinated.

16-B INJUNCTION RETURN HEARINGS

Monday – Thursday 8:30 am and 1:00 pm
Friday 8:30 am

Parties and counsel must appear when noticed in order to participate in the intake process and to prepare the paperwork for their cases.

16-D HEARINGS AND TRIALS INCLUDING RELATED DOMESTIC CASES

Each Judge has a hearing week that occurs once every three weeks. Hearings during this week are scheduled with the Judicial Assistant for each Judge at available times through the Judicial Automated Calendaring System (JACS).

C. 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.
2. **Attorney Uncontested Dissolutions of Marriage:** Attorney Uncontested Dissolutions of Marriage are to be set in front of the Judge to whom the case is assigned. For the three 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 be filed with the Clerk's office. Once the Clerk has accepted the filing and it is viewable on the Clerk's system, the moving party shall send a copy to the Judge's office along with a proposed order, copies to conform, and self-addressed stamped envelopes.
 - i. You may contact each individual Judicial Assistant regarding preferred method of delivery.

- b. Once the items above are 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 Telephonic Hearings:

- a. Motions for telephonic hearing must be in writing and filed with the Clerk's office.
- b. Once the Clerk has the original motion, the moving party shall send a copy of the motion to the Judge for review along with a proposed order which shall include the phone number where the party or attorney requesting to appear by phone can be reached at the time of the hearing, copies to conform and self-addressed stamped envelopes.
- c. Unless an order granting telephonic appearance is entered, the party and/or counsel requesting telephonic appearance will be expected to appear in person at the scheduled hearing.

5. Requests for Rehearing:

- a. The motion for rehearing must be filed with the Clerk's office.
- b. Once the Clerk has the original motion, the moving party shall send a copy of the motion to the Judge for review along with a proposed order, copies to conform and pre-stamped/addressed envelopes. The Court will:
 - i. Enter a ruling on the motion without a hearing, or
 - ii. Set a hearing on the Motion for Rehearing

6. Motions to Continue:

- a. All motions must be filed with the Clerk's office before they are reviewed by the Judge.
- b. It shall be the responsibility of the moving party to contact opposing counsel to determine if they object to the Motion for Continuance. If there is not an objection, a copy of the motion along with a proposed order and self-addressed stamped envelopes shall be submitted to the Judge for review advising that the motion is not opposed. 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. 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 at that time.

7. Other Motions:

- a. All motions must be filed and viewable in the Clerk's system before a hearing time will be confirmed.
- b. This section relates to motions requiring hearings other than those listed above under "Hearings Set By Court."

- 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 www.ninthcircuit.org.
- 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.
- f. All parties in domestic violence cases and non-domestic violence cases with a related active injunction must report to the appropriate waiting area on the day of the hearing. Court personnel will come to the waiting areas to inform the parties when the Court is ready to hear their matter. You must include the following information on the Notice of Hearing:

“THE PETITIONER AND COUNSEL SHALL REPORT TO ROOM 1620
THE RESPONDENT AND COUNSEL SHALL REPORT TO ROOM 1625

Please sign in and wait there for your case to be called.”

D. MEDIATION AND TRIAL

1. Mediation:

- 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. The attorney must bring a proposed order to the hearing along with copies to conform, and self-addressed stamped envelopes, if copies are to be mailed.

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, or if there is an impasse, a hearing 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. Form 50 should be prepared and faxed to Dispute Resolution 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. Self-addressed stamped envelopes should be provided directly to the Judge's chambers with a courtesy copy of both the notice and Form 51 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 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 trial order. A copy should be mailed or hand delivered to the Judge's Chambers.

5. Settlement/Cancelations:

Please notify the Judicial Assistant immediately if settlement is reached and a hearing or trial shall be canceled. That 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 cancelation; it simply becomes part of the Clerk's record.

E. 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 bring your own interpreter. The interpreter does not have to be a court-certified interpreter but please bring someone who understands English and your preferred language fluently.

F. AUDIO/VISUAL EQUIPMENT

The court cannot view videos or other materials on CD or jump drives without AV equipment. If you need the court to view these items, then you may request AV equipment in certain courtrooms by visiting the Court's webpage, clicking on A/V Technical Support/Requests found in the Miscellaneous box, and opening a new ticket. Please allow enough time before the hearing for your request to be processed; we suggest at least two business days before the date of the hearing.

**INSTRUCTIONS FOR TELEPHONIC APPEARANCE AT HEARINGS OR TRIALS
BEFORE JUDGE LATIMORE, JUDGE ASHTON AND JUDGE BLACKWELL**

Attorneys and parties have a limited right to appear for hearings or trials by telephone with prior permission of the Court. *See Fla. R. Jud. Admin. 2.530 (c) & 2.530(d)(1)*. The procedure requires that the requesting party contact opposing counsel or the opposing party, and determine if they consent. A motion must then be filed setting forth the good cause and an order obtained from the Court. *See Fla. R. Jud. Admin. 2.530(d)(2)*. In order to do this, a copy of your filed motion and a proposed order shall be sent to the Judge for ruling. The motion and order shall contain the phone number where the party or attorney may be reached at the time of the hearing, in the event the motion is granted. Please note that all hearings are set on Eastern Standard Time.

If the Court grants your request to appear by telephone, a notary public or other person authorized to administer oaths must be present with the person placing the call or testifying to administer the oath. *See Fla. R. Jud. Admin. 2.530 (d)(3)*. It is the responsibility of the party or attorney requesting the telephonic appearance to arrange the telephone call and comply with the provisions of this procedure.

The speaker phones in the courtroom will not allow two parties to speak at the same time. It is therefore necessary that the party calling in pause before answering a question. Further, counsel must pause after each sentence or two to allow for objections by the other party and rulings thereon by the Court. If one party is speaking by phone and an objection is offered, the Court must rule on the objection. If the party appearing by telephone does not yield the telephone line, the Court may be required to disconnect the call and rule on the matter without the input from the counsel or party who requested to appear by telephone.

Telephonic appearances, by their nature, require that certain rights may be forfeited and procedures be followed. By appearing by telephone, the attorney or party may forgo the opportunity to review any exhibits, demonstrative aids or case law provided to the Court by the attorney(s) or parties who attend in person.
