

DIVISION 12 VIDEO PRE-TRIAL CONFERENCE (“VPTC”) PROCEDURES

JUDGE: Luis F. Calderon

JUDICIAL ASSISTANT: Lauren Burrows; EMAIL: ctjalb1@ocn.jcc.org

Due to the current health crisis, COVID-19, Judge Calderon will be conducting virtual/video pre-trial conferences unless otherwise modified.

REVISED VPT Schedule:

June 24, 2020 -- Private Defense Attorney Cases. 9:00am-12:00pm

June 24, 2020 -- Public Defender Cases. 1:30pm-4:30pm

July 29, 2020 -- Private Defense Attorney Cases. 9:00am-12:00pm

July 29, 2020 -- Public Defender Cases. 1:30pm-4:30pm

September 2, 2020 -- Private Defense Attorney Cases. 9:00am-12:00pm

September 2, 2020 -- Public Defender Cases. 1:30pm-4:30pm

October 7, 2020 -- Private Defense Attorney Cases. 9:00am-12:00pm

October 7, 2020 -- Public Defender Cases. 1:30pm-4:30pm

November 10, 2020 -- Private Defense Attorney Cases. 9:00am-12:00pm

November 10, 2020 -- Public Defender Cases. 1:30pm-4:30pm

December 16, 2020 -- Private Defense Attorney Cases. 9:00am-12:00pm

December 16, 2020 -- Public Defender Cases. 1:30pm-4:30pm

ASSISTANT STATE ATTORNEYS: Please convey plea offers to Defense Counsel or indicate there is no offer **by 11:00 am on the Thursday prior to Pre-Trial**. All Assistant State Attorneys may appear by video at PT.

PRIVATE DEFENSE COUNSEL AND ASSISTANT PUBLIC DEFENDERS: Please convey any plea offers in advance of PT. All Defense Counsel may appear by video at PT.

DEFENDANTS: Defendants may appear via video link, however a Defendant's appearance will NOT be required.

INSTRUCTIONS FOR VIRTUAL/VIDEO PRE-TRIAL

*Defense Counsel or Assistant State Attorneys (if appropriate) may elect any of the options contained within the corresponding notice/motions as described below, fill out the fields, and then e-file **ONLY** the form notice or motion. **DO NOT FILE PROPOSED ORDERS.** Once the election form is e-filed, a copy must be emailed to Judicial Assistant Lauren Burrows CTJALB1@ocnjcc.org along with any proposed orders. You will then receive a return email either waiving your appearance or confirming that your attendance by video will be required.

AVAILABLE (fillable) FORMS and INSTRUCTIONS:

1. **(REQUIRED IN ALL CASES)** Appearance at PT by Video: e-file and email a copy to Lauren Burrows at CTJALB1@ocnjcc.org (*this form only needs to be submitted one time in each case, unless counsel of record has changed or counsel's email has changed since the form was originally e-filed*):
 - a. Judge Calderon will send out a link via email for Microsoft Teams video conferencing at a designated time. For private Defense Counsel, this link will be sent to the email address indicated on the form.
 - b. Defense attorneys will share the link with defendants who are able and wish to virtually attend. The State may share the link with victims should the victim wish to participate.
 - c. Please promptly join the video meeting at the assigned time to discuss your case.

2. Motion to Continue/Order to Continue: e-file motion to continue **ONLY** and email a copy of the motion to continue **AND** a corresponding Proposed Order to Continue with the case name and case number filled out to Lauren Burrows at CTJALB1@ocnjcc.org (*please remember not to e-file proposed orders*):
 - a. **The deadline for filing UNOPPOSED motions to continue is 12pm on the Friday prior to Pre-Trial.** You will receive an email confirming you (and your client) will not need to attend PT if the motion is granted.

- b. The deadline for filing OPPOSED motions to continue is 12pm on the Thursday prior to Pre-Trial.** The Court will consider the Motion on a case by case basis. If the motion is granted over objection, the parties will be notified and you will receive an email confirming you (and your client) will not need to attend PT.
3. Participation in Diversion or Specialty Court: e-file, and email a copy to Lauren Burrows at CTJALB1@ocnjcc.org:
 - a. Once received by the Judicial Assistant, a future status date will be set and you will be noticed.
 - b. If the Defendant is entering into a Specialty Court program (i.e., Drug Court, Veterans Court, Mental Health Court), Ms. Burrows will reach out to you with further instructions.
 - c. **The deadline for filings indicating participation in diversion or specialty court (with waiver of speedy trial) is 12pm on the Friday prior to Pre-Trial.** Once received, you will receive an email confirming you (and your client) do not need to attend PT.
4. Request for a Jury Trial and Waiver of Appearance at PT: e-file and send a copy by email to Lauren Burrows at CTJALB1@ocnjcc.org:
 - a. If you are requesting a trial, pursuant to Florida Supreme Court order, jury trials will not resume until July 6, 2020.
 - b. **The deadline for filings requesting the case remain on the trial docket is 12pm, one business day before Pre-Trial.** Once correspondence with the above information is received, you will receive an email confirming you (and your client) do not need to attend PT.
5. Notice Case Will Resolve by Plea: e-file and send a copy by email to Lauren Burrows at CTJALB1@ocnjcc.org:
 - a. **The deadline for filings indicating the case will resolve by plea and requesting a plea date is 12pm, one business day before your Pre-Trial date.** Once notice the case will resolve by plea is received along with the terms of the plea, you will receive an email confirming you (and your client) do not need to attend PT. You will be noticed by the Court of a plea date.

******Failure to receive an email from the Court excusing you and your client's attendance will require appearance by video as outlined in Paragraph 1. The Court may consider bench warrants for Defendants and/or speedy trial waivers for non-appearance of Defendants and/or their Defense Counsel who have not been excused from appearing.******