



STATE OF FLORIDA  
NINTH JUDICIAL CIRCUIT OF FLORIDA

**Temporary Supplemental Procedures for Appearances at Hearing and  
Electronic Submissions  
(Orange County Circuit Civil Division 33)**

These procedures are in effect **beginning March 19, 2020**, during the limited closure of the courthouse unless extended by the judge. **Not all proceedings in Division 33 will be able to proceed, only the hearings designated in EXHIBIT A (see below) may proceed either by video or telephonic conference only. No parties/attorneys/court reporters will be allowed to attend in person at the Orange County Courthouse.**

**1. Hearings at which Telephonic Appearance is permitted without Motion and Order:**

Attorneys may appear at non-evidentiary hearings **without motion or order** for the following, but a Courtesy Copy of the Notice of Hearing **MUST** be sent to the Court by email at [ctjajg1@ocnjcc.org](mailto:ctjajg1@ocnjcc.org):

- docketed hearings that are non-evidentiary (hearings 9:30 a.m. or after that have been calendared with the judicial assistant)
- pre-trial conferences
- short matters

Requests to appear telephonically for any other hearing must be made by motion.

**All Notices of Hearing must comply with \*Amended Meet and Confer Requirements for Division 33**

***\*Amended Meet and Confer requirement for ALL HEARINGS in Division 33*** parties shall not only certify that a meet and confer took place with regards to the subject matter of the motion, they must also certify the method by which the parties (including a pro se party) agreed to appear (telephone or video conference). If choosing to appear by video conference, they must further certify their compliance with video conference procedure. Failure to include such certification may result in cancellation of the hearing. Amended Notices of Hearing must be e-filed and a courtesy copy sent via email to [ctjajg1@ocnjcc.org](mailto:ctjajg1@ocnjcc.org).

## 2. Telephonic Docketed Hearing Procedures:

If a telephonic hearing is permitted for your previously calendared hearing, the attorney must notify the Court's judicial assistant by email at [ctjajg1@ocnjcc.org](mailto:ctjajg1@ocnjcc.org) at least 48 hours before the hearing. The JA will provide acknowledgement of the telephonic appearance and will notify Counsel which phone number should be used for that particular telephonic hearing. The Attorney noticing the hearing shall institute a conference call and then call the number provided at the time of the hearing with all telephonically appearing attorneys/parties on the line. If the line is busy, continue to call until the Clerk answers the phone. **The attorney(s) must provide, 72 hours in advance of the hearing, courtesy electronic copies of documents and/or case law, as well as any proposed orders must be provided in Microsoft Word Format** for the Court to consider at the time of the hearing. **Documents may be provided via email to [ctjajg1@ocnjcc.org](mailto:ctjajg1@ocnjcc.org) or by delivering a USB memory drive to the Court. (NO PAPER COPIES WILL BE REVIEWED OR ACCEPTED).**

## 3. Video Conference Docketed Hearing Procedures:

If a video conference is permitted for your previously calendared hearing, the attorney must notify the Court's judicial assistant by email at [ctjajg1@ocnjcc.org](mailto:ctjajg1@ocnjcc.org) at least 48 hours before the hearing. The JA will provide acknowledgement of the video appearance and will notify Counsel via email and provide all attendees a link to the virtual meeting room<sup>1</sup>. **The attorney(s) must provide, 72 hours in advance of the hearing, courtesy electronic copies of documents and/or case law to all parties, as well as the Court. These documents must be in a single file and bates stamped for easy reference. Any proposed orders must be provided in Microsoft Word Format** for the Court to consider at the time of the hearing. **Documents may be provided via email to [ctjajg1@ocnjcc.org](mailto:ctjajg1@ocnjcc.org) or by delivering a USB memory drive to the Court. (NO PAPER COPIES WILL BE REVIEWED OR ACCEPTED).**

## 4. Short matters (non-calendared hearings):

Short Matters are conducted from Monday-Thursday from 8:30am-9:30am during hearing weeks and 8:30am-9:00am during trial weeks. These hearings are set by agreement of the parties or subject to the procedure for setting unilateral hearings.

Many hearings are scheduled at these times, however only one phone line is available. Therefore, the attorney noticing the hearing must establish a conference call and must include a toll free number in the Notice of Hearing. A courtesy copy of the Notice of Hearing must be provided to the Court in advance of the hearing by email at [ctjajg1@ocnjcc.org](mailto:ctjajg1@ocnjcc.org). Cases will be called in the order in which a compliant Notice of

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<sup>1</sup> In order to attend by video certain computer requirements are required, we recommend opening the link provided in a Google Chrome browser. An instructional video on using Cisco Meeting software will be published on [www.ninthcircuit.org](http://www.ninthcircuit.org).

Hearing is received by the Court. The Court will call into the conference when the court is ready to hear the matter, subject to time limitations. **If an attorney(s) would like for the Court to review any documentation. The attorney(s) must provide, 72 hours in advance of the hearing, courtesy electronic copies (NO PAPER COPIES WILL BE REVIEWED OR ACCEPTED) of documents and/or case law, as well as any proposed orders must be provided in Microsoft Word Format** for the Court to consider at the time of the hearing. Documents and Notices of Hearing may be emailed to [ctjajg1@ocnjcc.org](mailto:ctjajg1@ocnjcc.org). This is required by the Court's procedures in advance of the hearing in order for the court to properly prepare.

#### **5. Case Management Conferences / Status Hearings / Pre-Trial Conferences**

Many hearings are scheduled at the same time, however only one phone line is available. Therefore, the attorney noticing the hearing must establish a conference call and must include a toll free number in the Notice of Hearing. A courtesy copy of the Notice of Hearing must be provided to the Court in advance of the hearing by email at [ctjajg1@ocnjcc.org](mailto:ctjajg1@ocnjcc.org). The Court will call into the conference when the court is ready to hear the matter, subject to time limitations. **PLEASE REVIEW THE ORDER SETTING HEARING TO MAKE SURE THE PARTIES HAVE CONSIDERED THE TRIAL DATES PROVIDED BY THE COURT PRIOR TO THE HEARING.**

#### **6. Court Reporters:**

If any attorney/party wishes to have a court reporter transcribe the hearing, they must make arrangements to have the Court Reporter conference-in or remotely attend with the attorney/party requesting the court reporter. **COURT REPORTERS WILL NOT BE ALLOWED IN THE COURTROOM.**

#### **7. Paper Submissions for Hearings:**

**THE COURT WILL NOT BE REVIEWING PAPER SUBMISSIONS FOR HEARINGS.** Any materials or proposed orders for the Court's review may be sent by email to [ctjajg1@ocnjcc.org](mailto:ctjajg1@ocnjcc.org). Any paper submission for a hearing will not be reviewed and may be discarded by the Court. If materials are too voluminous to send via email, a USB memory drive (commonly referred to as a thumb drive) may be mailed. Please note that the court cannot open compressed files or "zip files." **RUNNER/COURIERS WILL NOT BE ALLOWED INTO THE COURTHOUSE TO HAND-DELIVER DOCUMENTS FOR THE COURT'S REVIEW.**

**JUDGE WEISS APPRECIATES YOUR PATIENCE AND ADHERENCE TO THESE POLICIES DURING THESE UNCERTAIN TIMES, PLEASE FEEL FREE TO CONTACT US IF YOU HAVE ANY ADDITIONAL QUESTIONS.**

## EXHIBIT A

### A. Civil Matters that will NOT be addressed even with video/telephone options available:

1. Jury trials
2. Non-jury trials requiring live witness presentation
3. Matters requiring *pro se* to personally appear
4. Foreclosure Trials
5. Contested Issues on Attorney's Fees
6. Motions as to 57.105
7. Dismissal for failure to prosecute with *pro se* involved
8. Orders to Show Cause

### B. Civil Matters that can or could be addressed:<sup>2</sup>

Any motion that can be addressed telephonically or via video conference including but not limited to:

1. **Procedural motions including:**
  - a. to Continue, to Compel,
  - b. to Quash (if not evidentiary)
  - c. to Enlarge Time
  - d. on discovery disputes
  - e. for Protective Orders
  - f. to Withdraw (if unopposed)
  - g. to Consolidate
  - h. Motions in Limine
  - i. To dispense with or require mediation
  
2. **Foreclosure Motions:**
  - a. Dispense with Mediation
  - b. Uncontested Default motions
  - c. Judgments that are uncontested
  
3. **Dispositive Motions including:**
  - a. for Summary Judgment,
  - b. to Dismiss,
  - c. to Compel Appraisal
  - d. to Appoint an Umpire

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<sup>2</sup> There may be occasions when the facts of a specific case will necessitate that the telephonic or video link procedure cannot reasonably be employed and a live hearing will be required. Those cases will be re-set by the court when deemed appropriate.

4. **Unopposed Motions for Default**
  
  5. **Trial Management issues:**
    - a. Non-complex Case Management conferences
    - b. Status Hearings
    - c. Failure to Prosecute
    - d. Pre-trial Conferences
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