

State of Florida  
Ninth Judicial Circuit of Florida  
[www.ninthcircuit.org](http://www.ninthcircuit.org)

Greg A. Tynan  
Circuit Judge

Orange County Courthouse  
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Orlando, Florida 32801

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**DOMESTIC RELATIONS DIVISION 42 POLICIES AND PROCEDURES**

**COURTROOM: 10-C**

**CHAMBERS: 8<sup>TH</sup> Floor (tray on wall)**

**WHEN EMAILING THE JUDICIAL ASSISTANT FOR ALL MATTERS, THE OPPOSING COUNSEL OR PRO SE LITIGANT MUST BE INCLUDED IN THE EMAIL.**

**EX PARTE/SHORT MATTERS:**

**Normally on TUESDAY, WEDNESDAY AND THURSDAY AT 9:00A.M.**

**Check JACS for dates that the Court will not have Ex Parte/Short Matters.**

Ex Parte/Short Matters are not scheduled through the Judicial Assistant, but must be coordinated with opposing counsel or pro se litigant.

**NO TELEPHONIC APPEARANCES at Ex Parte/Short Matter Hearings.**

Short Matters are for short legal argument of five minutes or less, with NO TESTIMONY OR EVIDENCE PRESENTED. Examples of short matters (not limited to) are Motions to Compel, Motions to Dispense with Mediation, Motions to Withdraw (without signed consent of the client), Attorney represented name changes and Motions for Substitution of Counsel.

Any party who notices a case for ex parte or short matters **must** provide an e-mailed copy of the Notice of Hearing and the Motion to chambers at least (3) business days prior to the hearing date. If the notice and motion is not received, the matter may not be heard. Counsel must bring a proposed order to the hearing. Do not send the proposed order to chambers without the notice. **E-MAIL COPIES ONLY. NO HARD COPIES PLEASE.**

## **ATTORNEY UNCONTESTED DISSOLUTIONS (ATTY UNCONS):**

Attorney Uncons are heard at Short Matters and are **not** set with the Judicial Assistant. You must complete and file a verified checklist. The procedures and verified checklist can be found on the Judge's page at the ninthcircuit.org. After the verified checklist and Notice of Hearing have been filed as separate documents at the same time, you must provide an emailed copy to chambers at least (3) business days prior to the hearing date. If you fail to do so, your case will not be heard.

**E-MAILED COPIES ONLY. NO HARD COPIES PLEASE.**

## **ADOPTIONS:**

Hearings for Adoptions must be set at least 14 days out. Use JACS for available hearing time. Family members are welcome and cameras are allowed.

No telephonic appearances permitted at Adoptions without an order signed by the Court.

## **MEDIATION:**

Mediation is required in all Domestic cases in accordance with local amended Administrative Order 2004-14-02. All parties are required to attend mediation prior to requesting hearing time on any matter and prior to filing a Notice for Trial.

## **TEMPORARY MATTERS:**

All parties are required to attend mediation on temporary matters before requesting hearing time. If there is no agreement, or only a partial agreement reached at mediation, a hearing may be scheduled.

## **SETTING A HEARING AND AVAILABLE HEARING TIME:**

All motions must be filed with the Clerk's office and viewable before hearing time can be requested.

Before requesting a hearing, the mandatory "meet and confer" must be done per Administrative Order 2014-19. This includes with pro se litigants. If the issue(s) are still unresolved then a hearing may be requested. A Certificate of Non-Compliance must be attached to the Notice of Hearing. A copy is attached to Administrative Order 2014-19. Failure to comply with this may result in the Court not having the hearing or not awarding attorney's fees.

All parties must comply with Administrative Order 2014-19 when attempting to coordinate a hearing.

Available hearing time may be obtained by going to the Court's website. Refer to JACS for instructions and available dates/times. Under Services, click on: JACS; then select calendar: Domestic Relations Division 42. Do not enter a minimum or maximum duration- click retrieve.

The majority of time-slots for Division 42 are 15 minutes. If a hearing requires more than 15 minutes, combine consecutive time-slots.

Use the available dates/times listed to coordinate with opposing counsel or a pro se party. After it has been coordinated, you must email the Judicial Assistant, copying opposing counsel or the pro se party, with all required information listed in the JACS instructions (please use the "outline" listed on JACS by copying and pasting into your email, then filling out the information). A hearing cannot be scheduled until all of the required information is provided. Please note that hearing time is not held. The JA will send an e-mail confirmation securing the hearing time. The hearing time is not confirmed until you have received a confirmation email from the JA. Do not notice the matter until confirmation is received.

**WHEN EMAILING THE JUDICIAL ASSISTANT TO SCHEDULE A HEARING, THE OPPOSING COUNSEL OR PRO SE LITIGANT MUST BE INCLUDED IN THE EMAIL.**

HEARINGS ARE NOT SCHEDULED OVER THE PHONE.

### **MATERIALS FOR HEARING OR TRIAL:**

Hard copies of any memoranda, case law or any other materials on which counsel may rely on at a hearing or trial must be provided via e-mail to chambers at least (3) business days before the hearing date. No hard copies please.

### **CANCELLATIONS:**

Immediately notify the Judicial Assistant of cancellations. A Notice of Cancellation should be filed with notice to the opposing party and Judicial Assistant (email JA). Only the party who noticed a hearing may cancel it.

### **TELEPHONIC APPEARANCES:**

A motion to appear telephonically must be filed with the Clerk's office prior to the hearing date. If granted, the party that is to appear telephonically will be required to provide a local number, Toll-free number or Conference call number with a passcode for the Court to call. The Court is unable to initiate long-distance calls. The party appearing by phone will call-in to chambers and have their call transferred to the courtroom. A proper number, as indicated

above, must be provided. The party appearing by phone must confirm telephonic appearance with the Judicial Assistant (via email) by 11:00a.m. the date before the scheduled hearing. The proposed order must include the above information.

Telephonic appearances are permitted when moved for and approved in advance. A motion to appear telephonically should be filed at least one week prior to a hearing date. Any party testifying via telephone must have a Notary or authorized person present to place the testifying party under oath.

Under cover letter, provide a hard copy of the motion and proposed order to chambers.

### **MOTIONS FOR REHEARING:**

Once a Motion for Rehearing has been filed with the Clerk, a hard copy must be provided to chambers for review by the Judge. The Court will either rule without a hearing or may set for a hearing without coordinating the date/time with the parties.

### **EMERGENCY MOTIONS FILED BY AN ATTORNEY:**

After filing a verified emergency motion with the Clerk, **you must email a copy to the JA** with a proposed order in word format. The Court may enter an order without hearing or may set for a hearing without coordinating the date/time with the parties.

### **NOTICE FOR NON-JURY TRIAL:**

The parties must attend mediation prior to filing a notice for non-jury trial to attempt resolution of a case. After mediation is concluded, Form 51 must be filed with a Notice for Non-Jury Trial. Parties are required to provide an email of the notice, along with Form 51, to chambers.

### **PRETRIAL/TRIALS:**

Once the Notice of Non-Jury Trial has been reviewed by the Court, a Uniform Order Setting Pretrial Conference and Non-Jury Trial will be entered.

Attorneys/Pro se litigants are required to prepare a Joint Pretrial Statement and file it with the Clerk of Court no later than (5) days before the pretrial conference. An email copy must be received by the Judge no later than (5) days before the pretrial conference. Refer to the Uniform Order Setting Pretrial Conference and for Non-Jury Trial for additional information. Failure to do so will result in sanctions that may include canceling the trial, continuing the pretrial, paying opposing party's attorney fees and costs, fines or a combination of the foregoing.

Once a trial date has been set, counsel/pro se litigants are required to email the Judicial Assistant (copy the opposing party) a proposed Final Judgment with findings of fact, Parenting Plan and Child Support Guidelines (if children involved) in word format by 8:30a.m. on the day of trial. Again, failure to comply may result in the trial being postponed/continued, paying opposing party's attorney fees and costs, fine or combination of the foregoing.

### **EXHIBITS:**

**For ALL hearings and trials**, all exhibits must have an exhibit tag attached and filled out **prior** to showing it to any witness. Exhibit tags can be obtained from the Clerk of Court's office.

### **NOTICE OF HEARING:**

For hearings scheduled with the Judicial Assistant, all notices must include the exact title, filing date of the motion being addressed and a Certificate of Compliance in accordance with Administrative Order 2014-19. All parties are required to comply with Administrative Order 2014-19, paragraph 4. For hearings where coordination between the parties was unsuccessful due to no response, the Notice of Hearing must also include the dates and method used to attempt to coordinate a hearing.

### **UNCONTESTED FINAL JUDGMENTS FOR PATERNITY OR SUPPLEMENTAL PETITIONS:**

Uncontested Paternity Final Judgments and Supplemental Final Judgments may be submitted to the Judge's chambers for review. Please see "Orders" below. A hearing will not be required if all necessary documents have been filed. Hard copies only. No emails or faxes.

### **MOTIONS:**

Uncontested motions may be submitted to the Judge's chambers via email for review. See "Orders" below. Contested motions will require a hearing.

### **PROPOSED ORDERS:**

All orders should include a complete title, not just the word "order" and should include the filing date of the motion and, if hearing held, date of the hearing. Stipulated or agreed orders may be submitted to chambers via US Mail or hand delivery for the Judge to review. A cover letter must be included with all orders submitted to chambers, with opposing counsel's/party's position to the proposed order and cc: all parties. Orders will not be held awaiting opposing counsel's/party's position. All orders should contain a complete certificate of service ("copies to" or "copies furnished to" is not sufficient) including the names and addresses of all parties receiving a conformed copy.

After a hearing is held, the Judge will direct counsel to email (copying all parties) the JA an agreed upon proposed order. Indicate in the email the date of the hearing and if opposing counsel or pro se party agrees to the proposed order. If the parties cannot agree on the order, the original proposed order should be provided via email in word format. The email should list opposing counsel/party's objection(s). Do not email two orders.

### **HARD COPIES:**

Any place that is says "hard copies" indicates provided via US Mail or hand delivered to chambers located on the 8<sup>th</sup> floor (drop box). No emails or faxes.

### **ADMINISTRATIVE ORDERS:**

ALL PARTIES SHOULD BECOME FAMILIAR WITH THE ADMINISTRATIVE ORDERS FOR DOMESTIC RELATIONS CASES. The orders can be found on the Court's webpage, ninthcircuit.org, on the Judge's page or by clicking on Services, Administrative Orders; Subject: Domestic Relations.

### **PRO SE LITIGANTS:**

Pursuant to Administrative Order No. 2014-25, Section 4 (B)(2), "the unrepresented party will be governed by the same rules of law, procedure, and evidence that attorneys are required to follow".

Please note: These procedures apply to Judge Greg A. Tynan only. It is recommended that you refer to the procedure of each Judge or contact the Judicial Assistant in the division for instructions.

\*\*Please see the Supreme Court of Florida Administrative Order No. AOSC20-13 in RE: COVID-19 EMERGENCY PROCEDURES IN THE FLORIDA STATE COURTS.

Division 42 Policies and Procedures  
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