



State of Florida  
Ninth Judicial Circuit of Florida

Vincent S. Chiu  
CIRCUIT JUDGE

COUNTIES OF ORANGE AND OSCEOLA  
ORANGE COUNTY COURTHOUSE  
425 N. ORANGE AVENUE, SUITE 1135  
ORLANDO, FLORIDA 32801  
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**DOMESTIC RELATIONS - DIVISION 31 PROCEDURES**

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

**Courtroom:** All hearings are held in Courtroom 16-G

**Ex Parte & Short Matters:** **Tuesday through Thursday from 9:00 a.m. to 9:30 a.m.** Ex parte is for entry of orders for stipulated or unopposed matters only. Short Matters time is for short legal argument of five minutes or less with no testimony or evidence presented. No court reporters or telephonic appearances are allowed.

It is the responsibility of the moving party to coordinate and timely notify opposing party of the date and time of the hearing.

An updated list of dates that the Judge will be unavailable for Ex Parte & Short Matters is located on the JACS webpage at [www.ninthcircuit.org](http://www.ninthcircuit.org) under Division 31. Please visit this site to confirm that the Judge will be available on the date that the hearing is being scheduled.

Any party who notices a case for ex-parte or short matters **MUST** provide a hard copy of the Notice of Hearing and the Motion to chambers via US mail or hand delivery at least three (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 with the notice.

**DISCOVERY MOTIONS:** Prior to any discovery motion being set for hearing the party must file proof of having communicated specifics of problem prior to filing a motion and any response received. After a discovery motion has been filed the responding party must file a written response including their communications on the issue and also detailing what is and is not forthcoming or available by reasonable means. Fees will generally be awarded at discovery hearing and therefore, affidavits of fees should be filed prior.

**Attorney  
Uncontested  
Final Hearings:**

Attorney Represented Uncontested Dissolution of Marriage final Hearings for Division 31 are **scheduled on Wednesdays at 8:30 a.m. and pre-scheduled with Judicial Assistant**. If there are any Motions related to the Final Judgement (ie. Motions to Deviate), please provide a hard copy via US Mail or hand delivery to Court prior. The Attorney Uncontested Dissolution Checklist must be completed and presented to the Court, along with the proposed Final Judgement and all agreements. The checklist can be found on the Division 31 portion of the Ninth Circuit website ([www.ninthcircuit.org](http://www.ninthcircuit.org)). Please remember that any Final Judgement in a case with children must include full names and dates of birth of child and all child support details.

**Uncontested  
Paternity  
Final Judgements/  
Supplemental  
Final Judgements:**

Uncontested Paternity Final judgements and Supplemental Final Judgements may be mailed or hand delivered to the Judge for review without a hearing if all required documents have been filed. Please provide a hard copy to Chambers via US mail or hand delivery under cover letter, include one original document, and if parties are not on e-filing, sufficient copies and pre-addressed/pre-stamped envelopes for the Court to mail.

**Adoptions:**

Hearings on Adoptions must be specially set with the Court and a courtesy copy of the pleadings sent to Chambers via US mail or hand delivery when the hearing is scheduled. All available hearing time is located on JACS webpage at [www.ninthcircuit.org](http://www.ninthcircuit.org) under Division 31. Family members are welcome and cameras are allowed.

**Name Changes:**

Attorney represented Name Change hearings are held at Ex Parte/Short matters Tuesday-Thursday at 9:00 a.m. Please refer to the JACS page on the Court's website, [www.ninthcircuit.org](http://www.ninthcircuit.org) for available dates and times.

Pro se name changes will be scheduled through Family Court Services.

**Cancellations:**

Please notify the Court at least 24 hours in advance of any cancellations so that the hearing time can be offered to other parties. A Notice of Cancellation should be emailed to the JA at the time the Notice of Cancellation is filed with the Clerk. If the Notice of Cancellation is not received at least 24 hours prior to the scheduled hearing, that hearing will remain on the Docket and parties are expected to appear.

**Emergencies:**

Verified Emergency Motions must **e-mailed** to the Judicial Assistant for the Court's review. The Court will not consider emergency motions at Ex Parte or Short Matters. The Court will enter an order without a hearing, enter an order setting a hearing in the near future, or set a hearing as soon as possible.

In the event Judge Chiu is unavailable to review an emergency motion, you may contact his alternate, Judge Diana Tennis to see if she is available to review the matter.

**General Magistrate:** If you wish to have your case heard by the General Magistrate, file a Motion for Referral to the General Magistrate and provide the Court a hard copy, including the motion/issues you wish to have referred to the General Magistrate. The Court will issue an Order of Referral to the General Magistrate.

**Hearings:** Prior to 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 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.

For hearings in front of the Judge, please refer to the JACS page on the Court’s website, [www.ninthcircuit.org](http://www.ninthcircuit.org) for available dates and times. You must coordinate with opposing counsel/ pro se litigant **PRIOR** to emailing the JA. Once a date/time has been confirmed by both parties, you must email the Judicial Assistant, **include opposing counsel or pro-se litigant**, in order to secure hearing time. **No hearings are set via phone.** Please do not send a Notice of Hearing until you have confirmed the time with the JA and received an email **CONFIRMATION NUMBER** from the JA. All hearing times must be coordinated with the opposing attorney or pro se litigant.

Cross-notices are not allowed without agreement of opposing party and approval from the Court.

If you are seeking a hearing time of more than one (1) hour, you must see the Judge during Ex Parte to get authorization before the hearing can be set.

**Notice of Hearing:** Notice of Hearing should include the full name of the motion and filing date, the length of the hearing, the date the mandatory “meet and confer” was conducted, **and the confirmation number. Provide a hard copy via US Mail or hand delivery, of the Notice of Hearing and Motion to Chambers at least three business days prior to the hearing.**

**Temporary Hearings:**

Prior to scheduling any non-emergency temporary hearings, the PARTIES MUST ATTEND MEDIATION. Also note that only one temporary hearing will be set. If a further hearing is needed, counsel should see Div. 31 Judge during ex parte before scheduling additional time or notice it for trial.

**Telephonic Hearings:**

A motion from the party seeking to appear by phone for any EVIDENTIARY hearing should be submitted to the Court via US mail or hand delivery under cover letter, at **least five business days** prior to the hearing, with a copy sent to the opposing attorney or pro se litigant. If testimony will be presented, the party must be in the presence of a person authorized to administer the oath. Any paperwork the telephonically appearing party/attorney wishes the Court to review at the hearing must be provided to the Court at least three business days prior to the hearing or they will NOT be considered. If you are the moving party and appearing telephonically you must either be on e-filing to receive your Order or you must provide envelopes

for the Court to send you your Order. If envelopes are not provided the Court will portal the Order and it will be up to you to retrieve it. Telephonic hearings are not permitted at short matters due to the number of matters being addressed in that time frame.

**Mediation:** Mediation is required in all Domestic cases in accordance with local amended Administrative Order 2004-14-02. The parties are to mediate prior to scheduling hearing time on temporary matters as well as prior to filing a Notice for Trial. Motions to dispense with mediation may be taken up at Short Matters.

### Scheduling

**Conference/Trials:** After a Notice for Trial and Form 51 are received by the Court (with self-addressed, stamped envelopes) an Order Setting Non-Jury Trial and Pre-Trial Conference will be mailed/e-filed to counsel of record/pro se litigants or the case may be referred to the General Magistrate for Trial.

Attorney/pro se litigants are required to file and deliver by US mail or hand delivery to the Judge, a Pre-Trial Memorandum at least **five business days prior to the pre-trial** as directed by said order.

**Exhibits:** Attorney/pro se litigants are required to provide a copy of all trial exhibits to the court at the time of any trial. 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 Courts office.

**IF YOU DO NOT COMPLY WITH THE PRE-TRIAL ORDER** the Court may remove your trial from the docket. See uniform trial order for guidelines at <https://www.ninthcircuit.org/about/judges/circuit/vincent-s-chiu>.

### Case Management Conference:

All parties must appear for Case Management Conferences.

### Motions for Rehearing:

Courtesy copies of Motions for Rehearing should be **mailed or hand delivered** to the Court for review. If they are filed in the court file only, the Court does not know that they have been filed. After review the Court may enter a ruling without a hearing; notify the moving party that the hearing will be set on the Motion for Rehearing or notify the moving party that the Motion for Rehearing has been granted and a new hearing on the original motion shall be scheduled.

### Orders:

Bring proposed orders to scheduled hearings with sufficient copies for all parties. If the Court requests counsel to prepare an order from the hearing/trial counsel shall prepare and submit the order to Court **within 10 days**. Counsel should submit the order to opposing counsel/pro se litigant for approval before submitting it to the Court via US Mail or hand delivery, with a cover letter stating that the Order is agreed upon. If the parties cannot agree on the form of the order, and BOTH parties are represented, the attorneys shall email **ONE** order with their differences redlined to the Judicial Assistant. If one or both parties are unrepresented, then each side shall email their proposed Order to the Judicial Assistant for the Court to review. The Court will render one Order after review. Please do not submit a hard copy order and ask the Court to hold it pending approval by the opposing party; if the other side does not respond timely, send your version electronically to the Judicial Assistant

explaining that the time frame has lapsed and opposing counsel was unresponsive. All Orders shall be submitted within ten days of the Hearing. Any party failing to provide an Order within ten days when the parties do not agree forfeits their opportunity to object.

Orders that have **ALL PARTIES** on e-filing, envelopes are not necessary.

All Orders should be titled with the name of the Motion and the date the hearing was held and include a complete certificate of service.

**As detailed above, Orders that are agreed to by all parties shall be sent in via US mail or hand delivered. All other Orders are to be emailed to the Judicial Assistant as specified above.**

**Miscellaneous:**

**Audio/Visual Equipment in the Courtroom:** The procedure for help and assistance is to call our IT Department/Help Desk Line at (407) 836-0522 and they will schedule a test/training time for you. All courtrooms have overhead projectors and all courtrooms have a DVD player, but the CD/DVDs must be in the same format that plays on a home DVD movie player. The Court will make the courtroom available before the equipment is to be used. It is the moving party's responsibility to ensure any digital media works.

**Interpreters:** If a Party needs in interpreter to understand what is being said in the Courtroom, or to communicate with the Judge, they **MUST** bring their own Interpreter. A Certified Interpreter is generally required, as it is difficult to interpret in a courtroom setting. **AGAIN COURT IS REQUIRED TO BE CONDUCTED IN ENGLISH, AND THE COURT WILL NOT PROVIDE ANYONE WITH AN INTERPRETER.**

**Hard Copies:** Any place that it says "hard copies" means that paperwork should be provided via US Mail or hand delivery to Chambers on the 11<sup>th</sup> floor, drop off in the tray on the wall. **NO EMALS or FAXES ACCEPTED.**

**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 Courts office.

**Motions, Memorandum of Law & Misc Letters/Documents:** Any paperwork to be reviewed by the Court other than cancellations, emergency motions or documents specifically requested by the Judge, should be sent via US mail or hand delivery. No action will be taken on documents received via email.

**Website:**

Visit the Court's website at [www.ninthcircuit.org](http://www.ninthcircuit.org) for general information including scheduling, Court Services and Florida Supreme Court approved Family Law Forms.

**PLEASE NOTE:** *These procedures apply to Judge Vincent S. Chiu only. Counsel shall also comply with Administrative Order 2014-25, "Uniform Policies and Procedures of the Domestic Division of the Circuit Court, Orange County, Florida" which can be found on the Court's website at [www.ninthcircuit.org](http://www.ninthcircuit.org).*