



State of Florida
Ninth Judicial Circuit of Florida

PATRICIA A.
DOHERTY
CIRCUIT JUDGE

COUNTIES OF ORANGE AND OSCEOLA
ORANGE COUNTY COURTHOUSE
425 N. ORANGE AVENUE, SUITE 1730
ORLANDO, FLORIDA 32801
WWW.NINTHCIRCUIT.ORG

STEPHANI QUIROZ
Judicial Assistant
(407) 836-2281
Fax: (407)835-5185

DOMESTIC DIVISION 38 PROCEDURES

Courtroom: All hearings are held in Courtroom 16F

**Ex Parte &
Short Matters:**

Monday thru Thursday from 9:00 a.m. to 9:30 a.m. 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 under Division 38. Please visit this site to confirm that the Judge will be available on the date that the hearing is being scheduled.

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. Motions to Compel, Motions to Dispense with Mediation, Motions to Withdraw & Motions for Substitution of Counsel are examples of short matters. 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 under Division 38.

It is the responsibility of the moving party to coordinate and timely notify the opposing counsel/pro se litigant of the date and time of the hearing.

**Attorney
Uncontested
Dissolutions**

Attorney represented uncons are heard by the Domestic Violence Judges. The instructions for setting uncontested divorce hearings can be found under JACS on the ninth circuit website at www.ninthcircuit.org/services/jacs.

**Uncontested Paternity
Final Judgments/
Supplemental Final
Judgements**

Uncontested Paternity Final Judgments and Supplemental Final Judgements may be delivered to the Judge for review without a hearing if all required documents have been filed. Please provide a cover letter, one original, and if parties are not on e-filing, send sufficient copies and envelopes for the Court to mail.

Adoptions: These hearings will not be heard at Exparte/Short Matters. All available hearing time is located on the JACS webpage at www.ninthcircuit.org under Division 38. If time is not available on JACS to meet a statutory time period, please contact the JA. Family members are welcome and cameras are allowed.

Name Changes: Attorney represented Name Change hearings are held at Exparte/Short matters Monday-Thursday at 9:00 am. Please refer to the JACS page on the Court's website, www.ninthcircuit.org for available dates and times.

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

Cancellations: Please notify the Court promptly of any cancellations so that the hearing time can be offered to other parties. A Notice of Cancellation should be sent to the JA at the time the Notice of Cancellation is filed with the Clerk. It is not necessary to contact the JA regarding cancellations of Ex Parte or Short Matters hearings since they are not calendared.

Emergencies: Verified Emergency Motions may be hand delivered, mailed or emailed 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 Doherty is unavailable to review an emergency motion you may contact her alternate, Judge Mike Murphy to see if he 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 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: For hearings in front of the Judge, please refer to the JACS page on the Court's website, www.ninthcircuit.org for available dates and times. You must speak directly with the Judicial Assistant in order to secure hearing time. Please do not send a Notice of Hearing until you have confirmed the time with the JA. All hearing times must be coordinated with the opposing attorney or pro se litigant.

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: NOH should include the full name of the motion and its filing date.

Temporary Hearings: Prior to scheduling 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 the Div. 38 Judge during ex parte before scheduling additional time or notice it for trial.

Telephone hearings: A motion from the party seeking to appear by phone should be submitted to the Court with a copy sent to the opposing attorney or pro se litigant. If the Judge

grants the motion/request, the Court will initiate the call. A toll free number or local number must be included in the Order. The Court will not dial long distance or collect. If testimony will be presented, the party must be in presence of a person authorized to administer the oath.

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 unless all parties are on e-filing) 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 no later than three days prior to the pre-trial a Pre-Trial Memorandum as directed by said order. Trial periods are usually two weeks in length with trials held on Tuesdays, Wednesdays and Fridays.

Motions for Rehearing: Motions for Rehearing should be mailed or hand delivered to the Court for review. After review the Court will enter a ruling without a hearing; notify the moving party that a hearing will be set on the Motion or notify the moving party that a new hearing on the motion shall be scheduled.

Orders: Bring proposed orders to scheduled hearings with sufficient copies. If the Court requests counsel to prepare an order from the hearing/trial, counsel shall prepare and submit the order to the Court **within 10 days**. Counsel should submit the order to opposing counsel/pro se litigant for approval before submitting it to the Court with a cover letter stating whether the opposing counsel/party has an objection to the form of the order. If the parties cannot agree on the form of the order, both counsel and/or pro se litigant shall present proposed orders with the differences red-lined to the Court within the ten day window. Please do not submit an order and ask the Court to hold the order pending approval by the opposing party.

Orders that have **ALL PARTIES** on e-filing, may be emailed to the JA or a hard copy delivered with cover letter, 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.

Website: Visit the Court's website at 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 Doherty only. It is recommended that you refer to the procedure of each Judge or contact the Judicial Assistant in the division for instructions.