



**State of Florida  
Ninth Judicial Circuit of Florida**

**MIKE MURPHY  
CIRCUIT JUDGE**

COUNTIES OF ORANGE AND OSCEOLA  
ORANGE COUNTY COURTHOUSE  
SUITE 1715

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**DOMESTIC/FAMILY HEARING PROCEDURES IN DIVISION 41**

**PROCEDURES FOR JUDGE MIKE MURPHY  
ORANGE COUNTY DOMESTIC DIVISION 41**

IN ORDER TO ASSIST COUNSEL, THE LITIGANTS AND THE COURT, THE FOLLOWING GUIDELINES<sup>1</sup>, PROCEDURES, PRACTICES AND EXPECTATIONS ARE HEREBY ADOPTED FOR THE CIRCUIT DOMESTIC DIVISION 41 WHEN PRACTICING BEFORE JUDGE MIKE MURPHY.

**SELF-REPRESENTED LITIGANTS:** Please review Administrative Order 2017-08-01<sup>2</sup>, which establishes procedures for self-represented litigants in the Domestic Relations Division. The Judge and JA cannot provide legal advice regarding your case and cannot treat you any different than an attorney. If you need additional assistance and cannot afford to hire an attorney, please contact the Orange County Bar Association, Community Legal Services, Family Court Case Management, the Self-Help Center, or Legal Aid. The Family Court Case Management Office has an online form for self-represented litigants to request assistance.

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<sup>1</sup> The above standards, procedures, practices and guidelines are minimum standards. All counsel are presumed to be familiar with and are expected to abide by the *Rules Regulating The Florida Bar*, and the *Guidelines for Professional Conduct* promulgated by the Trial Lawyers Section of The Florida Bar and adopted by the Conference of Circuit Judges. Copies of each of these documents may be obtained from The Florida Bar and/or are available on-line on its website <http://www.floridabar.org>. In addition, counsel must be aware of the *Ninth Judicial Circuit Courtroom Decorum Policy* promulgated on February 11, 2003. (See <http://www.ninthcircuit.org> For Attorneys/Information/Rules & Policies/Courtroom Decorum Policy.) Counsel must also be familiar with relevant Administrative Orders, e.g. *Administrative Order Establishing Ninth Judicial Circuit Court Domestic Guidelines* dated August 5, 2014, etc.

<sup>2</sup> <https://ninthcircuit.org/sites/default/files/AO-2017-08-01.pdf>

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Comment: Amendments to administrative orders and these procedures may occur overtime. The bottom of each page of this document indicates the effective date and prior versions will be maintained on the division’s webpage. Additionally, administrative orders may be modified by the Chief Judge (typically the last number of the administrative order increasing represents that a change has occurred, for example AO-2017-08-01 was the first amendment of AO-2017-08 and if it is amended again, it would be expected to be AO-2017-08-02). If this document refers to an administrative order that is amended, the amended administrative order applies. The Florida Supreme Court occasionally Amends Rules of Court. If this document references a rule of court that is subsequently amended, the amended Court Rule applies as provided by the Florida Supreme Court.

**The instant Court is open to constructive criticism about the division practices and procedures and suggested amendments that promote both effectiveness and efficiency while still protecting the due process rights of all involved.**

## **GENERAL INFORMATION**

**Case Type:** Division 41 is a general domestic division. Starting in January of 2026 general domestic divisions in the Ninth Circuit located in Orange County will hear Injunction cases in addition to traditional domestic cases. Division 41 is one of 10 divisions in Orange County that hear cases with a DR in the case number such as 2020-DR-000000-O. In addition to the 10 Circuit Judges in Orange County that hear domestic cases, there are several magistrates that also hear cases in Orange County. Linda Skipper is the magistrate assigned for Division 41 cases.

**Type of Hearings:** In person, virtual and hybrid. Hearings and Trials that are evidentiary (a party is seeking to introduce evidence) are required to be in person. Injunction cases, cases in which a party has filed a petition seeking an injunction against another party, are evidentiary and therefore are always in person absent extraordinary circumstances (such as a Respondent hearing remotely from a prison). Cases that are non-evidentiary may occur virtually using a Webex link (described later in this document). Finally, hybrid is a situation where one person or party is in the courtroom and the other person, party or witness is appearing by Webex. A hybrid hearing most often occurs when a person does not have access to the technology to appear by video (and therefore appears in person) or if an expert is appearing remotely by stipulation or Court Order, such as a doctor testifying about medical issues.

**Conflicts with Administrative Orders, Court Rule, Statutes, or Caselaw:** Parties are on notice that there are Administrative Orders, Court Rules, Statutes, Caselaw and Constitutional provisions that apply to Domestic Cases. If a party believes there is a conflict between any procedure set forth below and any Administrative Order, Court Rule, Statute, Caselaw or Constitutional provision, please bring that to the Court's attention by way of Motion to be excused from compliance with any procedure herein due to the conflict. Nothing in these procedures is intended to violate any Administrative Order, Court Rule, Statute or Constitutional Provision and nothing in these procedures is to operate as or be considered as a waiver of any requirement contained in any Administrative Order, Court Rule, Statute or Constitutional Provision.

**Location of Hearings or Trials:** A case that is initiated by the filing of a Petition for Injunction will take place in Courtroom 16-B unless the Court directs that the hearing take place in another courtroom. All other in person Hearings or Trials that are not a request for an injunction take place in courtroom 16-D. Hybrid hearings or trials take place in courtroom 16-D unless the Court directs that the hearing take place in another courtroom.

**What gets heard at hearings or trials: Petitions or Motions only.** In domestic cases, courts address Petitions and Motions, See Florida Family Law Rules of Procedure 12.100, and you, whether an attorney or not, are expected to know the difference. Therefore, please familiarize yourself with the difference(s). E-mails or letters to the Judge (through the JA or otherwise) requesting anything (usually referred to as relief) that is not in a properly filed motion or petition will not be considered as a valid request for relief and will be ignored. Thea above also includes e-mails or letters or notices from an unauthorized non-party. (Examples of an authorized non-party could be an appointed guardian ad litem, communication from a judge in another jurisdiction, or a communication from the Department of Revenue)

**Only the Clerk Accepts Filings.** Sending or dropping off anything to a judge's office is not the filing of a document. The Court and the Clerk are separate entities. Unless you file the Petition or Motion or another item with the Clerk, it is not deemed filed. The Court **DOES NOT** act as the receiver of Petitions or Motions or Evidence. **Everything and anything received by the Court in chambers is treated as disposable, even if the item says do not dispose. Therefore, do not send any originals to the Court's chambers.**

**Interpreter:** \*\*\*If you need an interpreter, unless you are at a final hearing involving an injunction, you must bring a certified interpreter with you to ALL HEARINGS. An Interpreter will not be provided to you by the Court. (Si no entiendes el idioma de ingles, por favor traiga un interprete).

**PERSON WITH A DISABILITY:** If you are a person with a disability who needs any accommodation to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator, Human Resources, Orange County Courthouse, 425 N. Orange Avenue, Suite 510, Orlando, Florida, (407) 836-2303, at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

**CONTACT INFORMATION,**  
**COMMUNICATIONS WITH THE JUDICIAL OFFICE:**

Contacting the Judicial Assistant is not the same as contacting the Clerk of the Court. All communications with the judicial office must comply with Canon 3 of the Code of Judicial Conduct, which prohibits a judge from initiating, permitting, or considering ex parte communications and from considering other communications outside the presence of the parties concerning a pending or impending proceeding, unless authorized by law. Parties may only contact the judicial office in accordance with these practices and procedures. Unsolicited communications from non-parties will not be filed, they will be deemed abandoned and be shredded by the Judicial Assistant, and not presented to the Judge for consideration.

A. **Division E-mail** – Unless you have been excused by the Clerk in a completed Form 2.601:

1. All communications to the judicial office must be submitted by e-mail to [41orange@ninthcircuit.org](mailto:41orange@ninthcircuit.org), the dedicated division e-mail account.
2. The subject line of any e-mail to the judicial office must contain the case number, case name, date the Motion was filed, e-file number and the topic of the email, and if requesting a hearing, indicate such (e.g., 2024 DR 001234-O, Doe v. Doe, filed on January 2, 2025, Filing # 999999999, Motion to Travel, Hearing Requested).
3. The body of the email must include the name of the opposing party/attorney and the email must be cc'd to that person(s). (If the opposing party/attorney does not have a designated email, the email should indicate where a copy of the email was physically mailed.)
4. E-mails are not a substitute to motions. Emails are not filed, and emails are not forwarded to the judge.
5. An email that contains a copy of a motion must also include a copy of proposed order.
6. No Motion attached to an e-mail will be provided to the Judge unless the above has been complied with.

B. **U.S. Mail or Drop off** – If you have been excused by the Clerk from e-mail service pursuant to Form 2.601 you may Mail or Drop off your documents to: Division 41, 425 N. Orange Avenue, Suite 1715, Orlando, FL 32801. The communication **must not** be an original and the original must have first been filed with the Clerk of the Court. The communication must include a caption (See Rule 12.100(c)) and a completed certificate of service. The communication must indicate the date person mailing or dropping off the document was

excused by the clerk from e-mail service. **NOTE:** The copy of a motion or communication that is delivered to chambers will be **shredded**, it will not be filed. If the copy provided to chambers is a motion seeking relief, the correspondence must also include a proposed order that was also delivered to the opposing side and a self-addressed stamped envelope for service. The Court will take no action on a document mailed or dropped off that is from a person who has not been excused by the Clerk pursuant to Form 2.601. **Other than authorized trial binders**, no mail or dropped off information is shown to the Judge unless this paragraph has been complied with.

C. **Telephone:** We do not use the telephone to conduct communications with attorneys or litigants. The purpose of not using the phone is to avoid the allegation that the office is engaging in ex parte communications. Therefore, the Court conducts business via email, or for those people properly excused pursuant to Form 2.601, by U.S. Mail or Drop off. If you are a person with a disability that has been excused by the Clerk pursuant to Form 2.601 and you need accommodations to contact the judicial office, contact 407-836-2303, or if hearing or voice impaired, call 1-800-955-8771.

D. **Important Detail often missed by pro se litigants:** simply filing a Motion or communication with the clerk does not cause the Court to act on the request. If you want action to take place on an opposed motion you must coordinate a hearing date and notice the Motion for hearing. If the motion is not opposed, then communicate with the division as indicated above along with a proposed order.

E. **The Judicial Assistant is not a lawyer, and she does not provide legal advice or legal referrals.** If you believe the Judicial Assistant is not allowing you to schedule a matter, follow the procedures below to set a case for short matters to bring the matter to the Judge's attention.

## **SCHEDULING HEARINGS IN DIVISION 41**

All Notices of Hearing must include: The name of the motion, the date the motion was filed, **and whether there is an active injunction involving the parties.** If the notice of hearing does not indicate the hearing is evidentiary, the hearing will be treated as non-evidentiary, absent consent by all parties.

A certification that counsel have recently meaningfully conferred and attempted to resolve the issue(s) will be required prior to any hearing being scheduled.

All communications to the judicial office are as listed above in the section called **“Contact Information, Communications with the Judicial Office:”**

- ☐ Unless you have been excused by the Clerk in a completed Form 2.601, hearings must be requested by e-mail to the Judicial Assistant [4lorange@ninthcircuit.org](mailto:4lorange@ninthcircuit.org)
- ☐ Counsel shall comply with Administrative Order 2014-19 before coordinating a hearing.
- ☐ All hearings requests will be reviewed, and an order may be entered without a hearing. See section below titled **“MOTION PRACTICE IN DIVISION 41”**
- ☐ If parties are unable to agree on a hearing date and time, the scheduling party should e-mail the Judicial Assistant, copying opposing counsel and any self-represented litigant, to coordinate scheduling the hearing.
- ☐ Email the division email to reserve hearing time. You must copy opposing counsel or self-represented litigant when communicating with the Court.
- ☐ When requesting hearing time make sure to include the following:
  1. Case Number and last name of the parties
  2. Title of Motion and date it was filed.
  3. Length of time being requested.
  4. For DV cases, if an interpreter is needed.
  5. Whether or not the hearing is evidentiary (testimony or evidence expected)

6. Certificate of Compliance, with “Meet and Confer”, and hearing coordination requirements from Administrative Order 2014-19
7. Whether or not any party is incarcerated and needs to be transported.
8. An affirmative statement whether there is an active injunction case and the case number of the injunction case(es).

Your hearing time is not confirmed until you receive a confirmation email reply from the Judicial Assistant.

- **The Notice of Hearing:**

- ☐ A notice of hearing must be filed and served immediately after reserving hearing time by the party requesting the hearing. The notice of hearing must include: (a) the date and time of the hearing; (b) the motion(s) to be addressed; (c) the date the motion was filed; (d) length of the hearing; (e) whether or not there is an active injunction between any of the parties; (f) the courtroom (or if virtual or hybrid, the Webex information; and (g) whether the hearing is evidentiary.
- ☐ A notice of hearing involving any permitted remote appearance must list the WebEx Division link: <https://ninthcircuit.webex.com/meet/41orange> the notice must also state “In the event you are unable to access Webex the call in number is United States Toll (Jacksonville) +1-904-900-2303 and the Access code is 2349 384 3156#
- ☐ All notices of hearing must contain the Americans with Disabilities Act (ADA) notification required by Florida Rule of General Practice and Judicial Administration 2.540.
- ☐ **Sufficiency of Time:** Please make sure you have obtained sufficient time to hear your motion or petition (including setting up in the courtroom and for the judge to provide his ruling).



- ☐ **Cross-notice Motions.** Please do not **cross-notice motions**, without prior approval of opposing counsel and the Judicial Assistant. If permitted, counsel must email the JA to confirm it can be heard in the same time frame or that sufficient additional time is available for all matters to be heard.
- ☐ **Canceling a Hearing.** Please note that only the party setting the hearing may cancel the hearing.

The party cancelling the hearing **must:**

- Email the Judicial Assistant to notify the Court of the cancelled hearing. (filing the Notice of Cancellation with the Clerk is not sufficient as the Clerk does not notify the Court), and
- File a **Notice of Cancellation** and email a copy of the notice of cancellation to the Judicial Assistant

## **MOTION PRACTICE IN DIVISION 41**

Every Motion in Division 41 must include:

1. In the introductory paragraph:
  - A. The legal authority for the request. For example: Comes now the Petitioner, pursuant to Florida Statute XXX; Florida Family Law Rule of Procedure XXX; or the case of XXX, and requests the Court; and,
  - B. The specific request of the motion.
2. The body of the Motion must include the basic facts to support the request.
3. The motion must also include a wherefore clause that includes the specific relief requested and the legal basis for the request (such a statute, rule or case). Additionally, if the motion is required to be verified or otherwise under oath, it must be verified or under oath.
4. A proposed order, in word, which matches your requested relief, must be included with a courtesy copy of your motion (which shows on the top it has been filed with the clerk). The proposed order must be copied to all parties. If the order has been agreed to by all parties, it must include the word agreed in the title of the order. If the Order is not agreed to by all parties, it must include the word proposed in the title of the order.
5. The motion must clearly indicate who also received a copy of the motion, and how they received it. The moving party, if unrepresented by counsel, must have previously provided Form 2.602 or Form 2.601 to the Clerk of the Court. If the non-moving party does not have an e-mail address with the Clerk, it will be the responsibility of the Moving party to provide any order received by the Court to the non-moving party and provide a certificate of service of such service within 3 days of the Court signing an order.
- 6. Absent good cause, failure to comply with the above may result in the Motion being denied without a hearing and without prejudice to comply with the above.**
7. Additionally, every motion, unless the motion is titled as an emergency motion, **must include a meet and confer statement** that opposing counsel (or the opposing party, if pro se) has been contacted and that the other side either agrees to the requested relief or objects to the requested relief. If this information is not included in the motion the Court may direct the parties to mediation<sup>3</sup>. If the motion indicates the other counsel or party has been

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<sup>3</sup> Some matters require mediation pursuant to local administrative orders and a meet and confer is not a substitute for mediation. For example, Admin Order 2004-14-03 is titled "Amended Administrative Order

contacted and has not responded within 5 business days, the Court may direct the parties to mediation, paid for by the non-responding counsel or party. Alternatively, the Court may simply issue an order directing the other side respond within a set number of days before the Court acts.

8. The filing of a Motion, titled as an Emergency Motion, that does not meet the legal definition of an Emergency will be denied as an emergency but not denied on the merits. If the motion is denied as an emergency the Court will either strike without prejudice to refile the motion without titling the motion as an emergency or the Court will direct the movant to set as a non-emergency motion. **Repeated filings of Motions that use the word emergency which are not emergency may result in the Court ordering a pro se litigant to show cause why they should not be required to retain a Member of the Florida Bar to proceed further on the motion, or in some cases, the entire action.** (Attorneys who repeatedly file motions that use the word emergency that are not an emergency may be referred to the Florida Bar.)

9. The Court recognizes that some matters, while not legally emergencies, require expedited hearing time. If for some reason you are not able to obtain what you consider expedited hearing time, schedule the matter for short matters for the purpose of the Court calendaring the event. Notice of hearings for short matters as well as a proposed order for the Court to enter at short matters must be emailed to [41orange@ninthcircuit.org](mailto:41orange@ninthcircuit.org) two days prior to the short matter hearing.

10. Please be advised that the Clerk does not “same day docket” items filed in the portal or dropped off to their office. However, once it is docketed, it is backdated on the clerk’s docket to match the filing day. The result is that on occasion the Court may act, only to later see an item on the docket that was not showing on the date the court took action. To avoid this issue, do not wait to a deadline before filing an item, unless you also send a courtesy copy to the judicial assistant that complies with the communications to the judicial office section above.

11. **Important Detail often missed by pro se litigants:** simply filing a Motion or communication with the clerk does not cause the Court to act on the request. If you want action to take place on an opposed motion you must comply with the above and coordinate a hearing date and notice the Motion for hearing. If the motion is not opposed, then communicate with the division as indicated above along with a proposed order. Additionally, a communication

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RE: Family Mediation providing for Mandatory Referral of all Contested Family Law Cases to Mediation.” (the -03 portion of the administrative order represents version, therefore if the administrative order is amended again the -03 will change to a higher number)

that is not in the form of Motion or Petition and the above, may be denied as indicated in paragraph 6 above.

**12. Motion for Temporary Relief:** All motions for temporary relief must comply with the motion requirements above and contain as attachments: The witness list for the hearing, an evidence control sheet which lists out all evidence intended to be used at the hearing (The evidence control sheet must separate each item and indicate how the item will be Marked for Identification, and the bates stamped number for each item), and the proposed final order the moving party desires the Court to enter on the motion. As referenced above, local administrative order requires the parties mediate the matter. The party opposing the Motion for Temporary Relief must file and provide their witness list, their evidence control sheet which lists out all evidence intended to be used at the hearing (and the bates stamps for the items) and the proposed final order the non-moving party desires the Court to enter on the temporary relief motion to the other side two days prior to mediation. Failure to timely disclose such items may result in sanctions including excluding evidence not timely disclosed.

**13. Motions to Withdraw:** All motions to withdraw, unless the motion is based upon another attorney taking over the case, must include a Designation of Current Mailing and E-mail Address by the client unless the client was excused by the Clerk pursuant to Form 2.601. Therefore, plan accordingly, obtain your client's designation in the event there is a need to withdraw.

**14. Motions to Continue:** See Rule 12.460 of the Florida Family Law Rules of Procedure, which references Rule 2.545(e) of the Florida Rules of Judicial Administration. Motions to continue that do not comply with the Rules are required to be denied.

**15. Motions for Rehearing/Reconsideration:** Upon filing said motion, please send a copy of the filed motion to the Court at [41orange@ninthcircuit.org](mailto:41orange@ninthcircuit.org) for review. The Court will either rule without a hearing, direct the other side to respond, or will advise the moving attorney to schedule a hearing.

**16. Motion to Compel Discovery:** The Court will consider Granting ex parte Motions to Compel Discovery so long as the motions set forth a colorful claim and do not seek fees or find a waiver of the right to object and the Order includes substantially the following language in the Order:

“Unless the requested discovery has already been provided, the [insert party] is Ordered to provide the discovery at the later of the time provided in Rule [insert rule number] or 5 business days from

the date of the Order. Failure to comply with this Order shall result in sanctions.”

**17. Limited Notice of Appearances** must also include a Designation of Current Mailing and E-Mail Address of the client, signed by the client (unless the client was excused by the clerk pursuant to Form 2.601 (Note: Rule 12.040(f) requires that “[d]uring the attorney’s limited appearance, all pleadings or other documents and all notices of hearings shall be served upon both the attorney and the party.”)

**18. Short Matter Motions/Hearings:** Short matter hearing dates, and whether they will be in person or virtual, will be posted by separate document on the webpage. Short matters, which include ex parte matters, are for matters that are non-evidentiary and take 5 minutes or less. A notice of hearing, and proposed order must be emailed to the Judicial Assistant at [41orange@ninthcircuit.org](mailto:41orange@ninthcircuit.org) 2 days prior to the hearing is required. If the judicial assistant has not received the email, the short matter hearing will not be heard. Injunction cases can only be heard in a courtroom capable of being on the record and the court will not hear a short matters issue on an injunction case prior to the return hearing on the injunction. Note the requirements in the scheduling hearings above about what must be included in the notice of hearing.

## **TRIALS ON CONTESTED PETITIONS (including defaults)**

**Overview:** Notice for Trial (case at issue) → Case Management → PTC → Trial

**Notice for Trial.** When the action is at issue and a Notice for Trial is filed, the Rules require the Clerk to provide a copy of the notice to the Judge. For whatever reason, the Clerk does not send the notices to the court. Therefore, in Division 41, the Court also requires that a copy of the Notice, showing proof the document was received by the Clerk, must be emailed to [41orange@ninthcircuit.org](mailto:41orange@ninthcircuit.org) by the filer. Upon receipt the Court will set the matter for a case management conference that will occur within two months of receipt of the notice for trial. However, if the parties stipulate in writing to fast track the case the parties can coordinate a case management to occur within one month of filing the notice for trial. (If there is a default only one party is needed to fast track the case)

**Case Management:** The Case Management can be virtual, in person, or hybrid. The notice for the Case Management must use the same or substantially similar language as set forth as the case management form on this Division's website.

At the case management conference, the Court will set a Pre-trial conference, set deadlines for discovery to be completed and for witness lists and evidence to be identified and a trial period set. If the parties realize they are not going to meet the deadlines prior to the pre-trial conference they should jointly move for and obtain a delay of the pre-trial conference prior to the pre-trial conference.

**Discovery:** All discovery is to be completed before the Pre-trial conference, all the exhibits must have been Bates stamped and marked for identification and shall be provided to the Clerk at Pre-trial for the clerk to hold until trial.

**Evidence exchange:** The Order after case management order will require the parties to exchange witness lists and to provide an evidence control sheet/evidence exchange (exhibit schedule) to the other party. The evidence control sheet must identify the piece of evidence as they will be marked for trial by: Exhibit Letter, brief description, and bates stamp number. For example, Exhibit A for identification, Petitioners Financial Affidavit dated January 1, 2026, bates stamp 0005-0012. The case management order will provide a deadline to object to items by Exhibit Letter, items that are not timely objected to shall be admitted into evidence at the Pre-Trial Conference. Exhibits that are not listed on the evidence control sheets will not be permitted to be introduced at trial absent stipulation by the parties or by specific statute e.g. 90.613.

**Joint Pre-trial Statement:** A copy of the Joint Pre-trial Statement must be emailed to [41orange@ninthcircuit.org](mailto:41orange@ninthcircuit.org) no later than five days prior to the pre-trial conference.

**Pre-Trial Conference:** The Pre-trial conference is in person. The following shall take place at the pre-trial conference to streamline the trial:

1. The Petitioner shall provide their evidence control sheet and all documentary evidence, bates stamped as indicated in their evidence exchange and marked for identification as indicated at <https://ninthcircuit.org/sites/default/files/2024-04/Evidence-Tag-Instructions.pdf> to the clerk at the Pre-trial conference.
2. The Respondent shall provide their evidence control sheet and all documentary evidence, bates stamped as indicated in their evidence exchange and marked for identification as indicated at <https://ninthcircuit.org/sites/default/files/2024-04/Evidence-Tag-Instructions.pdf> to the clerk at the Pre-trial conference.
3. Once the clerk receives the evidence control sheet and marked the documentary evidence the Court will enter evidence all items that have not been timely objected to. Exhibits that are not listed on the evidence control sheets will not be permitted to be introduced at trial absent stipulation by the parties or by specific statute e.g. 90.613.
4. Each party shall bring a proposed editable final judgment to the pre-trial conference drafted in sufficient detail to withstand appellate scrutiny in the event such a final judgment was supported by the evidence and entered by the Court. Failure to bring such a proposed final judgment to the pretrial conference is deemed that party's waiver of opening statement and closing arguments unless the case is reset for a future case management or pretrial conference.
5. In all cases in which the Court is being asked to distribute property/liabilities the Parties are to provide a Joint Exhibit that separates all assets and liabilities as follows:<sup>4</sup>
  - a. Section 1: Assets that Both parties agree exist, the value the Petitioner places on the Asset, the value the Respondent places on the asset, whether the Parties agree or disagree asset is marital and a space for the Court to assess value and award.
  - b. Section 2: Assets that the Petitioner believes exists abut Respondent disagrees, the value the Petitioner places on the Asset, whether the item is claimed to be marital and a space for the Court to assess value and award.

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<sup>4</sup> For the purpose of the proposed final judgment provided by a party at the pre-trial conference, the final judgment distribution should match that party's "wish" list for distribution.

- c. Section 3: Assets that the Respondent believes exists, but the Petitioner disagrees, the value the Respondent places on the Asset, whether the item is claimed to be marital and a space for the Court to assess value and award.
- d. Section 4: Liabilities that Both parties agree exist, the value the Petitioner places on the Liability, the value the Respondent places on the Liability, whether the Parties agree or disagree Liability is marital and a space for the Court to assess value and award.
- e. Section 5: Liabilities that the Petitioner believes exists abut Respondent disagrees, the value the Petitioner places on the Liabilities, whether the item is claimed to be marital and a space for the Court to assess value and award.
- f. Section 6: Liabilities that the Respondent believes exists, but the Petitioner disagrees, the value the Respondent places on the Liabilities, whether the item is claimed to be marital and a space for the Court to assess value and award.
- g. Section 7: anything else either party is asking to be distributed that does not fall into any of the above sections.
- h. Below is a sample for a single item. The document will be attached to the final judgment.

Item Description	Pet Value	Resp Value	Who claims marital	The parties agree property to	Value by Court	Awarded by Court to:
			P- R- Joint	P - R		

- 6. Common mistakes: Attaching a child support guideline without any support for arriving at calculations for past and ongoing support. Attaching a parenting plan without language addressing each statutory factor the Court is required to consider. Equalizing payment without reference to source of that payment. Failure to set a deadline to transfer property or to refinance property or to set forth consequences or mechanics if the deadline is met.



## **MISCELLANEOUS**

**Adoptions:** Hearings on adoptions must be specially set with the Court and a courtesy copy of the pleadings and a proposed Final Judgment sent via email at least three business days prior to the hearing to [4lorange@ninthcircuit.org](mailto:4lorange@ninthcircuit.org). Family members are welcome, and cameras are allowed.

**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 AV equipment that may be different than that last used in family Courtrooms in Orange County. 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 and have a backup plan in the event the equipment or wi-fi is down.

**Cancellations:** Please notify the Court 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 Judicial Assistant at the time the Notice of Cancellation is filed with the Clerk. If the Notice of Cancellation is not received prior to the scheduled hearing and you do not receive a confirmation of cancellation from the Judicial Assistant, the Court might act on the pending matter which could result in unintended work for all involved.

**Continuances:** See Rule 12.460 of the Florida Family Law Rules of Procedure, which references Rule 2.545(e) of the Florida Rules of Judicial Administration. Motions to continue that do not comply with the Rules are required to be denied.

**Limited Notice of Appearances** must also include a Designation of Current Mailing and E-Mail Address of the client, signed by the client (unless the client was excused by the clerk pursuant to Form 2.601 (Note: Rule 12.040(f) requires that "[during the attorney's limited appearance, all pleadings or other documents and all notices of hearings shall be served upon both the attorney and the party].")

**Motions for Rehearing/Reconsideration:** Upon filing said motion, please send a copy of the filed motion to the Court at [4lorange@ninthcircuit.org](mailto:4lorange@ninthcircuit.org) for review. The Court will either rule without a hearing, direct the other side to respond, or will advise the moving attorney to schedule a hearing.

**Pro se Uncontested Divorces and Pro se name changes** will be scheduled through Family Court Services.

**Support or Income Deduction Orders:** When submitting an order or Final Judgment directing a party to make payments to the State Disbursement Unit, please submit an Income Deduction Order (with attached Income Withholding Order if there is child support) to be entered simultaneously by the Court.

Sufficient copies and self-addressed, stamped envelopes for the parties must be provided. **It is the responsibility of the receiving party to ensure the Obligor's employer receives a copy of the Withholding Order pursuant to Statute.**

**Uncontested Dissolution of Marriage, Attorney Represented:** final hearings for Division 41 may be scheduled with the Judicial Assistant for 15-minute hearings. If there are any Motions related to the Final Judgment (i.e., Motions to Deviate), please provide an email copy to the Court at least three business days prior to the hearing. The Attorney Uncontested Dissolution Checklist must be completed and emailed to the Court, along with the proposed Final Judgment and all agreements, at least three (3) business days prior to the hearing. The proposed Final Judgment should be emailed to the Court in PDF format using Times New Roman ONLY (size 12). The checklist can be found on the Judge's page of the Ninth Circuit website ([www.ninthcircuit.org](http://www.ninthcircuit.org)). The Parenting Plan and any Marital Settlement Agreement must be incorporated into the Final Judgment as Exhibits. Please remember that any Final Judgement in a case with children must include full names and dates of birth of the child and all child support details. Failing to submit the required documents may result in cancellation of the hearing. **Uncontested Final Hearings where at least one party is represented may also be conducted in writing without the need for attorneys or parties to appear** by filing a Motion/Waiver for Written Final Hearing in the Court's approved format. The Written Final Hearing checklist must be submitted to the Court by email along with all applicable agreements and the proposed Final Judgment in PDF format using Times New Roman ONLY (size 12). These documents can be found on the Judge's page of the Ninth Circuit website ([www.ninthcircuit.org](http://www.ninthcircuit.org)).

**Uncontested Paternity Final Judgments and Supplemental Final Judgments:** may be emailed to the Judicial Assistant for review by the Judge without a hearing if all required documents have been filed. Please provide an email copy to the Judicial Assistant and include a cover letter stating whether the Final Judgment is agreed upon.

**Where's my Order after hearing or trial?** Typically, after a hearing or trial, the Court will either immediately enter a proposed order previously provided by one of the parties, or announce who will modify one of the proposed orders previously submitted by one of the parties (and a deadline to do so), or announce when the Court will modify one of the proposed orders submitted by one of the parties. If the Court announces when he will enter an order, contact the judicial office as provided by these procedures the day after the Court's deadline to inquire. If no deadline was announced, please wait ten business days after the court proceeding before inquiring.