

# Division 18 Judicial Practices and Procedures

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## A. Communications with the Judicial Office

- **Method of Communication:** All communications to the judicial office must be submitted by e-mail to [18orange@ninthcircuit.org](mailto:18orange@ninthcircuit.org). The subject line must contain the case number, case name, and relevant matter (e.g., 2024 CF 001234 – State v. Doe - 2-Hour Hearing Requested).
- **Ex parte Communications:** 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. All parties must be copied on any e-mail directed to the judicial office, unless an ex parte communication is authorized by law.

- **Unsolicited Communications:** Unsolicited communications from non-parties will not be considered by the court. Parties may only contact the judicial office in accordance with these practices and procedures.
- **E-Filing Portal Contact Information:** All attorneys and self-represented litigants must provide an e-mail address to receive signed orders electronically, unless excused. Fla. R. Gen. Prac. & Jud. Admin. 2.516. It is the responsibility of attorneys and self-represented litigants to update their contact information using Form 2.603 any time there is a change in the e-mail account registered for electronic service.
- **Response to Inquiries:**
  - The judicial assistant is not authorized to provide legal advice.
  - The judicial assistant strives to substantively respond to all inquiries within one business day. If the judicial assistant is unable to substantively respond within one business day, your message will be acknowledged as received with an indication of when to expect a substantive response and alternate contact for immediate assistance.

## **B. Scheduling Procedures**

- **Court Schedule:**

### **Pretrial Detention Hearings**

- Pretrial Detention hearings will be held every weekday except for court holidays starting at 9:00am.
- The Court requests that the attorneys email the Judicial Assistant by 2:00 p.m. the day prior to the hearing to advise whether a Pretrial Detention motion has been filed and provide a copy of the

motion.

### **Pleas and Non-Evidentiary Hearings**

- The Court will hear pleas and short non-evidentiary hearings starting at 10:00 am. These matters can be scheduled during any available time.

### **Evidentiary Hearings**

- Attorneys may schedule evidentiary hearings during their division's assigned one-week trial docket (aka the third week of the trial period). At the Court's discretion hearing time may be allowed outside of this week, but priority will be given to the divisions who are on their one-week trial docket (aka, the third week of the trial period.) To schedule your case for an evidentiary hearing, see "Scheduling Hearings" below.
- There are generally two divisions each week that will be prioritized for evidentiary hearing time. Divisions will be assigned to either the "A" track or the "B" track. If the assigned division judge is in trial, Judge Adams will conduct these hearings. If the assigned division judge is not in trial, the hearings scheduled for that division will be heard by the assigned division judge. Hearings may be scheduled simultaneously for the "A" and "B" tracks, with the understanding that if both divisions are in trial the "A" track will have priority. Divisions will alternate being "A" and "B" so that each division has an equal amount of backup hearing time.
- **Scheduling Hearings:** Hearings must be requested by e-mail to [18orange@ninthcircuit.org](mailto:18orange@ninthcircuit.org) with the following information:
  - Case Style:
  - Assigned Division:
  - Type of Hearing:
  - Title of Motion(s) and date filed:
  - Total Number of Witnesses (from both sides):
  - Length of Hearing:
  - Is a Court Interpreter needed:

ALL ADD-ONS must be confirmed, via email, no later than 12:00 p.m. on the workday before the requested hearing date.

- **Notice of Hearing:** A notice of hearing must be filed and

served immediately after reserving hearing time. A notice of hearing involving any remote appearance must list the judicial Webex credentials. All notices of hearing must contain the ADA notification required by Florida Rule of General Practice and Judicial Administration 2.540.

- **Submission Deadlines:** The court must receive all materials for the hearing no later than 2pm the day prior to the hearing.
- **Order of Proceedings:** Matters involving in-custody defendants will generally be heard before other matters. Short matters are generally heard before evidentiary hearings.
- **Continuance Procedure:** Continuances are disfavored and will be granted only upon good cause shown. Motions for continuance must state with specificity: (1) the basis of the need for the continuance, including when the basis became known to the movant; (2) whether the motion is opposed; (3) the action and specific dates for the action that will enable the movant to be ready, including, but not limited to, confirming the specific date any required participants are available; and (4) the proposed date by which the case will be ready to proceed and whether that date is agreed by all parties. Except for good cause shown, the motion must be signed by the party requesting the continuance, as required by Florida Rule of General Practice and Judicial Administration 2.545(e).
- **Cancelling Hearings:** You must cancel hearings by notifying the judicial assistant immediately. You must also immediately file and serve a notice of cancellation on opposing counsel and any self- represented litigant.

### **C. Remote Appearance**

- **Remote Appearance Procedure:** The court maintains a hybrid virtual courtroom, allowing parties to appear either in person or remotely, as provided by Florida Rule of General Practice and Judicial Administration 2.530. Requests to use communication technology must be made by motion.
- **Platform Used:** The court uses Webex for remote

appearances.

- **Platform Meeting ID#:**

- <https://ninthcircuit.webex.com/meet/18orange>
- Meeting number 2348 693 9805

- **Requirements:**

- Requests for remote appearance must be submitted two days prior to the hearing.
- Certain hearings are not eligible for remote appearance. These include any evidentiary hearing and any hearing scheduled for longer than thirty minutes.
- Any person appearing remotely must be in a private location that is quiet and free from distractions. Under no circumstances will a participant be permitted to appear remotely from a moving vehicle.
- Any person appearing remotely must dress and behave professionally in the same manner as if physically present in the courtroom.
- Any person appearing remotely must enable the person's camera when joining the proceeding and keep the camera turned on until instructed otherwise by the court.
- Any person appearing remotely must mute the person's microphone when joining the proceeding and keep the microphone turned off until instructed otherwise by the court.
- Testimony by videoconference requires a motion and order in accordance with Florida Rule of Criminal Procedure 3.116(d). If a witness appears remotely, the party calling the witness must ensure the witness has a functioning camera and microphone and has tested the internet connection before the hearing. The oath will be administered in accordance with Florida Rule of General Practice and Judicial Administration 2.530.

- **Technology Needs:** All participants in a remote hearing must have the capability to operate Webex, along with a working camera and microphone.

#### **D. Submission of Orders and Judgments**

- **Format:** All proposed orders must be submitted in Word format and provided to opposing counsel and any self-represented litigant. All proposed orders must be accompanied by a cover letter either (1) certifying that all parties agree to the order or (2) containing a statement identifying any disagreement of the parties as to the proposed order.
- **Submission Method:** All proposed orders must be submitted to the court by e-mail to [18orange@ninthcircuit.org](mailto:18orange@ninthcircuit.org).
- **Deadline for Submissions:** Proposed orders must be submitted within 10 days after any hearing.

#### **E. Courtesy Copies of Case Law and Other Documents**

- **When Required:** The court does not require the submission of courtesy copies. If a party wishes to submit courtesy copies, they may do so by emailing them to [18orange@ninthcircuit.org](mailto:18orange@ninthcircuit.org).

#### **F. Emergency and Other Urgent Matters**

- **Requirements:** If a party believes there is a factual basis for setting an emergency hearing, a detailed motion setting forth the following must be filed: (1) the issues to be resolved, (2) reasons why an emergency hearing is necessary, and (3) the amount of time needed for each party's presentation.
- **Scheduling:** If the court determines that an emergency exists, a hearing will be scheduled unilaterally by the court. All parties shall make themselves available for the emergency hearing, barring exigent circumstances.

#### **G. Exhibits for Evidentiary Proceedings**

- **Submission Method:** Hand-deliver all printed exhibits to the clerk of court.

- **Format:** Exhibits must be submitted to the clerk of court in paper format. All attorneys and self-represented litigants must bring sufficient copies of each exhibit for the clerk, the court, and each party to review during the hearing or trial. Exhibits must be labeled in the following format: ‘State/Defense A’”.

## **H. Pretrial Procedures and Conferences**

- **Case Management Conference:** Any party may request a case management conference (CMC) when a case requires. Unless excused by the court in advance, all CMCs are mandatory for attorneys and self-represented litigants. Parties represented by counsel are not required to appear at a CMC.
- **Status Conference:** Any party may request a status conference when a case requires.
- **Requirements:** Any request for a CMC or status conference must articulate the reasons for the necessity of the conference.
- **Scheduling:** If the court grants the request for a CMC or status conference, the moving party must schedule the CMC or status conference pursuant to the procedures noted under the above Scheduling Procedures.

## **I. Setting Case for Trial**

- **Notice Period:** The court does not set date-certain trials. After the pre-trial conference, the court will assign cases to specific days during the trial period and may assign back-up cases. Attorneys, self-represented litigants, parties, and witnesses are expected to be available during the entire trial period.

## **J. Other Division Procedures**

- **ADA Accommodations:** If you need an ADA accommodation, please contact Orange County Court Services at 407-836-2303 or submit a request via <https://www.ninthcircuit.org/services/ada>.
- **Interpreter Requests:** If an interpreter is needed for a hearing or trial, please contact the Judicial Assistant at

[18orange@ninthcircuit.org](mailto:18orange@ninthcircuit.org) as soon as the hearing or trial is set.

- **Transport Orders:** Transport orders shall be submitted sufficiently far in advance to allow for transport, to permit the Court to address conflicts in other jurisdictions, and if necessary, to reschedule the proceeding for a time based on a transport issue or conflict. Failure to do so may result in the Court's inability to arrange for transport for the proceeding.
- The Assistant State Attorney shall submit a proposed transport order when the presence of a defendant in the custody of another county is required for a proceeding.
- The Assistant State Attorney shall submit a proposed writ of habeas corpus ad prosequendum when the presence of a defendant in federal custody is required for a proceeding. The Assistant State Attorney shall make reasonable efforts to communicate with the Federal Bureau of Prisons, the Assistant United States Attorney, and/or any other appropriate personnel in the federal system to address issues that may preclude transport and to coordinate measures that may facilitate transport.