



Judicial Practices and Procedures
Osceola County Division 11
(last modified February 16, 2026)

Alison Kerestes, Circuit Judge
Sara Krinitz, Judicial Assistant

Address: Osceola County Courthouse
Attn: Judge Alison Kerestes
2 Courthouse Square
Kissimmee, FL 34741

Telephone: (407) 742-2548

Email: 11osceola@ninthcircuit.org

Table of Contents

A.	<u>Communications with the Judicial Office</u>	2
B.	<u>Scheduling Procedures</u>	4
C.	<u>Remote Appearances</u>	7
D.	<u>Submission of Orders and Judgments</u>	8
E.	<u>Courtesy Copies of Case Law and Other Documents</u>	9
F.	<u>Emergency and Other Urgent Matters</u>	10
G.	<u>Exhibits for Evidentiary Proceedings</u>	10
H.	<u>Pretrial Procedures and Conferences</u>	11
I.	<u>Pleas and Plea Hearings</u>	14
J.	<u>Setting Case for Trial</u>	16
K.	<u>Violations of Probation (VOP)</u>	17
L.	<u>Motions</u>	18
M.	<u>Juvenile Cases</u>	20
N.	<u>Other Division Procedures</u>	20

A. Communications with the Judicial Office

- Method of Communication:**

- Division Email

- Submit all communications to the judicial office by email to 11osceola@ninthcircuit.org, the dedicated division email account. The subject line of any email to the judicial office must contain the case number, case name, and relevant matter (e.g., 2024 CF 001234 State v. (Defendant's Name) – 2-Hour Hearing Requested).

- You must use the [division email](#), not the personal email, for the judicial assistant. Emails directly to the judicial assistant may not receive a response.

- Telephone

- Self-represented litigants and attorneys excused from email service may communicate with the judicial office by telephone call to (407) 742-2548. The judicial office does not accept text messages.

- Email is the preferred method for all correspondence. If you must call, please leave a voicemail with your name and relation to the case, the Defendant's name, the case number, and your return phone number or email address. Where possible, you will receive an email in response rather than a return call. In an emergency or urgent situation, the [division email](#) is the most reliable way to communicate with the Court.

- Mail

- If you are unable to email or call, you may send a letter to the Court at the address listed on the first page. All communications are subject to filing in the court file, and a copy must also be sent to the opposing counsel or self-represented litigant as detailed below.

- 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. Litigants must copy all parties on any email or other written communication directed to the judicial office, except where ex parte communication is authorized by law.

- **Unsolicited Communications:**

- Parties may only contact the judicial office in accordance with these practices and procedures. The Court will not consider unsolicited communications from non-parties.

- **E-Filing Portal Contact Information:**

- All attorneys and self-represented litigants must make and receive service by email, generally through the Florida Courts E-Filing Portal, unless excused. See [Fla. R. Gen. Prac. & Jud. Admin. 2.516.](#)
- All attorneys and self-represented litigants must provide an email address to receive signed orders electronically, unless excused. See [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](#) whenever there is a change to the email account registered for electronic service.

- **Response to Inquiries:**

- The judicial assistant is not authorized to provide legal advice.
- The judicial assistant strives to provide substantive responses to all inquiries within one business day. If the judicial assistant is unable to respond substantively within one business day, your message will be acknowledged as received, indicating when to expect a substantive response and providing an alternate contact for immediate assistance.
- When the judicial assistant is out of the office, your message will be acknowledged as received, indicating when to expect a substantive response and providing an alternate contact for immediate assistance.

- **Other Communication Procedures:**

- Any email or correspondence sent to or from the judicial office may be a public record subject to disclosure, and the judicial assistant may file it in the Court file.

B. Scheduling Procedures

- Court Schedule:**

- The Court operates on a five-week cycle: two weeks of hearings, followed by three weeks of trials. The Court typically holds Pretrial Conferences on Wednesday (private attorneys) and Thursday (public defender) of the first hearing week of the five-week cycle. At the Pretrial Conference, the Court will set your case for a Trial Management Conference if the case is determined to be ready for trial. The Trial Management Conference shall generally occur on the Wednesday before the three-week trial period begins.
- During hearing weeks, the Court schedules hearings in accordance with its schedule. You may locate the current year court calendar on the [judge's division page](#).
- Juvenile matters are scheduled every other Friday, with the first Friday being Arraignments and status hearings, followed by juvenile trials and evidentiary hearings two weeks later, and so on.

- Scheduling Hearings:**

- Submit hearing requests via email to the [division email](#).
- When requesting hearing time on a Motion, the e-filed copy of the Motion and a proposed Order must be attached to the email requesting hearing time.
- The email request should include the following information:
 - In the header, include the case number (2025 CF 001234), the litigants (State v. Defendant Name), and the type of hearing requested (Plea, Motion, CMC, etc.).
 - In the body of the email, include the amount of time requested for the hearing, whether the Defendant is in jail, whether an interpreter is needed, the opposing party's position on the request (where appropriate), any requests for virtual appearance by attorneys, witnesses, or Defendants, and the next scheduled Court date on the case.
- All requests for hearing time are subject to the Court's review before scheduling.

- **Notice of Hearing:**

- You must file and serve a Notice of Hearing on opposing Counsel or any self-represented litigant as soon as possible after receiving confirmation of the hearing by the judicial assistant.
- The Notice of Hearing must include the address and Courtroom where the hearing shall take place. All Division 11 matters shall take place in Courtroom 5-A of the Jon B. Morgan Courthouse in Osceola County, unless otherwise informed at the time of scheduling. Where advance notice is not possible, a sign shall be placed on the doors of Courtroom 5-A with instructions.
- A notice of hearing with a remote appearance must list the judge's WebEx link: <https://ninthcircuit.webex.com/meet/11osceola>
- 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](#).
- You are not required to send the Notice of Hearing to the judicial assistant. However, if your Notice of Hearing does not appear on the docket by 12:00 p.m. the day before the hearing, it may be subject to cancellation, absent emergency circumstances.

- **Submission Deadlines:**

- The Court must receive all materials for the hearing no later than 12:00 p.m. on the business day before the hearing.

- **Order of Proceedings:**

- The Court will hear matters as the litigants are ready to proceed, and not necessarily in the order they are listed in the docket. However, all attorneys and litigants should be present and prepared at the scheduled hearing time.
- Where litigants are not ready to be called at its assigned time, the Court may cancel, grant or deny the motion, or reset the case.
- All hearings will be limited to the amount of time requested by the litigants to hear the Motion or matter.
- The Court will generally hear matters requiring interpreters before other matters.

- Following interpreter cases, the Court will generally hear matters with in-custody Defendants before other matters.

- **Continuance Procedure:**

- Motions for Continuance must state with specificity: (1) the basis of the need for the continuance; (2) whether the motion is opposed; (3) the action and specific dates for the action that will enable the movant to be ready; and (4) the proposed date by which the case will be ready to proceed.
- Where the defense is requesting a continuance, they must also include a signed “Waiver of Speedy Trial,” if not previously waived.
- 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\(e\)](#).
- If your Motion is unopposed, you may submit an e-filed copy of the Motion to Continue and a proposed Order in Word format to the [division email](#) for review pursuant to the Unopposed Motions and Orders directives contained in these Practices and Procedures.
- If your case is set for Pretrial Conference, you are requesting a continuance, and wish to avoid an appearance at the Pretrial Conference, please complete a Joint Pretrial Statement instead of filing a Motion for Continuance as detailed in these Practices and Procedures. It can be located on the [judge's division page](#).

- **Cancelling Hearings:**

- Notify the judicial assistant as soon as possible when cancelling a hearing. You must also immediately file and serve a notice of cancellation on opposing Counsel and any self-represented litigant.
- You must receive confirmation from the judicial assistant that your hearing was cancelled. Where you do not receive confirmation, you must still appear for the hearing.
- Where a Defendant appears for Court and appears to be suffering from a mental issue or is under the influence of alcohol, medication, or an illicit substance to the extent their normal faculties are impaired, the Court may cancel or reset the hearing. Defendants who appear impaired in Court may be drug tested at the order of the Court.

C. Remote Appearances:

- 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](#) and [Florida Rule of Criminal Procedure 3.116](#).

- Platform Used:**

- The Court uses [WebEx](#) for remote appearances.

- Platform Meeting Information:**

- [WebEx link: https://ninthcircuit.webex.com/meet/11osceola](https://ninthcircuit.webex.com/meet/11osceola)
- Meeting number: 2337 161 3630
- Video address: 11osceola@ninthcircuit.webex.com
- Audio call: (904) 900-2303; Access code: 2337 161 3630

- Requirements:**

- Certain hearings are eligible for remote appearance without a prior request. These include Pretrial Conferences, Case Management Conferences and Status Hearings.
- Pleas and Plea Conferences, Trial Management Conferences, bond hearings, and Pretrial Detention Hearings are typically not eligible. Additionally, all litigants and attorneys must appear in person for trial.
- For Motion hearings, submit requests for remote appearance at the time the hearing is scheduled, or no later than 12:00 p.m. on the business day before the hearing. An email request is sufficient for non-evidentiary hearings of 30 minutes or less, subject to the guidance below. Where the hearing is evidentiary in nature or will last more than 30 minutes, a Motion and Proposed Order is required in accordance with [Florida Rule of Criminal Procedure 3.116\(d\)](#).
- Any person appearing remotely must be in a private, quiet location 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, just as if they were physically present in the Courtroom.
- Any person appearing remotely must enable their camera when joining the proceeding and keep it turned on until instructed otherwise by the Court.
- Any person appearing remotely must mute their microphone upon joining the proceeding and keep it off until instructed otherwise by the Court.
- 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 trial clerk will administer the Oath in accordance with [Florida Rule of General Practice and Judicial Administration 2.530](#).

- **Technology Needs:**

- All participants in a remote hearing must be able to use [WebEx](#) on their cell phone, computer, or other device.
- If assistance is needed, please contact AV Support at (407) 742-2488 or by email at: AVSupportOsceola@ninthcircuit.org.
- Additional information about technology support can be found at the following link: <https://ninthcircuit.org/programs-services/technology-support>

- **Other Remote Appearance Procedures**

- Where multiple matters are set at the same time, the Court will address all matters in which Counsel or a party is physically present in the Courtroom first. The Court shall address hearings where parties or Counsel are appearing virtually upon conclusion of all in-person appearances.

D. Submission of Orders and Judgments

- **Format:**

- Submit all proposed orders in Word format and copy opposing Counsel and any self-represented litigant.
- Indicate whether (1) all parties agree to the order or (2) identify any

disagreement of the parties as to the proposed order.

- **Submission Method:**

- All proposed orders must be submitted to the Court via the [division email](#). Do not send a hard copy unless excused from email service.
- Self-represented litigants and attorneys excused from email service may submit proposed orders to the Court by U.S. mail or hand-delivery to the judicial office.

- **Deadline for Submissions:**

- Proposed orders must be submitted with the Motion when requesting a hearing time, where possible. Otherwise, they shall be submitted no later than three business days after any hearing unless otherwise ordered by the Court.

- **Unopposed Motions and Orders:**

- Where your Motion is unopposed, you may request that the Court rule on the Motion in chambers.
- Email the division a copy of the Motion and proposed Order in Word format for the Court's consideration to the [division email](#). Advise in your email that the Motion is unopposed, and you request a ruling in Chambers.
- If, after review, the Court declines to sign the Order or determines a hearing is necessary, the judicial assistant will advise the litigants so they may coordinate a hearing.

E. Courtesy Copies of Case Law and Other Documents

- **When Required:**

- Submit courtesy copies of pleadings, motions, and case law to the Court before any hearing or trial.

- **Format:**

- You may submit courtesy copies of case law in PDF or Word format, on a USB drive, or in a three-hole-punched binder printed on 8.5 x 11-inch paper.

- **Submission Method:**

- Courtesy copies may be submitted to the Court by email to the [division email](#).
- You may also submit courtesy copies to the Court by U.S. mail or hand-delivered to the judicial office.
- Self-represented litigants excused from email service may submit courtesy copies to the Court by U.S. mail or by hand delivery to the judicial office.

Deadline for Submissions:

- Courtesy copies should be delivered to the Court by 12:00 p.m. on the business day before any hearing or trial, or it will not be reviewed before the hearing.

F. Emergency and Other Urgent Matters

- **Requirements:**

- If a party believes there is a factual basis for setting an emergency hearing, file a detailed motion, setting forth the following: (1) the issues to be resolved, (2) 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, it will schedule a hearing on its own initiative. All parties shall make themselves available for the emergency hearing, except in cases of exigent circumstances.
- Emergency requests for hearing time must be submitted via email by 12:00 p.m. on the business day preceding the requested hearing date for consideration by the Court.
- When requesting hearing time, the e-filed copy of the Motion must be attached to the email request.

G. Exhibits for Evidentiary Proceedings

- **Submission Method:**

- If you wish to provide a copy of exhibits to the Court in advance of

a hearing, send a request via the [division email](#) for a link to upload exhibits. Do not email exhibits directly to the [division email](#). You must also bring a hard copy to Court. The Court will not review uploaded evidence before a hearing except where there is a stipulation for advance review by all parties.

- Uploading exhibits is not sufficient for entry into evidence at the evidentiary hearing. Hand-deliver all exhibits to the Clerk of Court with approved evidence tags at or before the hearing or trial.

- **Format:**

- For entry into evidence, exhibits must be brought to the hearing and labeled in the following format for identification purposes: "Exhibit A", "Exhibit B", "Exhibit C" (and so on) with the approved evidence tag. You may obtain evidence tags at the clerk's office. The exhibits shall be assigned a number by the trial clerk in numerical order as the Court receives them into evidence.
- All attorneys and self-represented litigants must bring sufficient copies of each exhibit for the clerk and each party to review during the hearing or trial.

- **Deadline for Submissions:**

- Where litigants stipulate to provide exhibits to the Court for advance review, submit electronic exhibits by 12:00 p.m. on the business day before the evidentiary proceeding by uploading to the link provided by the judicial assistant.
- All other exhibits must be received in chambers by 12:00 p.m. on the business day before the evidentiary proceeding for stipulated advance consideration.

H. Pretrial Procedures and Conferences

- **Division Schedule**

- Generally speaking, the Court has a five-week calendar: two weeks of hearings followed by three weeks of trials. You can locate the calendar for the current year on the [judge's division page](#).

- **Waivers of Appearance for Defendants:**

- Written Waivers of Appearance for represented Defendants at Arraignment, Pretrial Conferences, Case Management

Conferences, and status hearings will be honored by the Court, provided a written waiver signed by the Defendant is filed and docketed in the Court file.

- Defendants must appear as required at Trial Management Conferences, pleas and plea conferences, evidentiary hearings, trials, and other mandatory appearances. Failure to appear may result in a warrant issued for the Defendant's arrest.

- **Arraignments:**

- The Court generally holds arraignments on Tuesdays at 8:30 a.m. each week. Arraignments are scheduled on the Court's calendar by the Clerk of Court.
- Defendants who are noticed for Arraignment must appear unless an attorney represents them, and a Notice of Appearance, Waiver of Arraignment, and Written Plea of Not Guilty have been filed and docketed by the Clerk of Court. The Clerk of Court may not docket pleadings filed on the same day as the Arraignment on time, and the Defendant or their attorney must appear unless excused by the Court.

- **Case Management Conference (CMC) or Status Conference:**

- Any party may request a CMC or status hearing when necessary. The Court may also set a CMC on its own initiative.
- The Court strongly encourages the early use of CMCs in more complex or serious cases, multiple-defendant cases, or any case that might benefit from Court intervention.
- Unless excused by the Court in advance, all CMCs and status hearings are mandatory for attorneys and self-represented litigants. Parties represented by Counsel are not required to appear at a CMC or status hearing where their attorney has filed a waiver of appearance.
- Any attorney of record or party may appear virtually for CMCs and status hearings on the [Webex link](#). Please refer to the Virtual Appearances section for more information.
- To request a CMC or status hearing, the moving party must schedule it in accordance with the procedures outlined in the above Scheduling Procedures.

- **Pretrial Conferences (PTC):**

- PTCs with private attorneys and regional conflict counsel are generally set on Wednesday of the first of two hearing weeks, and PTCs with the Office of the Public Defender are typically set on Thursdays of the first of two hearing weeks.
- The Court sets all PTC cases for 9:00 a.m. The judge will take the bench at 8:30 a.m. and address cases where both sides are present as soon as they are ready.¹
- Unless the litigants have completed the process for a “Paper Pretrial” as described below, all attorneys and all Defendants are required to appear unless a Waiver of Appearance has been signed by the Defendant, filed in the Court file, and docketed by the Clerk of Court. Failure to follow this procedure may result in a warrant for a Defendant for failing to appear at the PTC.
- Any attorney of record may appear virtually for PTC on the [Webex link](#). Please refer to the Virtual Appearances section for more information.
- Private attorneys who appear in Court shall sign in, and the Court will call their cases in the order of their appearance. The Court will address all in-person cases first, then all virtual cases. If appearing virtually, defense attorneys may wait until 10:00 a.m. to sign in.
- The Court shall address the Public Defender docket in the order of the docket, or as cases are ready to be called by the Court.
- Inmates are not brought to court for private attorney PTC unless specifically requested. You must send a request to the [division email](#) by 12:00 pm the day before PTC.
- Be prepared to advise the Court of the following at PTC:
 - Whether setting the case for (1) plea, (2) trial, or (3) requesting a continuance.
 - Where setting the case for plea, whether there is an agreed-upon resolution for plea, or a plea to the bench.
 - Where setting the case for trial, whether there are any issues or conflicts, whether a party or witness needs an interpreter, the

¹ The Court may have other matters to address before starting the PTC docket.

number of witnesses for the State and the Defense, and the anticipated length of the trial, including jury selection.

- Where requesting a continuance, whether the opposing party objects, and the basis for the continuance.
- Counsel must file and set all evidentiary motions for hearing before the PTC where a case is announced ready for trial. Note: the hearing itself may occur after the PTC when hearing time was not available beforehand.
- The Court will not accept pleas during the morning of PTC absent extraordinary circumstances. Instead, the Court will offer plea dates for scheduling the plea. Pleas may be taken during the afternoon of PTC, where time permits or are previously scheduled. Please contact the judicial assistant via the [division email](#) for more information.
- Paper Pretrials: Instead of appearing at the PTC, attorneys may complete a Joint Pretrial Statement, e-file it, and send a copy to the [division email](#) by 12:00 p.m. the business day before the PTC. You must copy Opposing Counsel or self-represented litigant on the email. No attorneys or parties are excused until confirmed by the judicial assistant. The Joint Pretrial Statement form can be found on the [judge's division page](#).

I. Pleas and Plea Hearings:

- **Plea Offers:**

- The litigants should engage in plea negotiations at the earliest opportunity.
- Where the State extends a plea offer, defense counsel shall immediately communicate it to the Defendant. The prompt transmission of plea offers to incarcerated Defendants is the responsibility of their attorney.

- **Plea Conference:**

- Any party may request a status hearing or plea conference. The Court cannot interject into plea negotiations. The Court will hold a plea conference only where requested by the parties.
- The Court may be unable to conduct a plea conference on a busy court day. The best practice is to request hearing time to conduct

the plea conference.

- The State shall provide a Score Sheet at all plea conferences and pleas, advise the Court of the plea offer, or that a plea offer was not conveyed.

- **Plea Paperwork:**

- When a case is set for plea, the Court expects the parties to have completed the plea forms, Score Sheets, Restitution Orders, and cost orders, ready at the start of the scheduled plea time, absent extraordinary circumstances.
- Where a Defendant is in custody, defense counsel should review and complete the plea form in advance, either in the basement of the Courthouse or at the jail before the Defendant is brought to the Courtroom.

- **Downward Departures / Rejection of Plea Offers:**

- Any basis for downward departure shall be stated on the record at the time of the plea.
- The Court has the right to accept or reject any negotiated plea resolution. Where the Court rejects a plea resolution, it will explain to the parties on the record and allow the Defendant to withdraw the plea where appropriate.

- **Inmate Plea Hearings:**

- Where a Defendant is in custody and will be released upon entry of a plea, the attorney should advise the judicial assistant when requesting a plea date. In-jail pleas that will result in release may generally be scheduled on the next available Wednesday or Friday morning at 8:30 am.
- Release of an inmate due to a plea is not an emergency. The Court will make reasonable efforts to set all pleas efficiently.

- **Victim Input at Plea Hearings:**

- The State shall make a reasonable effort to discuss any resolution of a case with a victim before tendering the plea offer to the Defendant. Further, the State shall comply with all relevant laws regarding victims' rights.²

² See [Article I, Section 16 of the Florida Constitution](#) and [Chapter 960 of the Florida Statutes](#)

- Where the State knows in advance that the victim will be giving a Victim Impact Statement, the State shall inform the Court via email to the [division email](#) and request sufficient time for the presentation of the statement.
- **Entitlement to Pre-Sentence Investigation (PSI):**

- Requests for a PSI will be deemed waived unless specifically requested prior to any sentencing following a plea or jury verdict.

- **Amended Information:**

- Notice requirements or defects in an Amended Information to facilitate a plea will be deemed waived unless specifically raised at the time of the plea.

J. Setting Case for Trial:

- **PTC Procedure:**

- The attorneys may inform the Court at PTC when a case is ready for trial.
- Trial periods are generally three weeks in length. The Court will, where possible, attempt to accommodate attorney and witness availability, as well as other requests, at the PTC.
- The Court does not set time-certain trials absent extraordinary circumstances, such as the need for interpreters, out-of-state witnesses, high-profile cases, or trials anticipated to exceed 3 days.
- The Court shall set the case for a Trial Management Conference where the case is ready for trial.

- **Trial Management Conferences (TMC):**

- The TMC shall generally occur on the Wednesday before the trial period begins.
- All attorneys and all Defendants must appear in person at TMC.
- The Court shall place any plea offers or absence of a plea offer on the record at TMC, and the State shall bring a Score Sheet. The State shall also notify any victims that the case may be resolved at TMC in the event they wish to appear or make a statement.

- Litigants shall make any last-minute motions for continuances or accommodations for witnesses on or before TMC.

- **Notice Period:**

- After the PTC and before the TMC, the Court will issue a trial list indicating the order in which cases will be called for trial. Attorneys, self-represented litigants, parties, and witnesses must be available throughout the trial.
- All attorneys will receive the trial list for the upcoming trial period by email before the TMC. It is the attorney's responsibility to ensure that their contact information is updated with the Clerk of Court, as the email will constitute service for both the attorney and their client. If you have a case on the trial docket and do not receive an email by the Monday of the week of the TMC, contact the judicial assistant at the [division email](#) for assistance.
- The Court shall update the trial list and reissue it after TMC has concluded.

- **Trial Call:**

- The Court will provide as much notice as possible of when a case will be called and will regularly update the trial list for the trial period.
- Generally, on each day of the trial period where the Court is not already conducting a trial, the first three cases on the trial list shall be called for trial, and all other cases shall remain on 12-hour standby. This process shall continue throughout the trial period until either all cases have been addressed or the three-week trial period concludes. The Court will make every effort to resolve all cases set within the trial period.
- Where a case cannot be reached within the trial period, it will be reset for trial on the next available trial docket.

K. Violations of Probation (VOP)

- **Procedure:**

- The Court sets VOPs for a status date and a hearing date. All negotiated pleas shall be entered on the status date. The State shall provide a Score Sheet and advise of any plea offer or explain why no offer was conveyed at the status date.

- Where there is no resolution at the status date, the Court shall set the VOP for a hearing to generally occur two days later.³
- All pleas on the hearing date shall be a plea to the bench. No negotiated pleas shall be accepted on the hearing date, absent extraordinary circumstances.

L. Motions

- Motions for Bond and Motions to Quash Capias:**

- Motions for Bond on a Violation of Probation or a warrant case will generally not be set or considered before the execution and arrest of the Defendant on the warrant. The Court shall exercise discretion as to deviations on a case-by-case basis.
- Motions to Quash Capias where a Defendant failed to appear for a Court appearance shall require a hearing, and the Defendant shall be required to appear in person.
- The Court will make every effort to set bond hearings promptly in accordance with the active [Amended Order Governing First Appearance Proceedings for Osceola County](#). Short bond hearings are generally set on the next available Wednesday or Friday at 8:30 am.
- When permitted by law, the Court may decide bond motions on the Motion and the State's input without a hearing. If neither party is requesting a hearing on a bond motion, defense counsel should send a proposed order in Word format with the e-filed motion to the [division email](#) and request a ruling.
- Generally, a bond hearing must be set in cases involving a victim, in compliance with Florida Law.⁴ Where the litigants request a ruling without a hearing, and there is a victim in the case, the State must include the Victim's position in the request and confirm that the Victim does not to appear at a hearing.

- Pretrial Detention Hearings (PTD Hearings)**

- PTD Hearings are normally set at Initial Appearance by the

³ This is a change in 2026 from prior years, and may take some time to implement.

⁴ See [Article I, Section 16 of the Florida Constitution](#)

presiding initial appearance judge.

- PTD hearings are generally held on Mondays and Thursdays at 8:30 am. Where the State elects not to proceed forward with a PTD hearing, the Court shall make a bond determination in its place.

- **Evidentiary Hearings**

- The Court shall hold evidentiary hearings in conformity with pretrial and trial orders. Motions filed or hearings requested after a case was announced ready for trial at Pretrial Conference may not receive hearing time, and the Court may deny them.
- The Court shall generally schedule evidentiary hearings on afternoons during hearing weeks. Dates and times for hearings can be obtained by emailing your request to the [division email](#).
- Where the litigants anticipate a hearing lasting more than three hours, it shall be scheduled during the trial period and may be canceled where a trial does not conclude in time to conduct the hearing.

- **Motions for Rehearing, Reconsideration, or New Trial.**

- Upon filing a Motion for Rehearing, Reconsideration, or New Trial, the filing party must immediately email a copy of the Motion to the [division email](#).
- The Court will (1) rule on the Motion without a hearing, (2) direct that the opposing party file a written response, or (3) advise the litigants through the judicial assistant that a hearing is needed. No party may set a hearing on a Motion for Rehearing, Reconsideration, or New Trial without Court approval. If the Court grants the Motion, the Court will reschedule the underlying matter for hearing on a different day.

- **Speedy Trial Demands and Notices of Expiration of Speedy Trial:**

- Defense Counsel shall send a copy of a Demand for Speedy Trial or Notice of Expiration of Speedy Trial immediately upon filing.
- The Court will adhere to [Florida Rule of Criminal Procedure 3.191](#)

in setting a hearing. Where a hearing is not scheduled by the business day following the filing of the Demand or Notice, the State shall email the [division email](#) to request a hearing.

- **Competency:**

- Where an attorney has concerns about the Defendant's competency, file a Motion that complies with [Florida Rule of Criminal Procedure 3.210](#) at the earliest possible opportunity. See the active [Admin Order governing Mental Competence to Proceed](#) and the active [Amended Admin Order Governing Appointment and Payment of Court-Appointed Mental Health Experts](#) for additional information on competency.

M. Juvenile Cases

- **Juvenile Arraignments, Hearings, and Trials:**

- Juvenile cases shall generally be addressed every other Friday. In a four-week cycle, Arraignments and status hearings shall generally be held the first Friday and non-jury trials and evidentiary hearings the third Friday.⁵
- Juvenile hearing dates can be viewed on the judge's current year scheduling calendar on the [judge's division page](#).
- Pretrial Conferences will not be set on juvenile cases, except when requested by the attorneys.
- Litigants and attorneys shall otherwise follow these Practices and Procedures as they relate to juvenile cases.

- **Juvenile Detention Hearings**

- Detention hearings and detention reviews are handled on a rotating basis by the three circuit criminal judges.
- Detention hearings are held at 1:15 pm Monday through Friday in the regular courtroom of the presiding judge that week.

N. Other Division Procedures

- **ADA Accommodations:**

⁵ This is a change from 2025 and shall take some time to be implemented in 2026.

- The Ninth Judicial Circuit is committed to full compliance with the Americans with Disabilities Act (ADA). Reasonable accommodations are provided for qualified Court participants with disabilities, in accordance with the law. As required by the ADA, the determination of an individual's disability and the option for a reasonable accommodation for a disability is made on a case-by-case basis. If you are a person with a disability who needs any accommodation in order to participate in a Court proceeding or event, you are entitled, at no cost to you, to the provision of certain assistance.
- If you need an ADA accommodation, please contact the ADA Coordinator at least 7 days before your scheduled Court appearance, or immediately if you receive less than a 7-day notice to appear. The ADA Coordinator can be reached at: ADA Coordinator for Osceola County, Court Administration, Osceola County Courthouse, 2 Courthouse Square, Suite 6300, Kissimmee, FL 34741, (407) 742-2417, fax (407) 742-2401, email osceolaada@ocnjcc.org
- You can find information on ADA accommodations on the circuit's website at this link: <https://ninthcircuit.org/programs-services/americans-disabilities-act>
- If you are hearing or voice-impaired, call 711 to reach the Telecommunications Relay Service.
- Please Note:** The ADA Coordinator cannot support some requests for accommodations in Court proceedings; instead, they require a Court motion. The ADA Coordinator will inform you if this applies to your request.

- **Interpreter Requests:**

- If a case requires an interpreter for a hearing or trial, please notify the judicial assistant by email at the [division email](#) as soon as possible, and before any evidentiary hearing or trial.
- When submitting the request for an interpreter, include the case number (2025 CF 001234), the case name (State v. Defendant's Name), the scheduled hearing date, and the language required.
- Depending on interpreter availability, the Court may not be able to accommodate last-minute interpreter requests, which may require resetting the hearing or trial.

- **Other Division Procedures:**

- Courtroom Decorum: The Court expects all attorneys and litigants to appear in Court on time and comply with the [Ninth Circuit Courtroom Decorum Policy](#).
- Judge/JA unavailable: Where the judge or judicial assistant is unavailable, please refer to the [Order of Assignment of Alternative Judges](#) for the current year to locate the name of the alternate judge for Judge Kerestes.
- Emergencies: Where a true emergency occurs after 5:00 p.m. on weekdays or on a weekend or holiday, you may reach out to the emergency duty judge to request assistance. Locate the emergency duty judge schedule at the following link:
<https://ninthcircuit.org/resources/signing-judge-schedule>
- Transfers: Submit Motions to Transfer to the [Order Appointing Administrative Judges](#) for the current year for consideration.
- Transport Orders: The State shall bear responsibility for providing transport orders to have Defendants transported to Osceola County for hearings and trial.
 - The State shall submit a proposed transport order when the Defendant is in the custody of another county.
 - Where the Defendant is in federal custody, the State shall submit a proposed Writ of Habeas Corpus ad Prosequendum and make all reasonable efforts to communicate with the appropriate authorities to ensure the Defendant's transport.
 - Transport Orders must be sought sufficiently far in advance to allow time for transport. Generally, at least 10 days are needed.
- Technology Assistance: If assistance is needed to present evidence or otherwise utilize technology in the Courtroom, please contact AV Support at (407) 742-2488 or by email at:
AVSupportOsceola@ninthcircuit.org
 - Additional information about technology support can be found at the following link: <https://ninthcircuit.org/programs-services/technology-support>