

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 29Orange@ninthcircuit.org . The subject line must contain the case number, case name, and relevant matter (e.g., 2024 DR 001234 SC – Doe v. Doe - 2-Hour Hearing Requested.). All communications must include the opposing party as well as their counsel, if applicable.
- **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. All inquiries needing response will be responded to during normal business hours. An “out-of-office” response will state when the judicial assistant is expected to return.
- **[Other Communication Procedures]:** Any e-mail sent to or from the judicial office may be a public record subject to disclosure. Telephone communication should be limited to those instances where no email response has been received within 48 hours of the initial e-mail..

B. Scheduling Procedures

- **Court Schedule:** For Domestic Relations Cases, the Court’s availability will be published via the Division 29 Ai calendar showing the Court’s current availability can be found at Orange - Domestic Relations - Division 29 under “Motion Hearing Available”. Domestic Violence signing and return hearing weeks are on a 10- week rotation and must be scheduled by the Court. All Domestic Relations matters hearings shall be in Courtroom 16-E at the Orange County Courthouse. All Domestic Violence matters will be held in-person in Courtrooms 16A or 16B. Please ensure that you have read and reviewed your hearing confirmation for the correct courtroom
- **Scheduling Hearings:** Before coordinating a hearing, Counsel shall comply with Administrative Order 2014-25-02. Specifically, the hearing coordination and “meet and confer” portions of the Order must be met prior to scheduling a hearing. Additionally, mediation is required before seeking temporary relief or setting a case for trial in a Domestic Relations case.

Please note that Domestic Violence hearings are recorded by the court reporting system, but Domestic Relation hearings are not. If you require a recording of a Domestic Relations hearing, you must hire your own

official court reporter. Private recordings of DR proceedings are strictly prohibited.

Currently, hearings are permitted to be requested as virtual or in person (if less than 60 minutes). **All requests for hearing time of one hour or more must be pre-approved by the Judge.** A party requesting a virtual or in-person hearing must do so in their hearing request email.

Motions must be e-filed prior to making hearing requests. No hearings shall be set until the Motion is filed and viewable on the Clerk's website.

Once you have satisfied the "meet and confer" requirement, hearings times can be obtained on the Court's Ai Calendar scheduling platform here: <https://calendar.ninthcircuit.org/Calendar/Orange/1513>

Ensure you are requesting applicable amount of time to address your motion(s). Please also attach an e-filed copy of your Motion to your request. Once you have complied with Admin. Order 2014-25-02 and thoroughly reviewed the Court's procedures, you may send your hearing request to the Judicial Assistant via email at 29orange@ninthcircuit.org in the format below:

Case number:

Petitioner's Name & Attorney Name:

Respondent's Name & Attorney Name:

Motion & Filing Date: Hearing Date & Time Requested (please give at least two separate dates):

Length of Hearing Requested:

Whether Hearing is Evidentiary:

Date mandatory mediation conducted in compliance with admin order 2004-14-03:

Date mandatory meet and confer conducted in compliance with admin order 2014-25-02:

Date Hearing Coordinated:

Virtual or In-Person:

- **Notice of Hearing:** A notice of hearing must be filed and served immediately after receiving confirmation of 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. Cross Noticing hearings without agreement is strictly prohibited. At least three (3) business days prior to the hearing, the moving party must provide the Judicial Assistant with a .pdf copy of the Notice of Hearing, Motion and a proposed order.

- **Submission Deadlines:** Courtesy copies should be submitted to the court no later than three (3) days before any hearing or trial.
- **Submission Method:** All proposed orders and Final Judgments must be submitted to the court by e-mail to 29orange@ninthcircuit.org. All proposed final orders and parenting plans shall be submitted to the opposing party (to include pro se litigant) not later than three (3) business days prior to any deadline set by the Court. If parties are in disagreement of the proposed order, each shall e-mail to the Judicial Assistant a proposed order in Word format. If the opposing party is unresponsive and the deadline has lapsed, the party seeking to submit the proposed order shall e-mail the Judicial Assistant the Word document with an explanation to include dates of contact.
- **Order of Proceedings:** Matters will be heard in the order in which they appear on the docket..
- **Continuance Procedure:** Motions for continuance are disfavored and will be granted only upon good cause shown. Successive continuances are highly disfavored. Lack of due diligence is not grounds for granting a continuance. 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). Motions for continuance must be submitted at least three (3) days prior to the scheduled court date for which the continuance is sought, barring exigent circumstances. 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). 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:** The party who set the hearing may cancel a hearing without court permission. You must cancel hearings by notifying the judicial assistant immediately. You must also immediately file your Notice of Cancellation and serve a copy on opposing counsel and any self-represented litigant. Trials are not permitted to be cancelled by either party unless a full settlement has been reached. .

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 for an appearance must be made by motion. Any objection to the use of communication technology must be filed no later than 10 days prior to the hearing date..
- **Platform Used:** The court uses Cisco Webex for remote appearances.
- **Platform Meeting ID#:** Contact the judicial assistant to obtain the Webex Link.
- **Requirements:** Any person appearing virtually 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 permitted to appear virtually must enable the person's camera when joining the proceeding and keep the camera turned on until instructed otherwise by the court. Any person permitted to appear virtually must mute the person's microphone when joining the proceeding and keep the microphone turned off until instructed otherwise by the court. If a witness is permitted to appear 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.
- **[Other Remote Appearance Procedures]:** All participants shall ensure they have adequate internet access and audio/video capability prior to the hearing. Parties shall appear timely and conduct themselves in accordance with courtroom decorum requirements.

D. Submission of Orders and Judgments

- **Format** All proposed orders must be submitted in Word format. 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 and Final Judgments must be submitted to the court by e-mail to 29orange@ninthcircuit.org.

- **Deadline for Submissions:** All proposed final orders and parenting plans shall be submitted to the opposing party (to include pro se litigant) not later than three (3) business days prior to any deadline set by the Court. If parties are in disagreement of the proposed order, each shall e-mail to the Judicial Assistant a proposed order in Word format. If the opposing party is unresponsive and the deadline has lapsed, the party seeking to submit the proposed order shall e-mail the Judicial Assistant the Word document with an explanation to include dates of contact. A Proposed Final Judgment must be accompanied by any/all other applicable documents that go along with the proposed Final Judgment (i.e, Marital Settlement Agreement (MSA), Motion Waiver Requesting Ex Parte FJ, Vital Statistics, FJ Checklist, Answer & Waiver and Final Disposition Form). These additional attachments (excluding the proposed FJ) are permitted to be submitted in PDF format. Please make sure all attachments are included in one (1) email. All other agreed upon Orders may be e-mailed to the JA or hand delivered to drop off box. Orders must be accompanied by a copy of the Motion, and proof of opposing party's agreement in a cover letter. Any hand delivered orders must attach self-addressed, stamped envelopes for mailing, if necessary.
- **[Other Procedures Relating to Submission of Orders and Judgments]:** Support or Income Withholding/Deduction Orders: When submitting an order or Final Judgment directing a party to make payments to the State Disbursement Unit via Income Withholding Order, please submit an Income Withholding Order to be entered simultaneously by the Court with sufficient copies and envelopes as stated above. Blank Income Withholding Orders can be found on the court's judicial webpage. IWO's and QDRO's are not e-served. Forward to the Court postage pre-paid envelopes for all proposed Income Withholding Orders (IWO) and Qualified Domestic Relations Orders (QDRO). QDROs must be accompanied by the signature consent of each litigant. It is the obligee's or counsel for the obligee's responsibility to insure that a certified copy of the Income Withholding Order is properly served upon the employer.

E. Courtesy Copies of Case Law and Other Documents

- **When Required:** Case Law and Equitable Distribution Worksheets being relied on should be provided to the Court no later than three (3) days before the hearing or trial. However, the Court will always consider any case law applicable to the matters being litigated. Although not required, it is always helpful for litigants to highlight the parts of a law or case that they believe are the most relevant to the

issues at hand. specified document

- **Format:** Courtesy copies of case law must be submitted to the Court and all parties in the case in PDF format. Equitable Distribution Worksheets (EDW) should be submitted to the Court and all parties to the case via an editable Excel worksheet. Information on EDW can be found on Judge Peyton Robinson's Webpage under "Important Information".
- **Submission Method:** Courtesy copies should be submitted to the court by e-mail to 29orange@ninthcircuit.org.
- **Deadline for Submissions:** Courtesy copies should be submitted to the court no later than three (3) days before any hearing or trial.

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 specifically including: (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. Emergency Motions are for extreme situations where irreparable harm has transpired and/or is imminent. Contentious contact and difficulties with timesharing are not emergencies. Emergencies do not generally include any complaint that may be remedied by having a hearing within the normal course of time. If a true emergency arises, this Court will indicate the same by an order, at which time a party may request hearing be set short notice. The body of the emergency motion must contain a detailed explanation of the circumstances constituting the emergency and the relief sought. If notice is not given to the opposing party, a detailed explanation must be set forth. Absent good cause, all emergency motions must be verified by the party filing the motion. The motion must be e-mailed or hand delivered to Chambers before a hearing will be set. The Court will review the motion and, if it is determined to be an emergency, the Court will generate an Order and/or direct counsel to either submit a detailed order in Word format or set the hearing. In light of the short setting, opposing counsel may apply to the Court for permission to attend the hearing virtually, if their schedule will not allow them to appear in person..
- **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.

- **[Other Procedures Relating to Emergency and Other Urgent Matters]:** Emergency Motions that do not have a legal basis for an emergency are subject to be denied in chambers..

G. Exhibits for Evidentiary Proceedings

- **Submission Method and Deadlines:** Unless otherwise stated by separate order of this Court, all parties must exchange all materials and/or exhibits for a hearing or trial no later than three (3) business days before the hearing or trial. If the hearing/trial is virtual, hard copies must be delivered to the Clerk of Court's Office three (3) days prior to the hearing, by following the Clerk's procedures for submission. If the hearing is in person, the parties/counsels may bring their exhibits with them the day of the hearing. It is the responsibility of the parties/attorneys to ensure that hard copies of any exhibits you wish to be entered into evidence are provided for any/all hearings. The Clerk nor the Court cannot and will not print any exhibits to be submitted into evidence. Exhibit marking instructions may be found at Evidence Pre-Marking Instructions. Exhibit tags are located on the 1st floor of the Orange County Courthouse in Records Management. 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. The parties are reminded that simply filing documents in your case does not qualify them to be used as exhibits. Compliance with the division procedures, rules of court, orders, and applicable laws is still required.
- **[Other Procedures Relating to Exhibits for Evidentiary Proceedings]:** Please note: the Court does not have the ability to play a CD or DVD, and you should provide a USB drive with any video, audio, or photos (unless printed) or make your own arrangements for the CD or DVD to be played. (Bring your own device or contact the AV Department for further assistance.).

H. Pre-trial Conference and Case Management Conference Procedures

- **Case Management Conference (CMC):** After the Notice for Non-Jury Trial and Form 51 are received by the Court, the Court will issue an Order setting a Case Management Conference (CMC) if it is determined that the case is ready to be set. The Court may also set a CMC on its own accord or upon motion of any kind. Please note that where a CMC is set by the Court, it is held pursuant to Florida Family Rule of Procedure 12.200, which may include the setting or disposition of any outstanding Motions, and place other requirements on the parties. Prior to the CMC,

counsel and pro se litigants must comply with all aspects of the Order setting the CMC. Any party may request a CMC when a case requires. Case Management Conferences are generally scheduled virtually via Webex for a total allotment time of 15 minutes. The court strongly encourages the early use of CMCs in more complex cases, multiple-party litigation, or any case that might benefit from court intervention. Unless excused by the court in advance, all CMCs are mandatory for attorneys and self-represented litigants. Prior to the conference, the parties shall meet to discuss any stipulations, issues, and the posture of the case. The parties shall also be expected to be prepared to comply with any and all of the requirements of Florida Family Rule 12.200(a). At the CMC, a Pre-Trial Conference (PTC) will be set if the case is ready for trial, and the Court will enter a Uniform Pre-trial Order (UPTO). If the case is not ready for trial, another CMC may be set.

- **Pre-Trial Conference (PTC):** Counsel and pro se litigants must comply with all aspects of the Uniform Order Setting Pre-trial Conference and Non-jury Trial. Strict adherence will be enforced. Pursuant to paragraph 8j, equitable distribution worksheets are required. Pursuant to paragraph 9, a joint pre-trial statement is required. Non-compliance may result in sanctions to include the case being stricken from the pre-trial docket. The Uniform Order should be reviewed in detail and the dates for completion of various items calendared. The Court will presume that each attorney and any pro se litigant is familiar with the requirements of the Uniform Order provided. Compliance and time limits are not optional, nor extendable by stipulation. Pre-trial conferences will be held virtually via Webex. The link will be provided in the Uniform Order. The attorney trying the case must appear at pre-trial conference. If counsel or a pro se litigant is unable to attend the scheduling conference, a motion for continuance must be submitted to the Court and an Order entered by the Court. If there are any unusual or complex issues to be tried, attorneys shall file a short memorandum citing case law and deliver a copy via e-mail of the memorandum and the case law to the Court at least one week prior to trial.
- **Mediation Requirements:** Pursuant to Administrative Order 2004-14-03, parties must attend mediation prior to seeking temporary relief or setting a case for Non-Jury Trial. More information on this process is below. After attending mediation, parties may seek temporary relief or file a Notice of Non-Jury Trial. Motions to Dispense with Mediation can be sought for those parties with a history of domestic violence pursuant to Florida Statute 44.102(2)(c).
- **Temporary Matters:** Parties should attend Mediation before requesting hearing time for temporary relief in Domestic Relations cases. Parties may either file a Form 50 with Dispute Resolution Services for Orange

County, Florida to schedule the mediation, or if they do not qualify to use the Dispute Resolution Services, the parties shall schedule and complete a mediation with a private mediator. For Dispute Resolution Services, the parties may contact their office at 407-836-2004. If, after Mediation, the parties are unable to reach agreement, a hearing on temporary matters may be scheduled with the Court.

- **General Magistrate:** Pursuant to Fla.R.F.L.P.12.940(b) and (c), parties may request, or the Court may refer eligible matters to a General Magistrate. Matters referred can be heard sooner than availability on the court's calendar. Any written Objection to a referral must be filed within 10 days of the service of the order of referral.

I. Setting Case for Trial

- **Procedure:** If either party believes their case is ready for trial, they may file a Notice of Trial (in compliance with Family Rule of Procedure 12.440) and Case at Issue Cover Sheet. The Court may set the case for a Case Management Conference upon receiving the notice if the parties have filed: (1) Financial affidavits within the past 12 months. (2) Certificates of mandatory disclosure (12.285) (3) UCCJEA affidavit (if applicable), (4) Social Security Notice (F.S. 61.052(7) or 742.032) (5) A mediation report or certificate from the past 12 months: (a) If mediation is not appropriate, counsel or pro se litigants shall file a Motion to Dispense with Mediation and set it for hearing at ex parte/short matters. (b) Both parties should note that the current Administrative Orders governing Paternity and Dissolutions state "Mediation is encouraged early in the proceedings and required prior to scheduling a hearing on temporary relief and prior to noticing the case for trial. Several mediation conferences should be held in all cases when required and in order to accomplish a result that both parties fully understand and with which they are both comfortable." (6) If the case is a dissolution of marriage with children or a paternity case, parenting class certificates must be filed with the Clerk's Office pursuant to state law and the circuit's administrative order. (7) Any other filings required by law.
- **Notice Period:** The court does not set date-certain trials. At the pre-trial conference, the court will assign cases to specific days during the trial period.

J. Forms

- **Access:** Family Law Forms may be found at the following website: <https://www.flcourts.gov/>. Other helpful links to forms and other information may be found at the beginning of this document or at this

court's webpage: <https://ninthcircuit.org/judges/circuit/alicia-peyton-robinson>.

- **Usage:** Division forms must be used for all relevant filings. All forms should be in typewritten format.

K. Other Division Procedures

- **Motions for Re-hearing/Reconsideration:** The Court has no way of knowing of the filing of a Motion for Re-hearing or Reconsideration without a courtesy copy to chambers or the JA. Provide the Court with a proposed Order in Word format if available. The Court will either rule without a hearing or will advise the moving attorney to schedule a hearing on the motion.
- **ADA Accommodations:** If you need an ADA accommodation, please contact ADA Coordinator, Human Resources, Orange County Courthouse, 425 N. Orange Avenue, Suite 510, Orlando, Florida, (407) 836-2303, fax: 407-836-2204.

In Osceola County: ADA Coordinator, Court Administration, Osceola County Courthouse, 2 Courthouse Square, Suite 6300, Kissimmee, FL 34741, (407)-742-2417, fax 407-835-5079

- **Interpreter Requests:** If an interpreter is needed for a hearing or trial, please contact the Judicial Assistant at 29Orange@ninthcircuit.org.