



CIRCUIT COURT
FOURTH JUDICIAL CIRCUIT OF FLORIDA

NOTICE REGARDING CIVIL HEARINGS IN THE FOURTH JUDICIAL CIRCUIT

As we monitor the ongoing developments regarding the COVID-19 virus, the eight Duval County civil divisions within the Circuit Court, Fourth Judicial Circuit, are implementing the changes described below until further notice. We appreciate your understanding as we take measures to protect the public safety.

Beginning Monday, March 16, 2020, all circuit court civil division hearings in Duval County will be conducted by telephone or video conference. This includes *ex parte* hearings. The parties should confer and agree on who will initiate the conference call before contacting the judges' chambers. If the parties cannot agree, the moving party will be responsible for having all parties on one line before contacting the court. In cases involving *pro se* parties, the opposing attorney shall have the *pro se* individual on the line (if possible) before calling the court. The parties shall make arrangements to accommodate any court reporters being used for hearings.

If the parties agree to use video conferencing, those hearings shall be conducted using a commercial application such as ZOOM, located at www.ZOOM.us.

Setting cases for trial will be done only through e-mail. The trial set memoranda, along with available trial dates, are posted on each judges' webpage at jud4.org/ex-parte-procedures-and-dates. The parties shall complete all information in the form, including the desired mediator and trial date, and submit it as an e-mail attachment to the judges' judicial assistant. Any disagreements on mediators or trial dates shall be included in the email along with each party's recommendation.

Any submissions or evidence that parties would like the court to consider should be sent as an attachment to an e-mail at least three business days before the hearing. Any requests to provide physical documents or evidence to the court should be put in writing and sent to the judge. Any party who believes that an in-person hearing is necessary may file a request with the judge. Those requests will be considered on a case-by-case basis.

We encourage all parties to confer on their upcoming hearings. Discuss matters that can be resolved without the need for a hearing.

Individual judges may decide to continue evidentiary hearings and nonjury trials that are not time sensitive. In that event, court staff will contact counsel and an order continuing the hearing or trial will be entered. Alternatively, in certain cases it may be feasible to present testimony by audio or video communications equipment. You should consult the requirements for taking testimony set forth in Rule 1.451, Florida Rules of Civil Procedure. Any party who has a valid basis for requesting the continuance of an evidentiary hearing may file a motion to continue. The motion shall include a statement of the position of opposing parties concerning the request.

As future developments warrant, we will promptly announce any changes in court procedures. Please help us by disseminating this information to other groups, voluntary bar associations, and practitioners who appear in the Fourth Judicial Circuit.

Waddell A. Wallace III
Administrative Judge, Circuit Civil Division