

HONORABLE KEITH MEYER
Judicial Practice Preferences for Circuit Family
Section 14
315 Court Street, Room 468
Clearwater, FL 33756

We are now accepting notice of hearing and orders through JAWS – see submitting orders below.

IF YOU DO NOT HAVE A LAWYER: The Judicial Assistant CANNOT answer your legal questions, and will not explain your situation to the Judge. Your opportunity to speak to the Judge happens in Court only. The Clerk of Court has a Self Help Program for self-represented litigants in the Clearwater Courthouse, phone (727)464-5150, 315 Court Street, Clearwater, FL 33756.

Gulfcoast Legal Services can be reached at (727)443- 0657 in Clearwater and (727)821-0726 in St. Petersburg. Bay Area Legal Services is available at (800)625-2257. Community Law Program in St. Petersburg can be reached at (727)582-7480.

Lawyer referral services can be contacted through the Clearwater Bar Association at (727)461-4880 and the St. Petersburg Bar Associations at (727)821-5450.

It is expected that all parties and attorneys will adhere to ADMINISTRATIVE ORDER NO. 2013-075 PA/PI-CIR RE: STANDARDS OF PROFESSIONAL COURTESY FOR THE SIXTH JUDICIAL CIRCUIT.

COMMUNICATION WITH THIS OFFICE: The preferred form of communication for setting and cancelling hearings is by e-mail to clearwatersection14@jud6.org. The following should be included in the email: case number, what you want to set, how long you will need, and who you represent. All other communication can be made by calling our office.

MEDIATION: Pursuant to Administrative Order 2006-062 PI-CIR all initial hearings on temporary relief matters in original petitions shall be automatically referred to mediation prior to a hearing on the matter. In addition, all post-judgment matters shall be automatically referred to mediation prior to a hearing. Once mediation is scheduled, a hearing may be set on the Court's calendar to occur after the mediation.

TEMPORARY MOTION HEARING REQUEST: See Administrative Order 2011-006 PA/PI-CIR. ALL temporary motions (i.e. custody, visitation, support, etc.) must be mediated prior to a hearing being held. Hearing time on the court's calendar on temporary matters will not be reserved until mediation has been scheduled. Temp hearings should not exceed one (1) hour except under extraordinary circumstances. To expedite hearing, proffers are strongly encouraged. True emergencies are an exception. Some hearing times can be scheduled through JAWS. Please check availability before sending an email.

SETTING HEARINGS TIMES: Motions must be filed with the Clerk of the Court and sent to opposing counsel/self-represented party prior to scheduling a hearing. *Some hearing times can be scheduled through JAWS. Please check availability before sending an email.

Contact the Judicial Assistant (see communication with this office) to schedule hearing time. Please do not assume that the times given are held and remember the calendar fills quickly. You must receive confirmation from the Judicial Assistant before sending out notice. All hearings must be coordinated with opposing counsel.

PLEASE NOTE: if the hearing date given is too distant in the future in the opinion of the attorney requesting the hearing, that attorney may request a 5 minute telephonic hearing with the Judge and opposing party to discuss the possibility of obtaining an earlier date on the calendar. These 5 minute telephonic scheduling hearings are usually set within 7 days of request if possible.

CANCELLATION OF HEARING: Do not cancel a hearing without notification and agreement of all parties. A Notice of Cancellation must be immediately e-filed with the Clerk of Court AND a courtesy copy of said Notice of Cancellation (with the word "CANCELLATION" only in the subject line e-mailed to ClearwaterSection14@jud6.org.

SUBMITTING NOTICE OF HEARINGS AND PROPOSED ORDERS TO THE COURT:

Please provide a courtesy copy of the notice of hearing to the Court either by US mail or by email to clearwatersection14@jud6.org. Copies of motions are not necessary as they are viewable online (unless instructed otherwise). *NEW* Proposed orders that are agreed upon by the parties can be submitted through JAWS as a WORD DOCUMENT and a PDF formatted document or by mail. DO NOT submit orders both ways. All proposed orders whether submitted through JAWS or mail must have an accompanying cover letter stating that opposing counsel/pro se party agrees or objects to the proposed order or that opposing counsel/pro se party was given the opportunity to object to the proposed order, but did not. The Court does **not** hold orders pending objections. Additionally, the cover letter must show all opposing parties are copied with same. If the order is the result of a particular hearing, reference the hearing date in the order and cover letter. Please make sure to include copies of the order for conforming and self-addressed envelopes for all parties if you submit the order by mail.

UNIFORM MOTION CALENDARS: Hearings not anticipated taking more than 10 minutes (Uncontested Final Hearings, Motions to Withdraw, etc.) may be set on these calendars. Motions to Compel may not be set on a UMC calendar. Some hearing times can be scheduled through JAWS. Please check availability before sending an email.

SETTING PRE-TRIAL CONFERENCES AND TRIALS: In most cases a Case Management Conference is necessary to set a Pre-trial Conference. Contact the Judicial Assistant to request hearing time for a Case Management Conference. No motions will be heard at the Case Management Conference without prior approval of the Court. The attorney conducting the trial must attend the pre-trial conference in person, not by telephone. The parties must also attend the pre-trial conference. It is assumed at a pre-trial conference that the case is ready to be tried, there are no pending motions, and discovery is completed. The trial will be scheduled at the pre-trial conference. Attorneys must bring their calendars to pre-trial conference.

EMERGENCY MOTIONS: All Emergency Motions must be filed with the Clerk of Court prior to the Court determining emergency status. It is a good idea to provide the Court with a copy of the motion. After review, the court may enter the order without notice, allow a hearing to be set, may seek a written response from the opposing party, or take other appropriate action.

TELEPHONIC HEARINGS: Telephonic hearings may be allowed under certain circumstances, as per Rule of Judicial Administration 2.530. Telephonic hearings must be set forth in the Notice of Hearing. If more than one party will be appearing by phone it shall be the responsibility of the party setting the hearing to arrange a conference call, with the Judge being called last.

MATTERS NOT REQUIRING A HEARING: A matter does not require a hearing and may be submitted by mail if all parties are in agreement or a stipulation has been signed. The Court requires that all mail contain a cover letter stating that opposing counsel/pro se party has reviewed the proposed order and does not object. If no cover letter is provided indicating approval by the opposing side, the Court may take no action.

Some matters that do not require a hearing are as follows:

- Appointment of Special Process Server
- Stipulated Modifications
- Stipulated/Agreed Orders
- Motions for Substitution of Counsel – see below
- Motions to Withdraw (with signed consent from client)-see below

MOTIONS TO COMPEL WITHOUT HEARING: When a Motion to Compel alleges a complete failure to respond or object to discovery, and there has been no request for an extension, an ex parte order may be entered requiring compliance with the original discovery demand within ten (10) days of the signing of the order. The moving party shall submit the proposed order, along with appropriate orders and envelopes. NO sanctions will be awarded without a hearing.

SUBSTITUTION OF COUNSEL: Rule of Judicial Administration 2.505e(2) requires the client's WRITTEN consent. Submit the stipulation, consent and proposed order with sufficient copies and self-addressed stamped business size envelopes directly to the Judge's office. Proposed orders approving stipulations for substitution of counsel without the written consent of the client will not be signed.

WITHDRAWAL OF COUNSEL: The Court may consider Motions to Withdraw as Counsel, without requiring a hearing, so long as written consent by the client is provided, as well as the opposing party's non-objection thereto. The proposed order MUST contain in the body of the order the complete contact information for the party (i.e. address, phone number, e-mail address, etc.). If you do not have the client's written consent, then the motion must be set for hearing with proper notice to the client.

PROPOSED ORDERS: ***NEW*** Proposed orders that are agreed upon by the parties can be submitted through JAWS as a WORD DOCUMENT and a PDF formatted document or by mail. DO NOT submit orders both ways. All proposed orders whether submitted through JAWS or mail must have an accompanying cover letter stating that opposing counsel/pro se party agrees or objects to the proposed order or that opposing counsel/pro se party was given the opportunity to object to the proposed order, but did not. The Court does **not** hold orders pending objections. Additionally, the cover letter must show all opposing parties are copied with same. If the order is the result of a particular hearing, reference the hearing date in the order and cover letter. Please make sure to include copies of the order for conforming and self-addressed envelopes for all parties if you submit the order by mail.

If there are disagreements/objections over a proposed order, try to work them out before requiring further court intervention. If there are still disagreements on the form of the order, each side should submit a proposed order with an extra copy showing what portions are in disagreement to the Court with a cover letter. Do not call the Court or send only a letter to object. Send a proposed order. The attorneys may also bring a proposed order to the hearing. Do not send unsigned proposed orders to the Clerk of Court. All Proposed Orders must be sent directly to the Judge's office for signature. Proposed orders/judgments should contain NO BLANKS FOR THE JUDGE TO FILL IN OTHER THAN THE DATE THE JUDGE SIGNS. PROPOSED ORDERS/JUDGMENTS CONTAINING BLANKS WILL NOT BE SIGNED. The Judge will change any language or amounts in the order/judgment he does not find appropriate. Sufficient copies and stamped, self-addressed business size envelopes for each party must be provided if the order is submitted by mail. Do not staple envelopes to orders. Orders with insufficient copies or stamped, self-addressed business size envelopes may be filed with the Clerk without copies being distributed.

ATTORNEY'S FEES: The Court usually reserves on the issues of both entitlement and amount. Prior to any attorney's fee hearing, the attorneys should exchange affidavits outlining the reasonable number of hours requested and the reasonable hourly fee. They should also make arrangements to meet prior to the hearing to discuss resolution and allow each other to talk with opposing experts. Fee affidavits are sufficient in lieu of expert testimony IF all parties agree to their use. All fee awards must meet the requirement of Florida Patients' Compensation Funds v. Rowe, 472 So.2d 1145 (Fla. 1985). Be prepared to have fee matters referred to mediation.

ADDITIONAL PRACTICE AND PROCEDURE POINTS:

The Court attempts to honor all stipulations, including stipulations to CONTINUE TRIAL which **must** be also signed by the parties.

COURTROOM TRIALS – REQUEST PERMISSION FOR THE FOLLOWING: To approach the Bench or to approach the witness. Please stand when making objections.

MARKING EVIDENCE TO BE USED AT TRIAL: ALL evidence is to be copied and exchanged 10 days prior to trial unless the attorneys/pro se parties stipulate otherwise. ALL evidence is to be pre-marked in advance of its intended use by counsel. The court will mark exhibits as received into evidence.

SHOWING TANGIBLE EVIDENCE TO THE COURT OR WITNESS: Show the evidence to opposing counsel before showing the evidence to the Court or to the witness.

When a driver's license is used to establish jurisdiction, please have a copy of the license available.

COURTROOM DEMEANOR AND BEHAVIOR: Stand when speaking unless the Court allows otherwise. Do not address opposing counsel, witnesses, or parties by their first name or nickname. Do not engage in arguments or disputes with opposing counsel, parties, or witnesses. All argument is to be directed to the court and not to opposing counsel.

NOTICE: Ensure proper notice is sent to all. Even with defaults, ensure all parties are copied all the time with everything. NOTICE and opportunity to be heard are KEY concerns for the Judge. Cross-Noticing on another attorney's time is STRICTLY PROHIBITED. If you cross notice, your motion will not be heard, unless agreed to by the court and opposing party.

If a case has settled, please send an e-mail with the word "SETTLED" only in the subject line indicating the dates on the court's calendar to be removed to ClearwaterSection14@jud6.org.

FAX POLICY: The Court prefers all materials be mailed, hand delivered, or emailed if requested by the Judge.

All lawyers are expected to read and follow the Florida Bar Family Section "Bounds of Advocacy" that can be found at www.familylawfla.org.

NOTICE OF FINAL DISPOSITION forms must be submitted.

COURT REPORTERS: The Court provides a digital court reporter for all domestic violence return hearings