

**HONORABLE GEORGE M. JIROTKA
JUDICIAL PRACTICE PREFERENCES
FAMILY**

1) DEPOSITION DISPUTES

Please refer to the Florida Family Law Rules of Procedure (“Rules”) in conducting depositions. If there are problems during a deposition, call my office and I will attempt to resolve the problem on the telephone. Otherwise, file a motion and schedule a hearing; the Rules provide that the non-prevailing party normally pays attorney’s fees and costs for the bringing of such a motion.

2) UNIFORM MOTION CALENDAR (“UMC”)

UMC is limited to 10 minutes total time per case and is designed for hearings for which I do not need to prepare for in advance. The files are not reviewed prior to UMC hearings. I prefer to hear uncontested dissolutions, motions to withdraw and brief, basically undisputed matters on UMC.

3) TELEPHONIC HEARINGS

I have no objections to telephone hearings for brief matters so long as you make arrangements in advance with my judicial assistant. Speak briefly in order to give others the opportunity to speak. Properly noticed UMC hearings and motion hearings without testimony lend themselves to telephone hearings; other evidentiary hearings will be considered only with my advance approval. The attorney/pro se filing the notice of hearing is responsible for getting the other attorney/pro se on the telephone line prior to calling my office.

4) PROPOSED ORDERS

I will ask one attorney to prepare an order. Do not submit orders to me until they have been submitted to the opposing attorney/pro se and your cover letter to me either states that the opposing attorney/pro se agrees to the proposed order or has been given the opportunity to object to the proposed order but did not; my office will not hold orders pending objections. If there are unresolved disagreements on the form of the order, each side should submit a proposed order with an extra copy showing what portions are in disagreement.

5) DISCOVERY CUT-OFF

Generally, before the pre-trial conference. “Cut-off” means exactly what it says. If an attorney/pro se agrees to go beyond the ordered cutoff date, they do so at their own peril, probably without my assistance if problems arise.

6) PRE-TRIAL STATEMENTS

Need to be accurately prepared and timely exchanged for me to conduct a meaningful pre-trial conference.

7) MOTIONS IN LIMINE

Must be filed no later than pre-trial conference. Disposition of the motion will be discussed at pre-trial.

8) SCHEDULING OF TEMPORARY MATTERS

Please schedule sufficient times for both sides to be adequately heard. Normally, mediation is required prior to a temporary hearing; however, no party will be allowed to use this as a delay tactic. If there is a true emergency, file an emergency motion in accordance with Paragraph 10.

9) PRE-TRIAL CONFERENCES

The attorney conducting the trial must attend the pre-trial conference in person, not by telephone. Familiarity with the file and the pre-trial conference statement and proposed order is essential for a meaningful pre-trial conference. The parties must also attend the pre-trial. It is assumed at pretrial the case is ready to be tried and discovery is completed. The non-jury trial will be scheduled at pretrial. Attorneys should bring their calendars to pre-trial. No motions will be heard at pre-trial without my advance approval.

10) EMERGENCY HEARINGS

An emergency is loosely defined as concerning the protection of the life, health or safety of an individual. If there are adequate remedies at law, rarely will a matter rise to the definition of an emergency. However, a request for an emergency hearing must be by way of a sworn motion signed by the party and a certificate of good faith signed by the attorney. If possible, fax a copy to the opposing attorney/pro se and my judicial assistant. Unsworn and unsigned motions will not be reviewed. I will determine if the facts warrant an emergency order or an expedited/emergency hearing. If an expedited/emergency hearing is warranted, my judicial assistant will contact the interested parties with the time and date of the hearing.

11) TRIAL

Documentary evidence should be pre-marked and exchanged prior to trial to avoid technical delays; generally, addressed in pre-trial conference order.

12) ATTORNEY'S FEES AND COSTS

Prior to any attorney's fees and costs 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.

13) TESTIMONY OF CHILDREN

Rarely allowed for younger children, but occasionally for teenagers. Testimony of children is subject to Rule 12.407 of the Rules.

14) ALTERNATIVE DISPUTE RESOLUTION

Rarely will a trial be scheduled until there is an impasse at mediation, non-binding arbitration or some other form of alternative dispute resolution.

15) COURTROOM

All hearings and non-jury trials will be held in my chambers unless a prior request to use a courtroom is made and approved by me; if the request concerns a trial, the request must be made before and addressed at the pre-trial conference.

16) MOTIONS FOR REHEARING, RECONSIDERATION, NEW TRIAL, ETC. will not be set for hearing. Please submit a copy of the motion directly to my office for my consideration. If I feel a hearing is warranted, you will be contacted.

17) OTHER PRACTICE AND PROCEDURE POINTERS

- a) Please remember I have a pending caseload of more than 900 cases.
- b) Please identify yourself and tell me which side you represent; the party's name does not tell me who goes first, etc.
- c) Please keep your advocacy succinct, relevant and professional.
- d) If a case settles, please call my office to cancel any hearings or trials that may have been scheduled.
- e) All attorneys are expected to read and follow The Florida Bar Family Section "Bounds of Advocacy" (which can be found at www.familylawfla.org) and the Standards of Professional Conduct for the Sixth Judicial Circuit contained in Administrative Order No. 2007-006 PA/PI-CIR (which can be found at www.jud6.org).