

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 CrCrime1@jud6.org. The subject line must contain the case number, case name, and relevant matter (e.g., 2024 CF 001234 – State v. Defendant – Motion for _____).
 - Emails to the judge or judicial assistant should not contain any substantive position on a matter, other than counsel objects or does not object.
 - Do not include the judge or judicial assistant in an email thread unless it is necessary for the purposes of scheduling.
- **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:** Ex-Parte Communications includes any communication from a non-party, such as from a victim, witness, family or friend of any person involved in the case, letters of character reference, or letters regarding subpoenas. These items should be sent to the assistant state attorney or to the defendant's attorney, who will present the judge with this information at the appropriate time.

The only exceptions are the various motions that victims and defendants may file. See Section B – Scheduling Procedures.

If such items are sent directly to the judge, they will be filed in the court file without having been reviewed by the judge. Please remember that court files are public records, and any sensitive information contained in these items will be open for public viewing and copying. Neither the Court nor the Clerk are responsible for screening and removing sensitive information. Please review Florida Rule of General Practice and Judicial Administration 2.420 for information on how to exempt filings from public view.

- **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.

PLEASE NOTE THAT THE COURT DOES NOT AUTOMATICALLY RECEIVE THESE FILINGS. NO ACTION WILL BE TAKEN ON ANY ITEM FILED UNTIL IT HAS BEEN EMAILED TO THE COURT ACCORDING TO THE PROCEDURE STATED BELOW IN SECTION B – SCHEDULING PROCEDURES.

B. Scheduling Procedures

- **Requesting Hearing Time:** Hearings must be requested by e-mail to CrCrime1@jud6.org. Please see “Method of Communication” above in Section A.
 - Hearing Requested by Non-Attorneys, Victims, or Pro Se Defendants
If you are NOT represented by an attorney and are requesting a hearing for any of the following, contact the judicial assistant for the correct form and additional instructions:
 - Motion to Lift No Contact Order
 - Motion to Modify Probation
 - Motion to Modify Probation (Travel Purposes)
 - Motion for Early Termination of Probation
 - Motion to Roll-Over Community Control to Probation
 - Motion for Early Termination of Community Control

Forms for these motions are available by contacting the judicial assistant at crcrime1@jud6.org. Complete contact information should be included. PLEASE WRITE LEGIBLY!!

The judicial assistant will set the motion for hearing and complete the Notice of Hearing portion. Failure to appear for the hearing will result in the motion being denied.

- Hearings Requested by Attorneys:
 - To request a case be set on a calendar for hearing, contact the judicial assistant at CrCrimE1@jud6.org and provide the following information:
 - Case name
 - Case number
 - Motion to be heard. All motions must be filed prior to setting a hearing. Attach to the email a copy of the motion that shows a filing timestamp. If the motion is an emergency, it should indicate that it is an emergency and state the basis for emergency action.
 - A proposed order in Word format
 - Amount of time needed
 - Name of assigned Assistant State Attorney and Defense Counsel
 - Date of next Pretrial Conference
 - OPPOSING COUNSEL MUST BE CC'D ON THE EMAIL REQUESTING A HEARING DATE.
 - All motions must contain a statement that the attorney has attempted to contact opposing counsel to attempt to resolve the matter without a hearing. The motion must indicate one

of the following:

- The undersigned has contacted opposing counsel, who has indicated that he/she has no objection to the motion.
 - The undersigned has contacted opposing counsel who has indicated that he/she objects to the motion but does not request a hearing.
 - The undersigned has contacted opposing counsel, who has indicated that he/she objects to the motion and requests a hearing be set.
 - The undersigned has contacted opposing counsel on *[insert dates of attempted contact]*, and opposing counsel has not responded.
 - The undersigned has not contacted opposing counsel due to *[insert reasons why]*.
 - The undersigned has not contacted opposing counsel because the Defendant is unrepresented.
- Common Motions:
 - Motion for Mandatory Release
 - Will be set the next available day at 1:30pm.
 - Motion to Revoke Bond; Motion to Set / Modify Bond
 - Will be set at the next Pretrial Conference unless an earlier date is requested. Motions to Set Bond that require notice to the victim will be set at least seven days from the date the hearing is requested.
 - Motions for Change of Plea
 - These motions will be set only if there is an agreed upon resolution with the State. The request to set the hearing must indicate whether the defendant is in custody, and if so, in what jurisdiction. Seven days notice is required for an inmate to be transported for a court appearance. The request should also indicate whether the agreed upon resolution will result in the immediate release of the defendant from custody.
 - Motion to Compel Records from the Florida Department of Law Enforcement; Motion for “Bench Notes”
 - The motion and proposed order(s) should be served on the assigned Assistant State Attorney and counsel for FDLE or FDLE’s designated records custodian. If after ten (10) days, there is no response, the movant may submit the motion and order to the court for review. The court may either set a hearing or enter the order without a

hearing. If a hearing is set, it will be set in conjunction with the next Pretrial Conference date.

- Motion to Compel Child Protection Team Records / DCF Records; Motion to Compel Deposition of CPT/CPI Witnesses
 - The motions and proposed order(s) should be served on the assigned Assistant State Attorney, counsel for the Child Protection Team, and counsel for the Pasco Sheriff's Office for any objection. If after ten (10) days, there is no response, the movant may submit the motion and order to the court for review. The court may either set a hearing or enter the order without a hearing. If a hearing is set, it will be set in conjunction with the next Pretrial Conference date.
- Motion to Compel Fingerprints / Buccal Swab / Photographs
 - Opposing counsel must be consulted regarding the motion prior to submitting to the Court. All motions must contain a statement that the attorney has attempted to contact opposing counsel to attempt to resolve the matter without a hearing. The motion must indicate one of the following:
 - The undersigned has contacted opposing counsel, who has indicated that he/she has no objection to the motion.
 - The undersigned has contacted opposing counsel who has indicated that he/she objects to the motion but does not request a hearing.
 - The undersigned has contacted opposing counsel, who has indicated that he/she objects to the motion and requests a hearing be set.
 - The undersigned has contacted opposing counsel on [*insert dates of attempted contact*], and opposing counsel has not responded.
 - The undersigned has not contacted opposing counsel due to [*insert reasons why*].
 - The undersigned has not contacted opposing counsel because the Defendant is

unrepresented.

- Motion to Continue
 - Continuances are disfavored and will be granted only upon good cause shown. A request for continuance must be submitted at least five days prior to the scheduled court date. 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)."
 - The procedures regarding a Motion to Continue Trial are set forth in the Order Setting Jury Trial. A Motion to Continue Trial will typically be heard at the Calendar Call, unless an earlier hearing date is requested.
 - All other motions to continue (Pretrial Conference / any other hearing) should be submitted to the Court by email to crcrime1@jud6.org. The motion should indicate whether opposing counsel has an objection. A proposed order in Word format should be submitted by email with the motion.
- All Other Non-Evidentiary Motions
 - Hearings of less than 15 minutes will be set in conjunction with the next Pretrial Conference, which is typically within 30-45 days. If an earlier date is requested, provide the reason why a sooner hearing is necessary.
- Evidentiary Motions
 - The judicial assistant will provide available hearing dates and times. Counsel must coordinate the setting of the hearing with opposing counsel. The hearing will be set once there is confirmation from all necessary parties that the hearing date is acceptable.
- **Notice of Hearing:** A notice of hearing must be filed and served immediately after reserving hearing time. All notices of hearing must contain the ADA notification required by Florida Rule of General Practice and Judicial Administration 2.540. It is not necessary to send a copy of the notice of hearing the court.
- **Submissions / Memorandum of Law / Use of Artificial Intelligence:**
 - Any written arguments should be filed as a Memorandum of Law with proper citations. Do NOT make any legal arguments

in an email to the judge or judicial assistant.

- The use of artificial intelligence has gained popularity in the practice of law. Attorneys are reminded of their ethical obligations regarding competency and candor toward the tribunal. The signing attorney is responsible for verifying the accuracy of all citations and that all factual representations and arguments are made in good faith.
- All materials should be sent to the Court no later than three business days prior to the hearing. The materials should be in .pdf format and emailed to crcrime1@jud6.org.
- Do NOT send copies of case law.
- DUE TO I.T. SECURITY CONCERNS, THE COURT IS NOT ABLE TO REVIEW MATERIALS PROVIDED ON DISK, THUMBRIVES, OR VIA CLOUD STORAGE LINK.
- **Cancelling Hearings:** Attorneys are not permitted to unilaterally cancel hearings. This includes cancellations due to agreed upon resolutions. All cancellations must first be approved by the Court. If the moving attorney files a Notice of Withdrawal of Motion, the attorney should forward the Notice to the judicial assistant and opposing counsel. Upon service of the Notice of Withdrawal of Motion, witnesses may be released. The accompanying Pretrial Conference will not be cancelled without prior approval of the judge. Any requested continuance of the pretrial conference should be made by motion.
- **Court Schedule:** The Court has regular Pretrial and Motion calendars at 9:00am and 1:30pm every Monday, Tuesday, and Wednesday of non-trial weeks.

The courtroom will typically be opened 15 minutes prior to the start of the calendar.

Cases will be called in the following order:

- Attorney appearance sign-in.
- Public Defender cases.
- Pro Se cases.
- Remote appearances

- **Arraignments:** If a written plea of not guilty is filed, the appearance of defense counsel and the defendant is waived.

In-custody defendants who are represented by an attorney are not transported for Arraignments.

Cases will not be resolved at Arraignment, unless by agreement with the State Attorney's Office. If there is an agreement, and the defendant is in custody, at least seven days notice is required for an inmate to be transported for court appearances.

- **VOP Arraignments:** Cases may be resolved at VOP Arraignments. In custody defendants will be transported for VOP Arraignments. Counsel of record must appear for VOP Arraignments.

C. Appearances In Court and Remote Appearance

Most of the non-trial court hearings are set as Pretrial Conferences under Fla. R. Crim. P. 3.220(o). While Pretrial Conferences are typically brief, they are a critical event in fulfilling the obligation of both judges and lawyers to “conclude litigation as soon as it is reasonably and justly possible to do so.” Fla. R. Gen. Prac. & Jud. Admin. 2.545.

The Pretrial Conference serves as a regular opportunity for the prosecuting attorney and defense attorney to engage in discussions related to plea negotiations, discovery matters, scheduling of depositions, and trial preparation. The Pretrial Conference also provides an opportunity for an in-custody defendant to consult with his or her attorney. The Pretrial Conference also allows the public the opportunity to see that its judicial resources are being expended wisely and efficiently.

It has been the Court’s experience that counsel’s and/or defendant’s appearance at Pretrial Conferences by audio-video communication technology interferes with rather than advances these objectives. Additionally, it is the Court’s belief that remote appearances detract from the community’s perception that the courthouse is where justice is properly and professionally administered.

While the Rules of Criminal Procedure permit waivers of appearance and appearance through audio-video communication technology, **in person appearance is highly preferred and strongly encouraged.**

PERSONAL APPEARANCE BY A DEFENDANT IS MANDATORY WHEN A CASE IS GOING TO BE SET FOR TRIAL OR RESOLVED. PERSONAL APPEARANCE BY COUNSEL OF RECORD OR AN ATTORNEY EMPLOYED BY THE SAME LAW FIRM IS MANDATORY WHEN A CASE IS GOING TO BE SET FOR TRIAL OR RESOLVED.

Remote Appearances

The following procedures must be followed for appearance by Audio-Video Communication Technology

- WRITTEN MOTION and PROPOSED ORDER:
 - Requests for appearance by Audio-Video Communication Technology made pursuant to Fla. R. Crim. P. 3.116 must be made by written motion.
 - The submitted motion must have the filing time stamp visible.
 - If the Court has previously ordered that the Defendant must appear in person, the motion for remote appearance will be denied, absent some unforeseen circumstance or excusable neglect, which should be stated in the motion.
 - Counsel must also provide a proposed Order in Word format.
- TIMELY – TWO BUSINESS DAYS PRIOR:
 - The motion must be filed and submitted to the Court and opposing counsel at least two business days prior to the hearing date.

- For reference, a request to appear remotely for a pretrial conference scheduled on a Monday at 9:00am must be received by the Court by 9:00am the preceding Thursday (assuming the preceding Friday is not a holiday). This requirement is necessary for the Court to have ample opportunity to review the motion and determine whether there is good cause to require personal appearance. Additionally, it allows the prosecuting attorney the opportunity to advise the Court if a plea offer might be revoked following the scheduled hearing.
- Untimely motions will be denied absent some unforeseen circumstance or excusable neglect, which should be stated in the motion.
- SUBMISSION BY EMAIL:
 - Motions for Appearance by Audio-Video Communication Technology must be emailed to the Court at [crrcrime1@jud6.org](mailto:crcrime1@jud6.org) and copied to opposing counsel. Motions for Appearance by Audio-Video Communication Technology SHOULD NOT be uploaded to JAWS.
- MOTION GRANTED – ZOOM DETAILS:
 - If the motion is granted, the judicial assistant will provide the Zoom meeting details for the hearing to counsel by email. The Zoom meeting details frequently change, and previous Zoom meeting details may be outdated. Please note that all cases in which there is a remote appearance will be handled at the end of the calendar.
 - A date specific waiver of appearance signed by the Defendant must be filed.
- Non-evidentiary Motion Hearings or Status Checks
 - Non-evidentiary Motion Hearings and Status Checks (i.e. PTI/DVP status checks, competency status checks) that do not have an accompanying Pretrial Conference do not require personal appearance by either the Defendant or Counsel. In these instances, appearance by audio-video communication technology will be approved. Contact the judicial assistant by email for the Zoom meeting details.
- Evidentiary Hearings
 - In-person appearance by moving counsel and the defendant is required for evidentiary hearings. This includes any motion regarding bond.
 - Witness appearance for evidentiary hearing is governed by Florida Rule of Criminal Procedure 3.116 governs the use of Audio-Video Communication Technology for witness testimony. This rule requires the consent of both parties and approval of the court.

- Calendar Call
 - Calendar Calls that are set pursuant the Court's Order Setting Jury Trial are hearings requiring the personal appearance of the defendant and defense counsel of record or an attorney employed by defense counsel's law firm.

Expectations for In Person and Remote Appearances

Those attending any hearing, whether in person or remotely, must conduct themselves in a manner that respects the dignity and integrity of the Court. This includes:

- Arriving on time.
- Wearing appropriate attire.
- Silencing all electronic devices. Please see [Administrative Order 2024-018 PA/PI-CIR](#) regarding the use of electronic devices in the courtroom. Unauthorized use of an electronic device will result in removal from the courtroom.
- If appearing remotely, you must:
 - Identify yourself on your Zoom user name by your full name. Appearances labeled generically, by first name only, by email address, or by phone number will not be permitted into the Zoom meeting.
 - Be in an indoor location secluded from audio or video interference or distraction. Appearing in bathrooms or motor vehicles is prohibited.
 - Wear appropriate courtroom attire.
 - Not consume any food, drinks or other substances.
 - Keep the microphone and camera on unless otherwise permitted by the Court. **Attendees should also be aware that the Zoom meeting will likely be broadcast on the courtroom monitor.**
 - Maintain a steady internet connection that is of sufficient quality to allow for the hearing to be conducted without interference.

D. Submission of Orders

Email: Most orders should be submitted to the Court by email to crcrime1@jud6.org. The orders submitted by email MUST be in Word format.

JAWS: Some orders may be submitted via JAWS upload. Orders uploaded to JAWS must be in .pdf format. The following orders may be submitted to JAWS:

- Order to Transport
- Order Appointing the Public Defender
- Order Withdrawing the Public Defender
- Order for Substitution of Counsel
- Order for Discharge (RE: Extradition)
- Order Approving Pretrial Intervention / Diversion
- Order of Dismissal (PTI/DVP)
- Order Finding Defendant Not Comptent
- Order Finding Defendant Competent
- Order of Court Directed Payment for Fees, Costs or Restitution

E. Emergency and Other Urgent Matters

Any Motion requiring emergency attention should indicate in the title of the Motion that it is an emergency. The Clerk will typically bring these motion to the attention of the judge; however, you may also email the motion to crcrime1@jud6.org according to the above procedures.

The motion must set forth the basis for why the matter requires immediate attention. The judge will review the motion and determine if the matter is an emergency and will advise on how to proceed.

If the motion is filed during normal operating hours, the motion should NOT be submitted to the on-duty judge. An emergency motion should be submitted to the on-duty judge only if it is filed outside of normal operating hours or if Judge Groger is unavailable to promptly review the motion. If Judge Groger is unavailable, the judicial assistant will give you instructions on submitting the motion to the on-duty judge.

NOTE: A Motion for Mandatory Release under Florida Rule of Criminal Procedure 3.134 is not considered an emergency and should not be submitted to the on-duty judge.

F. Trials

- In-person appearance by the Defendant and counsel of record are required at the Calendar Call
- Prior to the Calendar Call, the Court's judicial assistant will send an email to all counsel identifying the trial priority.
- Trials may be transferred to the backup judge as available.
- At the trial calendar call, counsel for the State and defense should be prepared to discuss the following:
 - Plea negotiations
 - Priority of the trial
 - Assigned judge
 - Amendments to Information / Indictment
 - Verification of witness availability
 - Motions to Continue
 - Motions in Limine
 - Number of jurors needed for voir dire

Below are the trial dockets for 2026:

<u>Trial Week</u>	<u>Trial Calendar Call</u>
January 12	January 8
January 26	January 22
February 9	February 5
February 23	February 19
March 9	March 5
March 23	March 19
April 6	April 2
April 20	April 16
May 4	April 30
May 18	May 14
June 1	May 28
June 15	June 11
June 29 (4 days)	June 25
July 13	July 9
July 27	July 23
August 24	August 20
September 8 (4 days)	September 3
September 22 (4 days)	September 17
October 5	October 1
October 19	October 15
November 2	October 29
November 16	November 12
December 14	December 10

G. Exhibits for Evidentiary Proceedings and Trial

- **Premarking Exhibits:** Exhibits should be premarked for identification using letters. For example: State's Exhibit A for identification. As an exhibit is admitted into evidence the clerk will label the exhibit numerically and in continuous sequence. The clerk will not assign an exhibit a number that is out of sequence.
- **Courtroom Technology:** The courtroom is equipped with technology to be able to display digital photos, digital audio / video recordings, and all other digital evidence via HDMI connection to a laptop. PLEASE BE AWARE THAT THE MONITOR ACTS AS A DUPLICATION OF THE LAPTOP SCREEN. BE MINDFUL OF THAT THE ITEMS ON YOUR DESKTOP, INCLUDING NOTIFICATIONS, WILL BE VISIBLE FOR THE ENTIRE COURTROOM TO SEE.
The courtroom is also equipped with a document camera.
- **Biohazard or Weapons:** Proper care should be exercised regarding dangerous or harmful substances. These items should be properly secured to avoid contamination or exposure. Attorneys should seek guidance from the Court prior to introducing into evidence any substance that has the potential to cause harm to others, this includes biohazardous or toxic substances. Additionally, prior to bringing any weapon or firearm into the courthouse, the attorney must contact the Court's bailiff to ensure that the weapon is properly controlled and secured.

H. Interpreters / ADA

- **Interpreter Requests:** If an interpreter is needed for a hearing or trial, please contact pascointerpreter@jud6.org

DEFENDANT'S NEEDING INTERPRETER: It is DEFENSE COUNSEL'S RESPONSIBILITY to secure an interpreter for the Defendant for any trial or hearing. Please contact pascointerpreter@jud6.org to request an interpreter.

PLEASE BE AWARE:

- Interpreters provided by Court Administration are NOT permitted to interpret communications between a defendant and defense counsel.
- For interpreter between defendant and defense counsel, a separate, privately retained interpreter is needed.
- Hearings anticipated to be longer than one hour will likely require two interpreters.
- Interpreters should be secured well in advance of the hearing or trial, preferably immediately after the hearing or trial is set.

WITNESSES NEEDING INTERPRETERS: The attorney calling the witness is responsible for securing an interpreter by contacting pascointerpreter@jud6.org. Please remember that the interpreter retained through Court Administration is not permitted to interpret conversations between the witness and the attorney.

- **ADA Accommodations:** If you are a person with a disability who needs any accommodation in order to participate in a proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Pasco County Customer Service Center, 8731 Citizens Drive, New Port Richey, FL 34654, (727) 847-2411 or the Pasco County Risk Management Office, 7536 State Street, New Port Richey, FL 34654 (727) 847-8028 (V) at least 7 days before the scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.