



**HONORABLE AARON W. HUBBARD**  
**Circuit Court Judge**  
**Family Law Division Section 23**  
**315 Court Street, Room 484**  
**Clearwater, Florida 33756**

**HEATHER CRUM**  
**Judicial Assistant**  
**727-464-3233**  
[\*\*Section23@jud6.org\*\*](mailto:Section23@jud6.org)

**JUDICIAL PRACTICE PREFERENCES**

***“Dignity and Respect are the watchwords of professional practice.  
Everyone should treat everyone involved with Dignity and Respect.”***

**PLEASE NOTE:**

***It will be presumed that all parties appearing before the Court have  
read and understand the Court’s practices and preferences. Any party  
not adhering to these practices and preferences may risk delaying  
his/her case.***

**IF YOU DO NOT HAVE A LAWYER (Pro Se):**

**The Court does not appoint an attorney for Family Law Cases. It is the party(s) responsibility to retain legal counsel if they wish to be represented or the party(s) can appear Pro Se (self-represented).**

The Clerk of Court has a Self Help Program for self-represented (pro se) litigants at:

Pinellas County Courthouse, phone (727) 464-5150  
315 Court Street  
Clearwater, FL 33756

And

St. Petersburg Judicial Building, phone (727) 582-7941  
545 First Avenue North  
St. Petersburg, Florida 33701

Other legal services:

Clearwater Bar Assn.	(727) 461-4880 Clearwater
Gulf coast Legal Services:	(727) 443-0657 Clearwater
	(727) 821-0726 St. Petersburg
Bay Area Legal Services	(800) 625-1757
Community Law Program	(727)582-7480 St. Petersburg
St. Petersburg Bar Assn.	(727) 821-5450 St. Petersburg

**Many Family Law forms and information can be found at the following website:**

**[Florida Family Law Forms and Information](#)**

**IMPORTANT**

**THE JUDICIAL ASSISTANT CANNOT ANSWER YOUR LEGAL QUESTIONS AND WILL NOT EXPLAIN YOUR SITUATION TO THE JUDGE. THE JUDGE CANNOT GIVE YOU LEGAL ADVICE ABOUT YOUR CASE.**

### **ADA ACCOMODATIONS:**

If you are a person with a disability who needs any accommodation in order to participate in A Court proceeding, you are entitled, at no cost to you to the provision of certain assistance. Please contact the Human Rights Office, 400 S Ft. Harrison Avenue, Ste. 300, Clearwater, FL 33756, (727) 464-4062 (V/TDD) at least 7 days before your scheduled court appearance, or immediately upon receiving a notification of a Court hearing if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

### **COMMUNICATION WITH THE COURT**

#### **Email**

[section23@jud6.org](mailto:section23@jud6.org)

Email is the preferred method to contact Section 23. The subject line should contain the case number and the parties' last names. Please do not contact the Judicial Assistant and/or Judge using their personal email. If there is a substantive matter being discussed in the email regarding the case, please copy the opposing party or opposing counsel (if applicable) on all email correspondence. Please understand that most email communication is public record and subject to disclosure upon request.

#### **Telephone Inquiries About Cases**

**(727)464-3233**

The Judicial Assistant cannot provide legal advice or answer legal questions about your case. Before contacting the Judicial Assistant about the status of a case or pending order, attorneys, their staff, or self-represented litigants should consult the Clerk's on-line docket: <https://www.mypinellasclerk.org>. Most inquiries that can be answered relate to court dates, Court procedures, etc. However, most of these items can be found on the Clerk's website or the Court's Practices and Preferences page.

## **Ex Parte and Unsolicited Communications**

The Judge and the Judicial Assistant cannot have ex parte (with only one party) communications about the substance of a pending case. Do not send communications, without copying the opposing party, about the substance of a case to the Judge or the Judicial Assistant as they are not permitted to read it. If such communications are received by the Judge or Judicial Assistant, they will be forwarded to the Clerk of Court for filing without the Judge reading them. Likewise, unsolicited communication from non-parties will not be read by the Court. Please make sure, when applicable, to copy the opposing party and/or counsel on all correspondence to the Court.

## **GENERAL RULES AND PROCEDURES FOR FAMILY LAW CASES**

### **PROOF OF RESIDENCY IN DISSOLUTION ACTIONS**

Florida residency may be proven by emailing [section23@jud6.org](mailto:section23@jud6.org) or filing a redacted copy of a parties' valid Florida Driver's License, Florida Identification Card, or Florida Voter Registration Card, by filing an Affidavit of a corroborating third party witness, or by the live testimony of a third party witness who has personal knowledge that one of the parties has been a Florida resident for more than 6 months immediately prior to the date that the action was filed (F.S. §61.052(2)). If you file a copy of a party's Florida Driver's License, Florida Identification Card, or Voter Registration Card, please ensure that all unnecessary personal information is redacted, including the address, driver's license number, date of birth, and voter identification number. Proof of Florida residency is not required in Paternity actions.

### **MEDIATION**

Pursuant to local Administrative Order No: 2011-006 PA/PI-CIR all temporary relief and post judgment matters are automatically referred to mediation prior to a hearing on the matter. Once mediation is scheduled, a hearing may be set on the Court's calendar to occur after the scheduled mediation if the parties have not resolved the issues.

## **E-PORTAL FILINGS**

Documents filed through the e-portal are NOT provided to the Judge's office. If there is a reason that you need to provide a copy of a filing to the Judge, it should be emailed to [section23@jud6.org](mailto:section23@jud6.org) or mailed by regular mail. Do not send proposed orders through the e-portal (See submitting Proposed Orders below).

## **PARENTING CLASS**

In all cases involving the initial establishment/determination of Parental Responsibility and Timesharing of minor children, the parties are each required to attend a 4-hour Parenting Class and file a Certificate of Completion of the course with the Clerk of the Court. Pursuant to § 61.21(5), Fla. Stat., all parties are required to complete a Court approved parenting class as expeditiously as possible, and unless excused by the Court the Petitioner must complete the course within 45 days after the filing of the initial petition and the Respondent must complete the course within 45 days of receiving service of process of the initial petition (or 45 days of adjudication of paternity). A Final Judgment will not be entered until both parties have completed an approved parenting course. A list of Court approved providers for the parenting class may be found at [www.jud6.org](http://www.jud6.org) under "Self Representation." Approved parenting classes may also be found at <https://www.myflfamilies.com/services/child-family/child-and-family-wellbeing/pefs/local-course-list>.

## **DIGITAL RECORDING / COURT REPORTERS**

A digital court reporter is only provided by the Court for domestic violence injunction hearings and criminal contempt matters. The Court does not provide a court reporter or digital recording for any other proceeding and it is the responsibility of the party desiring such reporting to arrange for a private Court Reporter to be present for whatever hearing they believe a court reporter is necessary, and to be responsible for the payment for the court reporter's services (subject to possible reallocation by the Court if an appropriate motion seeking same is filed, set for hearing, and ruled upon by the Court). A list of Court approved court reporters, as well as information on how to obtain a transcript from a digitally recorded proceeding can be found on the left side of the [www.jud6.org](http://www.jud6.org) website under "Court Reporting."

## **INTERPRETERS**

If a party or witness needs an interpreter, it is the party's responsibility to obtain and schedule the appearance of an interpreter. The Court does not schedule the services of an interpreter. The interpreter must be "Court Certified." Please see the following website for the scheduling of an interpreter.  
<https://www.jud6.org/LegalCommunity/Interpreters.html>

## **EMERGENCY AND EXPEDITED MOTIONS:**

All Emergency and expedited Motions must be filed with the Clerk of Court prior to the Court determining emergency or expedited status. Pleadings should only include the words emergency and/or expedited if there is the potential for harm to one of the parties and/or minor children within 7 days. The Court does not receive motions through the Portal when you check "emergency". You must submit a copy of the Motion to the Court by either email, hand-delivery or regular U.S. mail. After review, the court may enter an Order without notice, schedule a hearing on the motion, seek a written response from the opposing party, or take other appropriate action.

## **TESTIMONY FROM CHILDREN:**

Testimony from minor children is **NOT** permitted unless the Court grants permission after a hearing on a Motion to Allow Child Testimony. The Court will not automatically honor stipulations for a child to testify in Court.

**DO NOT** bring any minor children to hearings without prior Court approval. When a Motion for Child Testimony is granted, the Court will conduct an *in camera* interview with the child to be scheduled on a day after the Final Hearing has been concluded. The parties are to submit their proposed questions to the Court prior to the *in camera interview*.

## **SUBSTITUTION OF COUNSEL:**

Rule of Judicial Administration 2.505e (2) requires the client gives WRITTEN consent. Upload the cover letter, stipulation, signed consent and proposed Order to JAWS. 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, as long as written consent by the client is provided, and the opposing party has no objection. The proposed Order MUST contain 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.

### **ONE FAMILY - ONE JUDGE:**

Family Law Rule 12.003 requires that all related family law cases MUST be handled before one judge unless impractical. AO 22-013 and 16-030 mirror and reference this rule.

**Specifically AO 22-013 references that cases must be assigned in accordance with 16-030.**

"Petitions for temporary and final judgment of injunction against dating, domestic, repeat, sexual violence, and stalking shall continue to be assigned with the procedures for assignment of family law cases based upon the zip code of the petitioner or the petitioners attorney in accordance with Administrative Orders 2016-030 and 2020-023 or subsequent administrative orders."

Injunctions are generally reviewed and handled by the Community Violence Division. Please be aware that if you have a pending Family Law Case (Dissolution or Paternity) and an Injunction is filed, it will most likely be initially reviewed by another Judge.

**According to AO 16-030, all related family law cases are to be assigned to one Judge and the following is the definition of "related cases":**

"For the purposes of this Administrative Order, a related case is one that involves one or more of the same parties or children as another case that is pending in the family division. Cases that have activity in the case progress docket within the preceding two years shall be treated as related cases. Cases that have no activity in the case progress docket for the preceding two years may be treated as related cases." "When related cases involve two or more of the same parties or children, have had activity in the case progress docket within at least the preceding two years, and one of the cases is a civil domestic violence, dissolution, paternity, or child support action, the Clerk shall reassign the more recently initiated case to the same judicial section to which the older case is assigned."

## **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. 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 prior to a hearing.



## **SCHEDULING OF HEARINGS**

### **In Person:**

**All evidentiary hearings and all non-evidentiary hearings longer than 30 minutes, unless a Motion is filed and an Order is entered pursuant to Rule 2.530.**

### **By Zoom:**

**All non-evidentiary hearings less than 30 minutes, unless a party requests or the Court determines that the hearing will be conducted in person.**

### **HEARINGS LESS THAN 60 MINUTES**

Section 23 utilizes the JAWS system for scheduling hearings 60 minutes or less. Jaws hearings are available 5, 15, 30 and 60-minute time slots. The website is [https://jawspinellas.jud6.org/jaws\\_attorney/login.aspx](https://jawspinellas.jud6.org/jaws_attorney/login.aspx). Please select the "Section 23 – Judge Hubbard" calendar to request your hearing. Hearings are limited to the time reserved and apply to both parties. The opposing party is entitled to equal time for response. Accordingly, the party reserving and scheduling the hearing shall confer with the opposing party/counsel and agree to the actual time required to complete the hearing.

### **HEARINGS REQUIRING MORE THAN 60 MINUTES**

Please contact the Judicial Assistant to set any hearing requiring more than 60 minutes. Please confer with the opposing party/counsel before calling to request a hearing date to discuss possible dates and the required time for the hearing. The Judicial Assistant will not coordinate your hearing date with the opposing party.

### **VERIFIED CHECKLIST FOR DISSOLUTION OR PATERNITY CASES**

A Verified Checklist for Dissolutions and Paternity cases must be filed before scheduling a final hearing on all cases. The checklist can be found on JAWS or can be requested from the Judicial Assistant via email.

## **NOTICE OF HEARINGS**

All Notices and Motions must be e-filed with the Clerk of the Court and sent to opposing counsel/self-represented party prior to scheduling a hearing. Please wait for confirmation from the Judicial Assistant prior to sending out a Notice of Hearing. The party setting a hearing is also responsible for providing a Notice of Hearing to all parties or their attorneys. Even where a default has been entered, all parties shall receive notice. If a hearing is not properly noticed, the matter will not be heard. Please provide a courtesy copy of the notice of hearing by email to [section23@jud6.org](mailto:section23@jud6.org). Cross-Noticing issues on another attorney's time is strictly prohibited.

Please include the anticipated time that the hearing will require.

IMPORTANT: Do not add a hearing issue or cross-notice a hearing without approval from opposing counsel and the Court. Any motion added or cross-noticed without approval will not be heard.

## **CANCELLATION OF HEARINGS**

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 the Court with a courtesy copy with the word "CANCELLATION" in the subject line e-mailed to [section23@jud6.org](mailto:section23@jud6.org).

If a hearing has been set requiring more than 60 minutes, you must contact the Judicial Assistant via phone or email to notify of the cancellation of hearing.

## **CASE MANAGEMENT**

In a Dissolution of Marriage action, at a Case Management Conference, upon request of a party, or upon the Court's own initiative, jurisdictional testimony may be elicited and an order confirming the jurisdiction of the Court may be entered.

## **SETTING PRE-TRIAL CONFERENCES AND TRIALS**

In most case, a Case Management conference is necessary to set a Pre-trial Conference and Trial. Please schedule your hearing via JAWS (less than 60 minutes) or contact the Judicial Assistant to request hearing time more than 60 minutes for a CMC. 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. 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. Should a pre-trial need to be reset, both parties must be in agreement in order to get a reset date without a hearing. Otherwise, a motion to continue should be filed and set for hearing. The Court will strictly enforce its order setting pre-trial conference, which requires the parties to draft and file an appropriate Pre-Trial Memorandum – including exhibits such as a proposed Equitable Distribution Worksheet, Proposed Parenting Plan, Proposed Child Support Guidelines, Witness List, Exhibit List, and other documents – in advance of the Pre-Trial Conference. As such, counsel and all parties are directed to pay close attention to the requirements of the order and to provide actual witness and exhibit lists without the use of catch-all categories, with the exception of rebuttal and impeachment evidence.

## **TEMPORARY RELIEF HEARINGS**

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 the hearing, proffers are strongly encouraged. True emergencies (see Emergency Motions) are an exception. The parties may schedule a temporary motion after the mediation is scheduled to be completed. If one party unilaterally cancels the mediation, then the non-cancelling party may keep the temporary motion hearing date.

## **ADOPTION/NAME CHANGES**

Files in these proceedings are reviewed by Court Counsel prior to the scheduling of a final hearing. If you believe your case is ready to be set for final hearing, e-mail [section23@jud6.org](mailto:section23@jud6.org) with the case number so that we may request a review. You will be notified if additional documentation is needed, or you will be notified with the date of your final hearing.

All final hearings on adoptions must have a court reporter present. A list of Court approved court reporters can be found on our website [www.jud6.org](http://www.jud6.org) under Court Reporting on the left-side of the screen.

## **ORDERS**

***Reminder: To expedite the signing of Orders, please submit an explanatory cover letter with all proposed orders***

## **JAWS ORDERS**

WHEN AN ORDER IS UPLOADED TO JAWS, AN EMAIL WILL BE SENT TO THE ASSOCIATED PARTIES. THIS DOES NOT MEAN AN ORDER HAS BEEN ENTERED. A SECOND EMAIL FROM JAWS WILL INCLUDE THE ELECTRONICALLY CONFORMED COPY OF THE ORDER WHEN IT HAS BEEN SIGNED BY JUDGE HUBBARD. Proposed orders may be uploaded to JAWS and will be signed with Judge Hubbard's electronic signature. All documents are to be uploaded as PDF documents.

Parties may submit a proposed Final Judgment in an uncontested final hearing for dissolution of marriage for the judge to sign during the hearing. Otherwise, do not submit proposed orders on JAWS in advance of a scheduled hearing unless specifically requested by the judge.

## **PROPOSED ORDERS**

After a hearing concludes, the Judge will ask the parties/party to submit a proposed order which will reflect the Court's ruling. This will apply to most hearings with the exception of Final Judgements in a contested Dissolution and/or Paternity action.

A cover letter should be provided with the proposed order pursuant to the Standards of Professional Courtesy for the Sixth Judicial Circuit. The cover letter should state that opposing counsel/party agrees or objects to the proposed Order or that opposing counsel/party was given the opportunity to object to the proposed Order but did not. The cover letter should explain the objection. 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. If there are disagreements/objections over a proposed Order, the parties must attempt to work them out before requiring further Court intervention. If the disagreements as to the form of the Order cannot be worked out, each side should submit a proposed Order in Word format.

If you submit the Order by mail, please make sure to include copies of the Order for conforming and pre-addressed, stamped envelopes for all parties.

The Court DOES NOT hold Orders pending objections. DO NOT call the Court or send only an email or letter to object. The Court will resolve the objection in the Order based upon consideration of the hearing.

## **PROCEDURES FOR HEARINGS**

***THE FOLLOWING APPLIES TO ANY HEARING IN WHICH TESTIMONY OR PHYSICAL EVIDENCE IS GOING TO BE PRESENTED TO THE COURT***

### **EVIDENCE**

#### **5 DAYS PRIOR TO HEARING**

Parties shall exchange all evidence to be presented at the hearing and exchange witness lists which include telephone numbers and email addresses at least 5 days prior to the hearing.

### **3 DAYS PRIOR TO HEARING**

The Court will accept digital copies of evidence. Parties may only email documents that are in a PDF format. Digital copies can be emailed to [section23@jud6.org](mailto:section23@jud6.org) and the opposing party must be copied on the email. Other digital evidence (photographs, videos, text messages, etc) can be provided to the Court on a thumb drive. The Court cannot accept link invitations to things like Dropbox or Google Drive. Any digital evidence provided via thumb drive should be labeled appropriately with an exhibit number in the file name.

Parties shall deliver all evidence including the witness list to the Clearwater Judicial Building. The parties will deliver documentary evidence in binders, unless provided in a digital format discussed above. The files delivered to the Court must be ready for immediate filing with the Clerk of Court, and therefore must be redacted. Parties may also submit unredacted copies of evidence to the Court if the parties want the Court to see unredacted versions.

Any case law that will be argued or relied upon should be emailed to [section23@jud6.org](mailto:section23@jud6.org).

### **WITNESSES**

The Court does not secure or coordinate the appearance of witnesses. The party(s) must ensure the appearance of their witnesses for all hearings.

### **MATTERS NOT REQUIRING A HEARING**

Some matters do not require a hearing, such as: stipulations between the parties; motions for substitution of counsel that are signed by incoming counsel, outgoing counsel, and client; most motions to withdraw as counsel (with signed consent of the client); appointment of special process servers; and final judgments of paternity where all issues have been resolved by signed agreement.

A proposed order or judgment on a matter that does not require a hearing may be submitted to the court if all parties agree or if a stipulation has been signed.

Refer to these practice preferences for the submission of proposed orders via email or JAWS.

All proposed orders shall contain a cover letter indicating that the opposing counsel or self-represented party has reviewed the proposed order or judgment and agrees with the court signing the proposed order or judgment. If no cover letter or acknowledgment that the other party approves is provided, the court may reject the proposed order or judgment. The court will file the cover letter in the court file with the signed order or judgment. If a party objects to the entry of a proposed order or judgment, the court will require a hearing on the matter.