



HONORABLE DONEENE D. LOAR
Community Violence Division Section CV1
Pinellas County Justice Center
14250 49th Street North
Clearwater, FL 33762

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JUDICIAL PRACTICE PREFERENCES COMMUNITY VIOLENCE
SECTION CV1
AND
RISK PROTECTION ORDERS

INITIAL PETITIONS FOR INJUNCTIONS AND RETURN HEARINGS

Petitions for Injunctions may be filed in any of the 3 Courthouses located in Clearwater, St. Petersburg and at the Pinellas County Justice Center. All initial injunction return hearings will be conducted at the Pinellas County Justice Center, 14250 49th St N., Courtrooms 11, 12 and 13, Clearwater, FL 33762.

Information on filing new Petitions as well as the forms to do so are available on the Pinellas County Clerk's website: www.mypinellasclerk.gov/Domestic-Violence-Restraining-Orders. All new injunction cases are assigned to one of the eight Family Law Section Numbers until we have designated Community Violence Sections yet in Odyssey, the Clerk's file management System.

**ALL INITIAL INJUNCTION RETURN HEARINGS WILL BE HEARD BY
ONE OF THE THREE COMMUNITY VIOLENCE JUDGES (NOT THE**

ASSIGNED FAMILY LAW JUDGES) AND WILL BE CONDUCTED AT THE PINELLAS COUNTY JUSTICE CENTER (PCJC), 14250 49TH ST N., COURTROOM 11-13, CLEARWATER, FL 33762.

Hearings are not scheduled in the Clearwater and St. Petersburg Courthouses even if the original Petitions were filed there.

Please note: A return hearing may sometimes be rescheduled before the assigned Family Law Judge or Unified Family Court Judge if they are also assigned to an open and active Dissolution or Paternity case or Dependency case involving the same parties pursuant to the One Family One Judge Rule: Florida Rules of Family Procedure: 12.003. Please double check your paperwork for an alternative address.

EVIDENCE

When you attend your final hearing in court. You must bring printed copies or electronic videos or audios on an usb drive of any evidence you wish to present to the Court. **The Court cannot review your cell phone** as a part of a hearing. If you intend to present audio or video files you must bring them on a CD, DVD or usb drive for the court to preserve any evidence. If you intend to enter text message screenshots in to evidence, please know the dates of the text messages as the date is not always captured on the screenshot.

ZOOM APPEARANCES

All Hearings are conducted LIVE. Any party who wishes to appear electronically for the Return Hearing **MUST** file a written motion to appear electronically with an expressed reason with the Pinellas County Clerk of Court at least 2 days prior to the scheduled hearing. Additionally, a copy of the motion must be emailed to dvmotions@jud6.org. Should you have any questions, please contact the Sixth Circuit's Domestic Violence Office by email to dvoffice@jud6.org or by phone at (727) 582-7567.

Evidence for Zoom appearance: All witnesses and parties appearing via Zoom shall have access to any documents or exhibits to be presented at the Final Hearing. If a party is appearing via Zoom, they must send the Court (by bringing a USB Drive or paper documents to Judicial Reception or mailing the evidence to Community Violence Division – CV1/CV2/CV3, 14250 49th Street North,

Clearwater, FL 33762) in advance of the hearing. If your evidence has not been received by the Final Hearing date. Your option is requesting a continuance or going forward without the evidence.

IF YOU DO NOT HAVE A LAWYER

THE JUDICIAL ASSISTANT CANNOT ANSWER YOUR LEGAL QUESTIONS AND CANNOT EXPLAIN YOUR SITUATION TO THE JUDGE. ANY COMMUNICATION WITH THE JUDGE MUST BE IN WRITING IN THE FORM OF A WRITTEN MOTION FILED WITH THE PINELLAS COUNTY CLERK OF COURT.

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

RESOURCES FOR VICTIM'S OF DOMESTIC VIOLENCE

*****ANYONE IN IMMEDIATE DANGER SHOULD CALL 9-1-1
IMMEDIATELY*****

24-hour Domestic Violence hotline:

Pinellas County: 727-895-4912 / TTY: 727-828-1269
Florida Relay: 711

If you are a survivor, you can also receive free, confidential legal advice from the Florida Legal Services, Inc. Domestic Violence Hotline. Lawyers are available Monday-Friday from 8:00 am – 4:00 pm to answer legal questions, provide you with free legal advice on injunctions, family law, immigration, housing, public benefits and other matters. They may also be available refer you to other services for assistance.

Agencies that assist victims of domestic violence include:

Florida Domestic Violence Hotline: 1-800-500-1119
www.fcadv.org

Community Action Stops Abuse (CASA): 727-895-4912
www.casa-stpete.org

The Haven at Hope Villages of America: 727-442-4128 / 727-441-2029
<https://hopevillagesofamerica.org>

Shine the Light: 727-452-7007
shinealightondv@yahoo.com or www.facebook.com/shinealightondv
Suncoast Center Inc.: 727-388-1220

www.suncoastcenter.org

National Domestic Violence Hotline: 1-800-799-SAFE (7233)

Florida Abuse Hotline: 1-800-96-ABUSE (1-800-962-2873)

Rape Crisis Hotline: 727-530-7273

Human Trafficking Hotline: 1-888-373-7888

FILING MOTIONS

When you file any motion as a pro se party with the Clerk of Court, the motion will be provided by the Clerk of Court to the Community Violence Division Judges for their review. It is always helpful to email a copy of the motion to DVMotions@jud6.org. If the motion is filed through the e-portal please also provide a copy to the Court at DVMotions@jud6.org because there may be a lag time of several days before your motion is received and docketed by the Clerk of Court.

When you file any motion as an attorney for a party with the Clerk of Court, the motion will be NOT be provided by the Clerk to the Community Violence Division Judges and a copy should be provided to the Court at DVMotions@jud6.org for one of the Community Violence Judges to review.

Please do not add the Judges or Judicial Assistants to the Service List in the e-portal. The judiciary does not have access to the e-portal or any documents filed there. The judges can only review motions that have been filed and docketed with the Clerk of Court.

When you email your motion to DVMotions please include the following information:

1. Your name
2. Your family law case number
3. A copy of your motion (containing what you are asking for and why)
4. Your contact information, including e-mail, address and phone number
5. Last known contact information for the other party including e-mail, address and phone number
6. Any upcoming scheduled court dates
7. The Court does not have access to the E-Portal and cannot see who the motion was served upon through the E-Portal. Please do not include the Court on the service list as the motions cannot be seen until they are emailed to DVMotions or docketed by the Clerk of Court.

Types of Motions (both Pre-judgment and Post-judgment) include:

1. Motion to Continue
2. Motion to Dismiss
3. Motion to Modify Injunction
4. Motion to Extend Injunction

5. Motion for Contempt

You may obtain forms for these motions from the Pinellas County Clerk of Court, website, <https://www.mypinellasclerk.org>, or on the Florida Courts website, <https://www.flcourts.gov/Resources-Services/Office-of-Family-Courts/Family-Courts/Family-Law-Forms>

DO NOT EMAIL MOTIONS TO THE SECTION CV1, SECTION CV2, OR SECTION CV3 JUDGES UNLESS REQUESTED BY THE JUDICIAL ASSISTANT.

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 email to DVMotions@jud.org, 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 a minor child or children is **NOT** permitted unless the Court grants a Motion to Allow Child Testimony, see Florida Family Law Rule 12.407. The Court will not automatically honor stipulations for a child to testify in Court. **DO NOT** bring any minor children to contested 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. Please 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 and will need to be scheduled for hearing with proper notice to the client.

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.

MOTIONS FOR REHEARING/RECONSIDERATION AND MOTIONS FOR RELIEF FROM JUDGMENT

All Motions for Rehearing/Reconsideration shall be timely filed with the Clerk of the Court pursuant to F.L.R.P. 12.530. A Motion for Relief from Judgment must be timely filed pursuant to F.L.R.P. 12.540. A copy of the motion shall be emailed to DVMotions@jud6.org after it has been filed with the Clerk of Court. The trial Judge will review the motion and determine if the motion is legally sufficient and if a hearing should be scheduled.

Please include your contact information and email address and provide any contact information you have for the other party. These sections of the motion forms are often left blank and should be completely filled out.

MOTIONS FOR CONTINUANCE

All Motions for Continuance shall be filed with the Clerk of Court. A copy of the motion shall be emailed to DVMotions@jud6.org after it has been filed with the Clerk.

The motion **MUST** contain:

1. Reason for requested continuance.
2. Length of time being requested for the continuance.
3. Any communication / opposition / stipulation with opposing party and their contact information (email / phone number / address.)

RISK PROTECTION ORDERS

In 2018, The Florida Legislature passed the Marjory Stoneman Douglas High School Public Safety Act in response to a tragic school shooting. The law is designed to enhance public safety by restricting firearm and ammunition possession by a person who poses a danger to himself or herself or others.

What can you do if you believe someone poses a danger to himself or herself or others if he or she has access to firearms or ammunition?

Contact your **local law enforcement office**. Only **law enforcement** may ask a court to enter a **Risk Protection Order** against someone who may be a danger to himself or herself or others.

Additional information regarding Risk Protection Orders is available on the Florida Courts Website: [Risk Protection Orders - Florida Courts](#).

All Petitions for Risk Protection Orders are reviewed by one of the three Community Violence Judges and scheduled for hearing if appropriate. The three Community Violence Judges handle all Risk Protection hearings on a weekly rotating basis every Monday at 1 pm and Thursday at 9 am. (Please note that Court Holidays may affect the days of the week.)