

## **Practice Requirements**

**Judge Alicia Polk-Division B, J4, and J8**

**Judicial Assistant: Amanda Esqueda**

**(352) 518-4030- Office Telephone Number**

**(352) 320-3199- Hearing Line Number**

**Section email: [CrCivE2@jud6.org](mailto:CrCivE2@jud6.org)**

**Mailing and Hearing Address:**

**38053 Live Oak Avenue, Suite 106-B, Dade City, FL 33523**

**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. You may wish to consult an attorney about your case. The following is a list of self-help resources:

-Bay Area Legal Services 1-800-625-2257

-Pasco Law Library, Robert D. Sumner Judicial Center, 38053 Live Oak Avenue, Dade City, FL 33523

-Pasco Clerk of Court, 38053 Live Oak Avenue, Dade City, FL 33523

[www.jud6.org/generalpublic/representingyourselfincourt](http://www.jud6.org/generalpublic/representingyourselfincourt)

[www.pascoclerk.com](http://www.pascoclerk.com)

[www.flcourts.org](http://www.flcourts.org)

*Counsel are encouraged to acquaint themselves with the Standards of Professional Courtesy for the Sixth Judicial Circuit [ADMINISTRATIVE ORDER 2015-052](#) and the [Sixth Judicial Circuit Local Rules](#)*

### **SETTING HEARING TIME:**

- This section does not schedule hearings via JAWS.
- Motions must be filed with the Clerk of Court and sent to opposing counsel/self-represented party prior to scheduling a hearing.
- You may contact the Judge's Judicial Assistant at [CrCivE2@jud6.org](mailto:CrCivE2@jud6.org) to obtain hearing dates and times.
- Hearing times are not reserved, and the calendars fill quickly.
- Until the motion(s) appear as filed on the Clerk's docket, you cannot set the matter for a hearing.
- All hearings must be coordinated with opposing counsel prior to confirming your hearing date and drafting your notice of hearing.
- Once all parties have agreed upon a hearing date and time, you will need to email the Judicial Assistant to confirm.

- Your hearing will not be calendared until the Judicial Assistant has received confirmation that all parties have agreed to the selected date and time.
- Doing a Notice of Hearing is not confirmation that a hearing is set.

**PLEASE DO NOT GENERATE A NOTICE OF HEARING UNTIL YOU RECEIVE CONFIRMATION VIA EMAIL THAT IT HAS BEEN SCHEDULED.**

The notice of hearing should be filed and a courtesy copy must be sent to [CrCivE2@jud6.org](mailto:CrCivE2@jud6.org) within 24 hours of securing the date and time and served on all parties on the service list or your hearing will be cancelled.

**After a hearing is set:** If an attorney or self-represented party wishes to add, delete, or otherwise change the matters to be heard at a set hearing, the parties/attorneys involved and the Judicial Assistant must be notified and in agreement. **There will be no cross-noticing allowed unless it has been coordinated through the Judicial Assistant. If you do not coordinate with the Judicial Assistant the motion will not be heard.**

**Attorney's must meet and confer to attempt to resolve all or some of the outstanding issues pled in the motion set for hearing.**

**If the case settles, please email the Judicial Assistant to cancel any hearings or Trial that may be scheduled and file a Notice of Cancellation of Hearing and send a courtesy copy to the Judicial Assistant so it can be removed from the calendar.**

#### **CANCELLATIONS:**

Only the party that set a hearing may cancel that hearing. If both parties have scheduled a hearing on the same date and time, all parties must agree to the cancellation. The Judicial Assistant must be notified by email in a timely manner and a Notice of Cancellation of Hearing should be filed with the Court with a courtesy copy sent to the Judicial Assistant.

#### **METHOD OF HEARING (IN-PERSON, TELEPHONIC OR ZOOM):**

- Hearings more than 60 minutes will be conducted in-person.
- Hearings 60 minutes or less will be conducted via telephonic or zoom if requested.
- If you want to appear in-person for a hearing that is 60 min or less please inform the JA.
- Evidentiary hearings should be conducted in person or via zoom.

#### **ZOOM HEARINGS:**

Generally, ZOOM hearings may be set for hearings scheduled for less than 60 minutes. For ZOOM hearings, please make sure when you are requesting a hearing date via email, you include that you would like for it to be

via ZOOM. The Judicial Assistant will provide the zoom information for you to add into your notice of hearing when she confirms the hearing.

**THE ZOOM NOTICE OF HEARING SHOULD STATE THE FOLLOWING:**

THE HEARING IS VIA ZOOM AND ANY PARTY WHO WANTS TO PARTICIPATE IN THE HEARING IS LOGIN TO ZOOM OR CALL \_\_\_\_ AND ENTER MEETING ID: \_\_\_\_ AND PASSCODE: \_\_\_\_\_. NOTE: ALL DOCUMENTS TO BE CONSIDERED MUST BE RECEIVED BY THE JUDGE'S OFFICE VIA US MAIL/FEDEX/UPS/COURIER (NOT EMAIL) AT LEAST 5 BUSINESS DAYS PRIOR TO THE SCHEDULED HEARING.

**HEARING MATERIALS:**

All documents which include the notice of hearing, the motion to be heard and any responses shall be provided with the case law (CASE LAW IS TO BE HIGHLIGHTED as to the specific portions the attorney will refer to WITHIN THAT CASE and want the Judge to consider. DO NOT HIGHLIGHT IN THE MOTION WHERE THE CASES ARE CITED) and pre-marked evidence IN A BINDER TABBED AND INDEXED TO THE COURT as soon as possible via mail or courier. (DO NOT EMAIL THEY WILL NOT BE ACCEPTED) No emailed materials will be considered unless permission is given in advance.

**WITHDRAWAL OF COUNSEL:**

The Court will consider proposed orders for withdrawal of counsel if accompanied by stipulations for same signed by all the parties attached as Exhibit to Order. Otherwise a motion and hearing will be required and the attorney asking to withdraw will need to appear in person.

**CERTIFICATE OF CONFERRAL.**

At the end of the motion and above the signature block, the movant must include a certificate of conferral in substantially in the following form:

"I certify that prior to filing this motion, I discussed the relief requested in this motion by [method of communication and date] with the opposing party and [the opposing party (agrees or disagrees) on the resolution of all or part of the motion] OR

[the opposing party did not respond (describing with particularity all of the efforts undertaken to accomplish dialogue with the opposing party prior to filing the motion)]." OR

"I certify that conferral prior to filing is not required under rule 1.202." (c) Applicability; Exemptions.

**CONFERRAL NOT REQUIRED WHEN:**

The movant or the nonmovant is unrepresented by counsel (pro se).  
And not required prior to filing the following motions:

Revised 2/13/25

- (1) for time to extend service of initial process;
- (2) for default;
- (3) for injunctive relief;
- (4) for judgment on the pleadings;
- (5) for summary judgment;
- (6) to dismiss for failure to state a claim on which relief can be granted;
- (7) to permit maintenance of a class action;
- (8) to involuntarily dismiss an action;
- (9) to dismiss for failure to prosecute;
- (10) for directed verdict and motions filed under rule 1.530; 9
- (11) for garnishment, attachment, or other motions for enforcement of a judgment under rule 1.570;
- (12) for writ of possession under rule 1.580;
- (13) filed in actions proceeding under section 51.011, Florida Statutes;
- (14) that do not require notice to the other party under statute or rule.

### **SANCTIONS**

Failure to comply with the requirements of this rule may result in an appropriate sanction, including denial of a motion without prejudice. The purposeful evasion of communication under this rule may result in an appropriate sanction.

#### **MOTIONS CONSIDERED WITHOUT A HEARING:**

- Rulings on all motions submitted *ex parte* are at the discretion of the Judge reviewing the motions and orders.
- The proposed order may be uploaded in to JAWS along with a cover letter asking the Judge to rule *ex parte*.
- The Court requires that all proposed orders 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.

#### **THE FOLLOWING IS A NON-EXHAUSTIVE LIST OF MOTIONS THAT MAY BE SUBMITTED EX PARTE:**

- Motion to Compel Initial Discovery
- Stipulated/Agreed Orders
- Motions for Substitution of Counsel
- Motions to Withdraw (with signed consent from client attached as Exhibit to Order)
- Motions for Extension of Time to Serve
- Motion to Reset Foreclosure Sale
- Motion to Vacate Final Judgment
- Motion to Recuse/Disqualify
- Motion to Appoint Guardian Ad Litem/ Attorney Ad Litem

- Motion for writ of Possession
- Motion for Rehearing/ Reconsideration

### **MOTIONS:**

#### **NON-EVIDENTIARY MOTIONS, PRETRIAL MOTIONS:**

The court requests that the proponent of the motion submit the following documentation 14 days after filing the notice: the motion, the notice, any response with a cover letter that states if either party is requesting a hearing. This will enable the court to either decide on written submissions or be more fully prepared at the hearing. This preference is for all

**Motions to Compel and all Motions Decided on Written Submissions.** See ADMINISTRATIVE ORDERS 2020-011 and 2020-012 ***even when requesting a hearing.*** The Court may set a hearing at the court's discretion.

- **Before** filing a motion to compel or a motion for protective order, counsel for the moving party shall confer with counsel for the opposing party in a good faith effort to resolve by agreement the issues raised, and shall include within the motion, a statement certifying that he or she has so conferred with opposing counsel and that counsel have been unable to resolve the dispute. See Rule 1.202
- Motions to compel discovery shall quote in full each interrogatory, question on deposition, request for admission or request for production to which the motion is addressed and the objection and grounds therefor as stated by the opposing party.
- Any orders uploaded to for consideration by the court **shall** include the date the request was sent, date response was due, date the attorney sent a good faith letter and that there was no response.

**No sanctions will be awarded ex parte. (Use form of order provided by the above AO).**

### **AGREED ORDERS:**

- It is the Court's preference that proposed orders be uploaded to JAWS (Judicial Automated Workflow System). Once your order is uploaded it will either be reviewed and signed with Judge Polk's electronic signature or rejected with an explanation.
- You must upload an explanatory cover letter and every proposed order must state whether opposing counsel has agreed to the form and content. All documents are to be uploaded as PDF Documents.
- Orders submitted following a hearing should state that fact including the date of the hearing.
- Any orders that have blanks in the body to fill in will be rejected in JAWS.

**DO NOT UPLOAD ORDERS CHANGING DATES, CANCELLING DATES OR SCHEDULING DATES WITHOUT FIRST RECEIVING WRITTEN CONFIRMATION FROM THE JUDICIAL ASSISTANT.**

Electronically conformed copies will only be provided to the email addresses which have been properly associated to the case in JAWS. It is the responsibility of the party uploading a proposed order to confirm that all email addresses have been added to JAWS. The Clerk and JA **DO NOT** maintain the associated party database.

**\*\*If there are any parties without an email service address, it is the responsibility of the party submitting the order to serve those parties via U.S. Mail. The following language should be included on the service list: "Plaintiff/Defendant will serve a conformed copy via U.S. Mail to the following:"**

The Judicial Assistant cannot assist you with JAWS troubleshooting. You may review the webpage: <http://www.jud6.org/legalcommunity/JAWS/howto.html> or contact the JAWS help desk at 727-453-4357 for assistance.

Any order or judgment which requires a sale date be filled in by the clerk, must be submitted as a hard copy package with sufficient copies and stamped addressed envelopes to the service list.

**PROPOSED ORDERS AFTER HEARING:**

As provided by the Standards of Professional Courtesy for the Sixth Judicial Circuit [ADMINISTRATIVE ORDER 2015- 052](#) proposed orders shall be submitted to the Judge **with a cover letter** stating whether opposing counsel agrees to the proposed Order – or, that opposing counsel was given the opportunity to object to the proposed Order, but did not. Transmittals of proposed orders should always reference the date of hearing. Any orders that have blanks in the body to fill in will be rejected in JAWS.

**DO NOT UPLOAD ORDERS THAT HAVE NOT BEEN AGREED UPON**

- If the parties cannot agree on a proposed order they should submit their own orders to the court by email to [CrcivE2@jud6.org](mailto:CrcivE2@jud6.org) with a cover letter stating their objections.
- If there is a pro se party, the moving party will be responsible for mailing the order to them.

**EMERGENCY HEARINGS:**

- All Emergency Motions must be filed with the Clerk of Court for determination of emergency status.
- The Court does receive a notification from the Clerk when an Emergency Motion is filed. You may provide our office with a courtesy

copy to bring it to the court's attention after filing with the clerk. You can do this by emailing a copy of the motion to the JA with EMERGENCY MOTION in the subject line.

- Opposing counsel/party is to be provided with a copy of the emergency Motion in the same manner as the court.
- The Court will then determine if the matter is deemed an emergency.

### **CIVIL JURY TRIALS, CIVIL NON-JURY TRIALS AND FORECLOSURE TRIALS**

Jury trial dockets are available below. Foreclosure trial dates are available upon request.

You may contact the Court to request a CMC date once the notice (that case is at issue) has been filed. It is the court's preference that a CMC is set to schedule the PTC and Trial dates. At the CMC the court will go over deadlines and other instructions in relation to scheduling the PTC and Trial dates.

- **Motions to Continue Trial.** Absent very good cause, such motions must be signed by the client, as provided by Rule 1.460, and will require a hearing even if stipulated to by counsel.
- **Motions in Limine.** It is the movants responsibility to set any motion in limine with ample time prior to any trial or evidentiary hearing that is affected by the motion in limine. If the movant fails to do so, then the motion will deemed waived/abandoned. Counsel will confer before that hearing so that only items actually in dispute will be put before the Judge. See Rule 1.202.
- **Settlement.** If your case is set for trial and settles, notify the J.A. immediately and also cancel any hearings that may be scheduled. **The mere filing of a settlement documents with the Clerk does not notify the court that a case set for trial has been resolved.**
- **Conduct of Trial Generally.** Counsel will adhere to the Circuit's Standards of Professional Courtesy [ADMINISTRATIVE ORDER 2015-052](#). Examine witnesses from the podium. There will be no speaking objections. That means objections should be three (3) words or less, simply stating the legal ground (e.g. "relevance," "hearsay," etc.) invoked, or if elaboration is necessary, counsel should approach the bench. All argument is to be directed to the court. Do not argue after the Court rules, and do not "thank" the Court for a ruling after a bench conference in the presence of the jury.

## **CMC's**

- **Case Management order must contain AT LEAST these dates:**

1. service of complaints;
2. service under extensions;
3. adding new parties;
4. completion of fact discovery;
5. completion of expert discovery;
6. filing and service of motions for summary judgment;
7. filing and resolution of all objections to pleadings;
8. filing and resolution of all pretrial motions; and
9. completion of alternative dispute resolution.

- **DEADLINES IN A CASE MANAGEMENT ORDER ARE “STRICTLY ENFORCED UNLESS CHANGED BY COURT ORDER.”**

Parties can submit an agreed order to extend a deadline if changing a date does not affect downstream dates.

If changing one date affects downstream dates, parties can't just move to extend the one deadline. They have to move to amend the case management order.

If parties want to change a “projected trial date” in a CMO, they have to move to amend the case management order. (If it is an “actual” trial date in a CMO, or if a trial order has changed “projected” to “actual,” then they have to move under rule 1.460.)

- **A motion to amend the case management order MUST CONTAIN THESE FOUR THINGS: (see Rule 1.200 and 1.201)**

1. the basis of the need for the extension, including when the basis became known to the movant;
2. whether the motion is opposed;
3. the specific date to which the movant is requesting the deadline or projected trial period be extended, and whether that date is agreed by all parties; and
4. the action and specific dates for the action that will enable the movant to meet the proposed new deadline or projected trial period, including, but not limited to, confirming the specific date any required participants such as third-party witnesses or experts are available.

**Rule 1.200 EXPRESSLY SAYS that if lawyers can't meet deadlines, including because there is no court time to hear pending motions, then parties should ask for a case management conference. I am encouraging lawyers to ask for case management conferences when they have trouble getting hearing time so that I am aware of the problem and can: (a) maybe find time; and /or (b) know when the parties need to ask for a continuance that the parties were not being “dilatory”—the delay is (at**



**least in part) due to lack of court resources, which is “good cause” to continue the case.**

### **CMC REQUIREMENTS:**

#### **NOTICES:**

If noticed by a party, the notice “must identify the specific issues to be addressed during the case management conference AND must also provide a list of all pending motions”.

#### **ISSUES TO BE ADDRESSED:**

A court can address any issue during the conference that could impact the case. On reasonable notice and if there is adequate time, the court can also require the parties to argue any pending motion on the list EXCEPT motions for summary judgment and anything needing evidentiary hearings. Evidentiary hearings or summary judgment motions may be heard during a case management conference if ALL PARTIES AGREE AND THE COURT HAS APPROVED HEARING IT PRIOR TO THE CMC.

#### **PREPARATION REQUIRED:**

PARTIES MUST SHOW UP PREPARED to talk about any motion on the list, to make decisions about the conduct of the case, and have authority to make binding representations on motions, issues and scheduling. Whoever attends the conference must have the calendar for all attorneys in the case and be prepared to schedule for them.

#### **PROPOSED ORDERS:**

At the end of a case management conference, the Court will give a deadline for submitting a proposed order re the case management conference. Parties have to submit a proposed order by that date unless they seek and receive an extension. If parties can’t agree on the content of the order, they can submit competing orders. The parties have to notify the court of basis for any objections to the other side’s proposal at the time the order is submitted. This shall be red-lined and/or comments added in so that it is easy for the Court to see where the disagreements are.

### **RULE 1.202—CONFERRAL PRIOR TO FILING MOTIONS**

#### **DUTY.**

Before filing a non-dispositive motion, the movant must confer with the opposing party in a good-faith effort to resolve the issues raised in the motion.

### **OTHER PRACTICE AND PROCEDURE POINTERS:**

- **Deposition Disputes.** The court will hear deposition disputes telephonically immediately if the Judge is available, otherwise as can be scheduled.
- **Attorney's Fees.** The issue of entitlement may be tried in the main action or at a subsequent hearing. Issues regarding the amount of attorney fees may be left for a subsequent hearing. Fee affidavits are sufficient in lieu of expert testimony if all parties agree to their use.
- **Case Law.** Paper copies of case law and other legal authority are welcomed by the court. Pertinent portions shall be highlighted. Copies provided to the court (including any highlighting) shall be provided to opposing counsel before the start of the hearing. A copy of the motion to be heard and any response shall be provided with the case law (highlighted) in an organized fashion via mail or courier to the court prior to the hearing.
- **Motions:** The Court does not receive notification from the clerk when a motion is filed. It is your responsibility to bring it to the Court's attention and set the matter for a hearing.

**Judge Polk**  
**2025 Trial Calendar**

<b>2025 TRIAL</b>	<b>PTC 9:00 AM- In Person</b>	<b>CALENDAR CALL 9:00 AM- In Person</b>
January 6, 2025	December 9, 2024	
February 3, 2025 <b>FULL</b>	December 20, 2024	January 29, 2025
March 3, 2025 <b>FULL</b>	January 27, 2025	February 26, 2025
April 14, 2025 (4 days) M, T, W, R	March 10, 2025	April 9, 2025
May 12, 2025 (4 days) M, T, W, R	April 7, 2025	May 9, 2025
June 9, 2025 <b>FULL</b>	May 5, 2025	June 6, 2025
July 7, 2025	June 2, 2025	June 27, 2025
July 28, 2025 (2 weeks)	June 23, 2025	July 25, 2025
September 2, 2025 (4 days) T, W, R, F	July 21, 2025	August 29, 2025
October 13, 2025 (2 weeks)	September 8, 2025	October 10, 2025
November 10, 2025 (4 days) M, W, R, F	October 6, 2025	November 7, 2025

**Judge Polk**  
**2026 Trial Calendar**

<b>2026 TRIAL</b>	<b>PTC-9:00 AM</b>	<b>CALENDAR CALL-9:00 AM</b>
January 12, 2026	December 15, 2025	January 7, 2026
February 9, 2026	January 8, 2026	February 4, 2026
March 9, 2026	February 2, 2026	March 4, 2026
April 20, 2026 (3 weeks)	March 17, 2026	April 15, 2026
June 1, 2026	May 11, 2026	May 27, 2026
August 10, 2026	June 15, 2026	August 5, 2026
September 7, 2026 (2 weeks) *	August 3, 2026	September 2, 2026
October 5, 2026	August 31, 2026	September 30, 2026
November 2, 2026	September 28, 2026	October 28, 2026

\*9/21/2026 court closed

**IN THE CIRCUIT COURT IN AND FOR THE SIXTH JUDICIAL CIRCUIT**  
**IN AND FOR PASCO COUNTY, FLORIDA**

**CIVIL DIVISION**

Plaintiff(s),

vs.

CASE NO:

Defendant(s).

\_\_\_\_\_/

**CASE MANAGEMENT CONFERENCE ORDER**

**THE PARTIES** agree to the following deadlines:

1. Preliminary lay and expert witnesses exchanged by

\_\_\_\_\_.

Final lay and expert witnesses exchanged by

\_\_\_\_\_.

2. The list shall include the names and addresses of all lay and expert witnesses who are expected to testify at trial, whether for substantive, corroborative, impeachment or rebuttal purposes, including names and addresses of each expert retained to formulate an expert opinion. The parties shall provide the subject matter about which the expert is expected to testify; the substance of the facts and opinions about which the expert is expected to testify; and a copy of any written reports issued by the expert regarding this case.
3. Close of discovery by\_\_\_\_\_.
4. All motions for **Summary Judgment** must be held prior to the **pretrial**.
5. Deposition designations shall be exchanged 15 days prior to pretrial.

6. All Motions in Limine shall be filed no later than **30 days** after discovery closes and set for hearing on or before **15 days** prior to the pretrial. **Counsel**, not support nor paralegal personnel, are required to meet and confer no later than **5 days** prior to hearing date, either in person or by telephone, on each and every set Motion in Limine. Thereafter, counsel filing the motion must prepare and file a stipulation, on or before the hearing date, confirming in writing which Motions in Limine are agreed upon. Please see Judicial Practice Preferences.
7. Mediation by \_\_\_\_\_. Non-binding arbitration by \_\_\_\_\_.
8. Pretrial: \_\_\_\_\_. Calendar Call: \_\_\_\_\_.  
Jury Trial: \_\_\_\_\_#days\_\_\_\_\_.
9. Type of Case: \_\_\_\_\_.
10. Jurors Requested for Voir Dire: \_\_\_\_\_. Length of Voir Dire Per Side: \_\_\_\_\_.
11. Other:\_\_\_\_\_

***THIS ORDER shall supersede the deadlines contained in the mandatory case management order, standing order and in Order Setting Pretrial and Jury Trial unless good cause is shown.***

**DONE AND ORDERED** in Chambers, Dade City, Pasco County, Florida this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
JUDGE ALICIA POLK

CC: Emailed to Parties on the Service List