

Judicial Practices and Procedures
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A. Communications with the Judicial Office

- Method of Communication: Email communications and submissions of Motions and orders are preferred. All parties must be copied on any e-mail directed to the judicial office and the subject line must contain the case number, case name, and relevant matter.

- Ex parte Communications: The Judicial Assistant is not permitted to answer legal questions, give advice, or relay any messages or information to the Judge. You may speak to the Judge in Court and only with your Attorney (unless pro-se) and the State Attorney present. Any ex parte communications sent to the Judge will be filed in the Court file.

*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.

- Unsolicited Communications: Unsolicited communications from non-parties will not be considered by the court. Parties may only contact the judicial office in accordance with these practices and procedures.

- All email communications sent to the Court are subject to public records requests.

B. Scheduling Procedures

- Court Schedule: Arraignments are scheduled on Monday mornings, Pretrial and Motions are scheduled every day and Trial are scheduled on Tuesdays, Wednesdays, and Thursdays, In-custody cases and Violations of Probation are scheduled on Fridays. Any long motions are scheduled for Monday or Friday afternoons. Domestic Advisories are handled Monday through Friday at 10:30 a.m.

- Scheduling Hearings: A motion MUST be filed prior to requesting a hearing. As there is a delay in the time between filing the hearing and it appearing on the docket, attorneys shall provide a courtesy copy to the court. Hearings must be requested by sending an e-mail to Kshavers@jud6.org. Please note that generally the hearing date will be set at a minimum of 7-10 business days out due to the requirement that the victim's in all cases receive notice of the hearing.

- 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.

- Submission Deadlines: The court must receive all materials for the hearing no later than three business days before the hearing unless there is good cause. Example: the provider does not provide the documentation timely.

- Order of Proceedings: Parties represented by attorneys will generally be heard first.

- Continuance Procedure: A request for continuance must be submitted at least five business days prior to the scheduled court date unless it is an emergency. Motions must set for the grounds necessitating the continuance, contain a waiver of speedy trial, and notice to opposing counsel. 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).

- Cancelling Hearings: You must cancel hearings by notifying the judicial assistant immediately. You must also immediately file and serve a notice of cancellation on opposing counsel and any self-represented litigant.

- Ore tenus motions are not generally considered unless the motion has been stipulated to by opposing Counsel.

C. Remote Appearance

- Remote Appearance Procedure: Parties may appear via Zoom only with the Court's permission. Defendant's or any other party (family or someone wanting to speak on the Defendant's behalf) to the case who resides outside of the State of Florida may request to use Zoom. Victim's may appear via Zoom regardless of their location.
 - Platform Used: The court uses Zoom for remote appearances.
 - Platform Meeting ID#: Contact the judicial assistant to obtain the platform meeting ID#. Zoom meeting and login information will only be set to the attorney's or pro-se Defendants.
 - Requirements: Any person appearing remotely must be appropriately dressed and behave in a manner consistent with being present in the courtroom.
 - Anyone that has been given permission to appear on Zoom must make sure that their screen names are appropriate to a Court proceeding. Anyone that has an inappropriate name or virtual backgrounds will be excluded from the virtual court hearing and will be required to appear in person.
 - No unauthorized recording of remote hearings is permitted. This includes, but is not limited to, audio recording, video recording, or screen captures.
- *Participants appearing remotely should be ready for the case to be called at any time after the start of the calendar, as the Court cannot predict when cases will be called or how long the calendar will take.

D. Submission of Orders and Judgments

- Submission Method: All orders must be submitted via email to Kshavers@jud6.org
- Deadline for Submissions: Proposed orders must be submitted within 10 days after any hearing unless it is an order that is produced by the Clerk for the Court to sign.

E. Courtesy Copies of Case Law and Other Documents

- When Required: Courtesy copies of case law or other specified document must be submitted to the court for any evidentiary proceeding.
- Submission Method: Email is preferred unless it is voluminous then it will need to be provided in Court to the Judge.

- **Deadline for Submissions:** Courtesy copies must be delivered to the court no later than three business days before any evidentiary proceeding.

F. Emergency and Other Urgent Matters

- **Requirements:** If a party believes there is a factual basis for setting an emergency hearing, a detailed motion setting forth the issues to be resolved and the reasons why an emergency hearing is necessary. Please be aware that the Court may not be able to set a hearing depending on victim notice.
- **Scheduling:** If the court determines that an emergency exists, a hearing will be scheduled unilaterally by the court. All parties shall make themselves available for the emergency hearing, barring exigent circumstances.
- Any other urgent matters can be emailed to Kshavers@jud6.org.

G. Exhibits for Evidentiary Proceedings

- **Submission Method:** All exhibits must be hand-delivered to the clerk's office.
- **Format:** Exhibits must be submitted to the clerk of court in paper format. All attorneys and self-represented litigants must bring sufficient copies of each exhibit for the clerk, the court, and each party to review during the hearing or trial.
- **Deadline for Submissions:** All exhibits must be available at the time of the hearing or trial.

H. Pretrial Procedures and Conferences

- **Pretrials and Motions:**
 - Due to the nature of the cases handled in this division the defendant's presence is required at every hearing except Arraignment unless excused by the court in advance. There is a mandatory appearance for attorneys and self-represented litigants.
- ***Because of the nature of the charges assigned to this division it is necessary to require the Defendant to be present to "conclude litigation as soon as it is reasonably and justly possible to do so." Fla. R. Gen. Prac. & Jud. Admin 2.545.
- ***The victims in these cases have a right to be heard at every hearing and if the Defendant is not present or counsel is not present they will not have the benefit of hearing what the victim is telling the Court and the State Attorney's office. It has been this Court's experience that those statements assist both the Defense and the

State Attorney's Office in have meaningful conversations about the possible resolution of these cases.

- Motions set with Pretrial: Motions filed timely can be scheduled the same day as the pretrial. If a motion is filed less than 5 business days before the pretrial then the attorney may contact the judicial assistance and have the pretrial moved to the day of the motion unless there was a mandatory appearance required by the Court.
- Scheduling: All substantive/evidentiary motions will be scheduled in open court after a written motion has been filed. The Defendant will receive hand notice of the court date.

I. Setting Case for Trial

- Procedure: All cases will be set for trial in open court with the Defendant present. The Defendant will receive hand notice.
- *Opposing parties must confer and make a good faith attempt to resolve discovery matters without a hearing.
- *All cases set for trial are given a mandatory appearance pretrial/ motion date to address any motions in limine or other matters that the court will need to address prior to trial.
- Notice Period: The Court normally sets date-certain trials. Jury selection will typically be in the morning with opening statements following jury selection. Attorneys, self-represented litigants, parties and witnesses are expected to be available during the entire trial.
- The Court may schedule cases for trial without a request from either party.
 - Absent good cause, motions to continue a trial must be filed in writing, at least one week prior to the calendar call.

J. Forms

- Access: DVP paperwork is available only after approval from the State Attorney's Office.
- Usage: DVP packets must be filled out completely with all pages signed and notarized unless present in front of the Court at which time the Court will swear the defendant in and that will satisfy the notary component. A \$50.00 money order made out to the State Attorney's Office must be with the DVP packet in order for it to be accepted by the Court.

- BIP providers: Copies of the current certified BIP providers is available in the courtroom or an email request may be sent to Kshavers@jud6.org.

K. Other Division Procedures

- ADA Accommodations: If you need an ADA accommodation, please contact the Human Rights Office, 400 Fort Harrison Ave., Suite 300, Clearwater, FL 33756; (727) 464-4062 (V/TDD) at least 7 days before your scheduled court appearance.
- Interpreter Requests: If an interpreter is needed for a hearing or trial, please contact Interpreter Services (727) 453-7177. It is the Defense attorney or Pro-se defendant's responsibility to make the request for all hearings.