

Judicial Practices and Procedures Preferences
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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 vmasterson@jud6.org. The subject line must contain the case number, case name, and relevant matter (e.g., 2024 DR 001234 SC – Doe v. Doe - 2-Hour Hearing Requested).
- **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:** 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 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.

B. Scheduling Procedures

- **Court Schedule:** Nonjury trials are generally scheduled on Tuesday afternoons. Criminal Arraignments are generally scheduled on Monday mornings and Civil Arraignments are scheduled on Tuesday mornings. Pre-trial conferences are generally scheduled on Wednesday and Friday mornings. Substantive motions are generally scheduled on Tuesday afternoons. Cases involving seriously bodily injury or death are generally scheduled on Thursday mornings. Civil Infraction hearings are generally scheduled on Thursday afternoons.
- **Scheduling Hearings:** Hearings must be requested by e-mail to vmasterson@jud6.org.
- **Notice of Hearing:** A notice of hearing must be filed and served immediately after reserving hearing time. A notice of hearing involving any remote appearance must list the judicial Zoom credentials. 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 (3) business days before the hearing.
- **Order of Proceedings:** Parties represented by attorneys will generally be heard first.
- **Continuance Procedure:** A request for continuance must be submitted 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). A copy of the motion to continue must be emailed to vmasterson@jud6.org.
- **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.

C. Remote Appearance

- **Remote Appearance Procedure:** Requests to use communication technology for an appearance must be made by motion in compliance with Florida Rule of General Practice and Judicial Administration 2.530. These motions must include a certification that the requesting party has reliable internet access and a quiet location free of distractions and noise for the remote appearance. All requests for remote appearance must be submitted at least 5 days prior to the scheduled proceeding.
- **Platform Used:** The court uses Zoom for remote appearances.

- Platform Meeting ID#: Contact the judicial assistant to obtain the platform meeting ID#.
- Requirements: Any person appearing remotely must behave and dress in a manner appropriate for court.

D. Submission of Orders and Judgments

- Format: All proposed orders must be submitted in Word format. All proposed orders must be accompanied by a cover letter either (1) certifying that all parties agree to the order or (2) containing a statement identifying any disagreement of the parties as to the proposed order.
- Submission Method: e-mail to vmasterson@jud6.org
- Deadline for Submissions: Proposed orders must be submitted within 10 days after any hearing.

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.
- Format: PDF or Word document
- Submission Method: e-mail to vmasterson@jud6.org
- Deadline for Submissions: Courtesy copies must be delivered to the court no later than three (3) 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 following must be filed: (1) the issues to be resolved, (2) reasons why an emergency hearing is necessary, and (3) the amount of time needed for each party's presentation.
- 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.

G. Exhibits for Evidentiary Proceedings

- Submission Method: Hand-deliver all exhibits to the clerk of the court.

- **Format:** Exhibits must be submitted to the clerk of court in paper format. Any videos must be submitted to the clerk on a CD or DVD. USB drives will generally not be accepted unless previously scanned for malware by the Court Technology Office prior to the hearing. 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. Exhibits must be labeled in the following format: ‘State 1’ or ‘Defense 1.’
- **Deadline for Submissions:** All exhibits must be available at the time of the hearing or trial.

H. Pretrial Conferences, Pretrial Motions and Substantive Motions

- **Pre-trial Conference:** Pre-trial conferences will be scheduled periodically generally 30-45 days from an existing court date. Defendants are required to appear in person unless their presence has been waived in accordance with Florida Rules of Criminal Procedure.
- **Additional hearings** may be requested by either party.
- **Defendant’s Presence:** The Defendant’s presence at a pretrial conference may be waived by counsel pursuant to Florida Rules of Criminal Procedure 3.180. The Defendant must be present if required by the Court, regardless of any previous waiver. The Defendant’s presence should not be waived if counsel has not had an opportunity to discuss the case with them. The Defendant’s presence may not be waived if speedy trial has not or will not be waived and the case will be set for trial.
- **Plea Negotiations:** Plea negotiations may be made between the State and the Defendant in advance of or at the pretrial conference. A Defendant may make offers to the Court but the Court will not engage in plea negotiations unless specifically invited to do so by the Defendant. Please do not ask to approach the bench with a plea form on a negotiated plea until the terms of the negotiation have been shared with the Court and the Court has agreed to accept the negotiated plea.
- **Continuances:** Attorneys may file a written motion and order to continue a pretrial no later than forty-eight (48) hours prior to any pretrial conference. Motions must fully set forth the grounds necessitating the continuance, contain a waiver of speedy trial, and must be with the consent of opposing counsel. Generally, the Court will accept two (2) written motions to continue before requiring attorneys to appear in Court to discuss the case with them.
- **Zoom:** Pursuant to Florida Rule of Criminal Procedure 3.116(c)(1), a request may be made to appear for non-evidentiary pretrial hearings and will be granted unless the Court has good cause to deny it. Approval must be obtained by contacting vmasterson@jud6.org at least five (5) days prior to the date of the hearing. Requests for a remote appearance must comply with provisions “C” above for “Remote Appearance”.

- **Pleas in Absentia:** Pleas in absentia must be approved by the Court prior to the preparation and submission of them. Pleas in absentia shall contain a notarized signature and fingerprints (if required) of the Defendant.
- **Pretrial Motions:** All pretrial motions such as motions to modify pretrial release, removal of CAM monitors, motions to terminate probation, etc. that are filed should be sent to the Court at vmasterson@jud6.org and scheduled for a hearing with the Court's judicial assistant. Absent good cause, any motion filed on or before a calendar call and/or pretrial hearing date without having been previously calendared with the Court, generally may not be heard at the time of a pretrial and will be set for a future hearing date. *Ore tenus* motions may be considered, when appropriate, with the consent of opposing counsel. Absent Court approval and good cause, the Defendant must be present for all motion hearings.
- **Substantive Motions:** Cases will be set for a pretrial conference at the same time as substantive motions. The Defendant's presence is required for all substantive motions. All motions must be filed and sent to the Court at vmasterson@jud6.org before a hearing date will be scheduled for the motion. If a ruling is made at the time of the motion hearing, attorneys should be prepared to discuss the case and the Defendant should be prepared to resolve the case or set it for trial. Motions to continue a substantive motion must be made as soon as practicably possible after an attorney or self-represented litigant becomes aware of the need for a continuance.

I. Setting Case for Trial and Trial Issues

- **Procedure:** The court will generally schedule a case for trial at the request of either party. The court may schedule a case for trial without a request from either party.
- **Notice Period:** The court generally sets date-certain trials. If a jury trial is set, 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.
- **Attorneys, self-represented litigants, and parties may not release any witnesses under subpoena without prior court approval.**
- **Charging Documents:** Any amendment to a charging document made and/or filed within seven (7) days of the date of the trial shall require prior authorization by the Court.
- **Motions to Continue:** Absent good cause, motions to continue a trial must be filed in writing at least one (1) week prior to the trial. A motion to continue the trial will be heard as soon as practicable is possible with the Court's calendar and all parties will be required to appear including the Defendant.
- **Calendar Call:** A calendar call will generally be held on the Friday before the week of trial to determine the party's readiness for trial. The Defendant's presence is required

unless waived by the Court in advance. Absent unforeseen circumstances that arise after the calendar call, no pretrial motions, including motions in limine and motions to continue, will be considered timely by the Court unless good cause is shown.

- **Motions in Limine:** Motions must be filed at least two (2) days prior to the calendar call date referenced above. When motions are filed, a copy of the motions must be emailed to the Court at vmasterson@jud6.org. The parties should discuss the motions in limine with each other prior to the hearing to determine which, if any, motions in limine can be agreed upon. At the calendar call, attorneys and self-represented Defendants must be prepared to argue the motions in limine that are not agreed upon by both parties.
- **Day of Trial:** Defendants will be sentenced at the time of their plea or after a verdict finding them guilty at the conclusion of a trial.
- **Voir Dire:** The Court will initiate voir dire. Attorneys for the State and the Defendant will be given a reasonable amount of time to inquire of the venire. The Court may place reasonable time constraints on voir dire, depending upon the complexity of the case. Attorneys will not attempt to taint a venire.
- **Objections:** No speaking objections shall be made during trial. If an objection is to be made, the attorney or self-represented Defendant shall stand and state the legal basis for the objection only. The Court will determine if further discussion is necessary as to the objection and have the party's approach to hear further arguments on the objection. The parties may ask to approach as well to discuss an objection.
- **Conduct at trial:** Attorneys shall have the clerk pre-mark any exhibits to be introduced at trial. Attorneys and self-represented litigants will show the exhibit to opposing counsel prior to approaching a witness. Attorneys and self-represented litigants should request permission to approach the bench, the clerk, and the witness. Attorneys and self-represented litigants shall ensure any digital exhibits such as CD's or DVD's can be played in Court consistent with the Court technology prior to the trial beginning.

J. Infraction Hearings

- **Motions to Continue:** Absent good cause, motions to continue an infraction hearing must be filed in writing at least one (1) week in advance and contain a waiver of speedy trial.
- **Disposition Before Trial:** If a Defendant wishes to resolve a civil infraction prior to the Infraction Hearing date, then a Motion for Dispositional Offer shall be filed and sent to the Court at vmasterson@jud6.org. Once a dispositional offer has been made by the Court and has been accepted by the Defendant or counsel, the Infraction Hearing will be cancelled and all parties will be called off.
- **Evidence at Infraction Hearings:** Exhibits must be submitted to the clerk of court in paper format. Any videos must be submitted to the clerk on a CD or DVD. USB drives

will generally not be accepted unless previously scanned for malware by the Court Technology Office prior to the hearing. All attorneys and self-represented litigants must bring sufficient copies of each exhibit for the clerk and the court to review during the hearing. Exhibits must be labeled in the following format: 'State 1' or 'Defense 1'. These items will be made part of the Court record and must be submitted into evidence and held by the Clerk. The Court will not view any photographs or video footage from a personal phone, IPAD, laptop, or other electronic device that have not been received into evidence first.

K. Forms

- No division specific forms are currently in use.

L. Discovery

- Motions: Opposing counsel must confer and make a good faith attempt to resolve discovery matters without a hearing. If discovery matters cannot be resolved without court intervention, a motion must be filed regarding the discovery matter at issue and emailed to vmasterson@jud6.org to schedule a hearing.

M. Other Division Procedures

- ADA Accommodations: If you need an ADA accommodation, please contact the Human Rights Office, 400 S. Ft. 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 call 727-453-7177.