

**IN THE CIRCUIT COURT OF THE
SECOND JUDICIAL CIRCUIT IN AND
FOR LEON COUNTY, FLORIDA**

POLICIES, PROCEDURES, AND PREFERENCES

JOHN COOPER

CIVIL CASES

SETTING HEARINGS AND NON JURY TRIALS

To set a hearing or a non jury trial a pro se party or an attorney representing a party should request a hearing by sending an email to the Court's Judicial Assistant, Jessica Allred, at allredj@leoncountyfl.gov. The request for a hearing should contain the name of the parties, case number, and county in which the case is filed.

The hearing request should contain the name of the motion to be heard. Normally, a hearing will not be set until the motion is filed with the Clerk of Court.

An estimate of time needed for the hearing should be provided.

The email address and, if a party does not have an email, the mailing address, of every party should be given.

If the parties cannot agree on a hearing date within a reasonable period, the Court will select the hearing date. In the case of certain hearings, including those that are urgent, the Court will select the hearing time.

PROVIDING COPIES OF MOTIONS AND SUPPORTING MATERIALS

It is the preference of the Court that a supporting memorandum be provided by the movant and an opposing memorandum provided by the party opposing a motion.

Unless authorized by court order, the combined page limits of the motion and supporting memorandum shall not exceed 20 pages. The opposing memorandum shall not exceed 20 pages unless authorized by court order. For summary judgment motions the combined motion and supporting memorandum shall not exceed 35 pages. The opposing memorandum shall not exceed 35 pages unless authorized by court order. Supporting record material, discovery material, and copies of cases, etc. are not included in the stated page limits.

If possible, the motion, supporting memorandum, opposing memorandum, and other supporting material should be submitted to the Court ten days before the hearing. Any filing with the Court required above which exceeds 35 pages must be sequentially numbered and included in a three-ring binder.

PROPOSED ORDERS

Proposed orders submitted to the Court shall be submitted to the Judicial Assistant via email. No orders shall be submitted through the Portal.

With regard to all orders to be sent to parties (usually pro se) without an email of record, a self-addressed and stamped envelope for that party must be included.

All orders submitted to the Court and associated cover letters or emails must be submitted to each party in the case with a notation that this was done.

All proposed orders submitted to the Court must state whether all parties agree or disagree with the wording. If there is a disagreement, the opposing party, unless

more time is requested, may have three days to submit a competing order or comments regarding the proposed order.

Even though a proposed order is submitted to the Court do not place the word “proposed” on the order.

FORECLOSURE PROCEEDINGS

At least ten days before the hearing the Plaintiff must submit to the Court a proposed order or final judgment. For all orders or judgments where a party does not have an email of record a self addressed stamped envelope must be provided for that party.

The original promissory note and original allonge must be provided to the Clerk of Court at least ten days before the hearing. If the original mortgage is available, it must also be provided to the Clerk at the same time as the note.

Often it is necessary to file accounting or other supportive records for a mortgage foreclosure proceeding. When this is done, a copy of the records must be sequentially numbered by page, placed in a three-ring binder, and provided to the Court within ten days of the hearing.

LEGAL ADVICE

The Court does not give legal advice to parties. Therefore, it is improper for unrepresented (pro se) parties, attorneys, paralegals, or legal assistants to contact the Court’s Judicial Assistant to ask for legal advice on a case.