

FELONY DIVISION – INDIAN RIVER COUNTY – COURTROOM 5 HONORABLE ROBERT B. MEADOWS

DOCKET CALLS: No additions should be allowed during Docket Calls. And - If an Attorney is going to do a COP during Docket Call they the Clerk should be notified at least a day in advance so that they can print the Fingerprint and Commitment forms needed. There is no way for the clerks to have Fingerprint and Commitment Forms for every case set on Docket Calls.

- ❖ UNOPPOSED Continuance must be e-mailed to the Judicial Assistant no later than noon the Thursday prior to Docket Call Week, i.e.

◀ Dec 2022		JANUARY, 2023					Feb 2023 ▶
Sun	Mon	Tue	Wed	Thu	Fri	Sat	
1 New Year's Day	2 Court Holiday	3 7:45 Det/Shelters 9:00 Jury Selection Montague	4 8:45 Det/Shelters 9:00 Juvenile/Mental Health Hearings 9:30 Trial	5 8:45 Det/Shelters 9:00 Trial	6 8:45 Det/Shelters 9:00 Trial	7 4:38 Full Moon	
8	9 8:30 COPS 9:00 MOTIONS 9:30 Trial Reserved	10 8:30 COPS 9:00 MOTIONS 9:30 Trial Reserved	11 8:30 COPS 9:00 MOTIONS 1:30 3.850 HRG	12 8:45 Arrg 1:30 SENT/COPS	13 8:30 COPS 9:00 VOP DC	14	
15 07:40 Last Quarter	16 Court Holiday MLK / ROBERT E. LEE	17 9:00 PD DC A-L 1:30 PD DC M-Z BY DEFEND	18 9:00 PVT DC A-L 1:30 PVT DC M-Z BY ATTY NAME	19 8:30 COPS 9:00 PD SENT 1:30 PVT SENT 3:30 Mini DC	20 8:30 COPS 9:00 VOP HRG	21	
22 02:33 New Moon	23 10X WEEK 9:00 JURY SELECTION	24 9:00 TRIAL	25 9:00 TRIAL	26 9:00 TRIAL	27 9:00 TRIAL	28 20:49 First Quarter	
29	30 TRIAL WEEK 9:00 JURY SELECTION	31 9:00 TRIAL					

❖ SCHEDULING HEARINGS

Scheduling will be done by me **not** via the online calendar. When you need to schedule a hearing you should first contact opposing party determine how much time will be required by ALL parties. Once this information is obtained you should email me, copying in opposing party, (actual email address please not service address see below example), to request the hearing indicating how much time is required. If it is a motion hearing the motion must be filed prior to request and a copy should be emailed to me when requesting. If the hearing is for a COP you should indicate if the plea is open or negotiated and again how much time is required. The plea form must be received via my e-mail by noon the business day before the hearing date and if applicable it should be accompanied by jail's time served paperwork.

Original plea forms and/or proposed orders should be brought to Court the day of the hearing.

Yes

From: 'EDWARD John Abare' <ejabare3@gmail.com>

Sent: Wednesday, November 16, 2022 9:11 AM

To: Augusta Mitchel <AMitchel@SAO19.org>; Patrick OBrien <POBrien@SAO19.org>

No

From: 'EDWARD John Abare' <ejabare3@gmail.com>

Sent: Wednesday, November 16, 2022 9:11 AM

To: SA19eservice@sao19.org

❖ PLEAS

- The signed plea form must be e-mailed to the Judicial Assistant no later than NOON the business day before the hearing. IF time served is a condition of the plea the Credit for Time Served Report from the Jail MUST be submitted with the plea form PRIOR TO THE HEARING **NO EXECUTED PLEA FORM NO TRANSPORT**

Plea forms MUST be legible, in other words **TYPED**. They should list the level and degree of the crime. The plea form should indicate what the defendant is ACTUALLY charged with and then what they are pleading to. AGAIN, INCLUDING the Level and Degree.

The Defense MUST bring the original plea to Court (plea date and/or sentencing)

ADVANCED NOTICE must be given to the Clerk of any pleas being heard/done at Docket Call.

Plea hearings will be IN PERSON ONLY no plea will be taken via computer/phone.

- ❖ Proposed orders regarding Early Termination; Bond Modifications, Pre-Trial Release and the like MUST be brought to Court.
- ❖ Info / No Info MUST be filed by NOON the business day before the arraignment
- ❖ Amended Info / Capias MUST be supplied to the Clerk by NOON the business day before the hearing.
 - **AMENDED INFORMATION:** NO filing Amended Information issuing a Capias in open court the day of or the portal the day before a COP so the defendant can plea out to a charge he has not been yet booked. It ties up 3 clerks (the 2 in court and 1 in office that has to stop everything to rush add a capias) and it takes up the courts time as well. No defendant should be allowed to turn himself in on a capias that hasn't been issued but already plead. They should be taken into custody and taken back to jail and then allowed to bond or ROR.

If the defendants are not booked there is no OBTS # issued and the charge will never be on the defendant's record. Also, when the State is allowing the defendant to plea down to a misdemeanor, they need to specify what statute, level, and degree to which they agreed. Since they do not furnish a scoresheet for the misdemeanors, the Clerks do not have anything to know what they intended.

CTS: Credit Time Served forms need to be done before the COP is held. The Clerks have to spend way too much time and money re-doing J&S's because the Credit Time Served is incorrect.

When cases have been set off for sentencing the Defense attorney should be required to bring

his/her copy for the judge to ensure the sentence announced is what they agreed to. The clerks cannot be responsible for the attorney's paperwork.

FEES & COSTS: If clerks announce the fees - is Statutory Felony/Misdemeanor fees sufficient and then add the COP/COi.