

**Procedures, Courtroom Guidelines and
Expectations for Cases
Assigned to Judge William J. Wallace** (Rev. 01/23)

Judicial Assistant: Karen M. Harris

Mailing Address: Okeechobee County Judicial Center, 312 N.W. 3rd Street, Okeechobee, FL 34972

Telephone: (863) 763-3193 (*Preferred method of communication with this office is via email*)

harrisk@circuit19.org

Communications with Judge's Office

Please do not ask the Judicial Assistant or other Court personnel to communicate any message to the Judge. This is prohibited ex-parte communication. The Court's staff is not permitted to relay ex-parte information to the Judge. The Code of Judicial Conduct governing behavior by Judges forbids the Judge to discuss pending cases with the public. Please do not call the Court expecting to speak with a Judge about any case. The Court is only allowed to consider arguments made in the courtroom and in documents properly filed by actual parties in the case as authorized by law and the Rules of Court.

E-mails

If you need to communicate with this office, kindly forward an e-mail rather than telephone call. **Please send all e-mails to Judge Wallace's Judicial Assistant at: harrisk@circuit19.org.** E-mails must contain the case name, case number, subject matter and relevant date(s). Please ensure that all e-mails are also copied to opposing counsel and/or Pro Se parties and indicate same in the body of your e-mail to prevent ex-parte communication to the Court. ***It is not necessary to send multiple e-mails regarding the same subject matter. A response to your e-mail will be forthcoming at our earliest opportunity.**

Phone Calls

As referenced above, e-mail is the most effective method of contact with our office. If you call and receive a voicemail, please leave a brief message and telephone number. Please do not leave multiple messages.

Original Pleadings, Letters and Requests

All **original** pleadings, letters, requests, etc., must be filed with the Clerk of Court and a copy must be furnished to the opposing party. Please make sure your **case number, phone number, correct address and/or e-mail** are included in the event the Judicial Assistant may need to contact you regarding your case. Please DO NOT send original documents to the Judge's Chambers unless instructed.

All parties on e-service may forward proposed Orders and provide copies to the opposing party. Please be sure to list all address and e-mail addresses. Please do not put "cc: all counsel of record or parties of record" and do not leave it blank. If any party is Pro Se, any proposed Order must be mailed in with self-addressed stamped envelopes and copies for conforming. Proposed Orders, Agreed Orders, or Stipulations shall contain addresses.

In addition, please be sure that the Clerk has your **current** address and/or telephone number. If necessary, please fill out the appropriate form with the Clerk's Office. This office will not be responsible for ascertaining which address to use for notifications.

Pre-Trial Procedures

COMPLIANCE WITH AO 2021-05 MANDATORY/CIVIL CASE MANAGEMENT AND RESOLUTION: Please see Administrative Order 2021-05 which is available on this website; **compliance is required.** Pursuant to Florida Supreme Court AOSC20-23, Amendment 12, **ALL** parties **MUST** comply with Nineteenth Judicial Circuit Admin. Order 2021-06, by timely filing a Civil Case Management Plan and Order. **The parties must comply with the Civil Case Management Plan**

and Order, until superseded by subsequent Court Order. A WORD version of the Civil Case Management Plan and Order can be found on the Judge's webpage.

Small Claims Pre-Trials

All Pre-Trial Conferences are conducted in person. Cases must go to Mediation and Mediators are provided. If not resolved, the case will be set for Trial. Please read Pre-Trial Procedures above.

Scheduling Hearings

All Hearings must be coordinated with the Judge's Judicial Assistant. Please e-mail the Judicial Assistant at harrisk@circuit19.org or call (863) 763-3193. DO NOT use the online calendar system to schedule any Hearing – you must get hearing time from the Judicial Assistant or directly from the Judge in Court.

Hearings must be cleared with opposing counsel and/or *Pro Se parties*. Good faith cooperation is expected and required from counsel, their support staff, and *Pro Se litigants*. Notice of the hearing must be provided at least five (5) working days prior to the hearing.

Hearings may not be specifically set until the Motion and Notice of Hearing are filed.

Please be advised that Court Interpreters and/or Court Reporters **are not** provided on civil cases.

Settlements, Cancellations and Telephonic Hearings

If your case settles, please notify the Judge's Judicial Assistant as soon as possible via e-mail, transmittal confirmation to all parties attaching an e-filed notice of settlement.

Cancellation of any Hearing must be done by filing or e-filing a Notice of Cancellation of Hearing in advance of the hearing date and by sending a courtesy copy of your Notice to the Judicial Assistant via e-mail, once you have e-filed same.

Telephonic and Zoom hearings are permitted upon Court approval. **A Motion and proposed Order is necessary.** A toll-free number is needed for non-local calls. Persons electing to make a telephonic appearance must notify all parties in writing no less than five (5) business days prior to the scheduled hearing date.

Emergency Hearings

If an emergency arises, counsel may request that a Hearing be set on short notice. The body of the Motion must contain a detailed explanation of the circumstances constituting the emergency as well as the substance of the Motion. The Motion must be e-mailed to the Court at harrisk@circuit19.org before a hearing will be set. The Court will review the Motion and, if it is determined an emergency exists, the Judicial Assistant will contact counsel to set the hearing. In light of the short setting, opposing counsel may attend the hearing via Zoom or telephonic appearance if their schedule will not allow them to appear in person.

Landlord/Tenant Cases

The parties are asked to become familiar with the Landlord/Tenant process. Plaintiff(s) are required to provide two self-addressed stamped envelopes for each party upon the filing of the Complaint for Eviction. The Court may set a case after a review of any documents or when the Court decides it is necessary.

Trials

Trials may be set directly by the Judge in Court or by the Judicial Assistant upon request. A Pretrial Order will be sent to both parties regarding Mediation and uniform pretrial procedures. Should the case settle prior to

the Trial date, please notify the Court by emailing harrisk@circuit19.org. A written confirmation of the settlement agreement must be filed/uploaded with the Court with a copy to opposing party.

PLEASE REMEMBER: ALL COMMUNICATIONS WITH THE COURT MUST BE IN WRITING, filed with the Clerk and copied to all parties in the lawsuit. Be sure to include the case number, case name, and your telephone number, the reason for said correspondence or documents being sent and, if the case is scheduled for a Hearing or Trial, include the date and time. Otherwise, we will be unable to process your request.

Misdemeanor Cases and Criminal Traffic

Arraignments: All Defendants are required to be present unless counsel appears for them or a written plea and waiver of arraignment is filed by Counsel and provided to the State and/or Court prior to the Arraignment date.

Docket Sounding: All Defendants are required to be present unless counsel appears on their behalf to request a continuance and waive speedy Trial. The Court will grant Unopposed Motions for continuances with a waiver of speedy Trial at the Docket Sounding.

Jury Docket Call: All Defendants and Counsel are required to be present unless counsel appears on their behalf and a written waiver of appearance is filed by Counsel prior to the start of Court. All counsel should make every effort to be ready to resolve the case whether through negotiated plea, open plea to the Court or to announce ready for Trial.

Only for good cause shown, will the Court grant further continuances at the Jury Docket Call. Defense Counsel, both private and Public Defender, shall inform their clients prior to the Jury Docket Call that if their case is announced that "it is ready for trial", all plea offers are withdrawn.

Jury Selection: Jury Selection will normally commence on the following Monday after Jury Docket Call. Trial will commence either on that day or the Tuesday after Jury Selection.

Continuances

If a case is set for a Motion, Docket Call/Case Management Conference, or Trial and you desire a Continuance (for good reason), you must contact the opposing party and determine if they will stipulate to a continuance. If there is a stipulation, please submit a stipulated Motion and proposed Order **no less than three (3) business days prior to the scheduled hearing date**. If there is no stipulation, file the Motion and contact the Court for a hearing date and time, just as with any other Motion. Any such Motion must be filed as soon as you are aware of the need for a continuance. If an emergency occurs, contact the other party and the Court as soon as possible to resolve such an issue. The Court will regulate continuances, if the case is being unreasonably delayed. Any party may request a continuance of the case in open court, if necessary.

Civil Traffic

Please follow all instructions on the Citation. Any request for extension, traffic school, Court date, etc. should be filed with the Clerk of Court first. Be sure to include case name, case number and subject matter. If you are looking for a continuance, please provide a detailed explanation as to the request. The Court will regulate continuances, if the case is being unreasonably delayed.

Probate

Please refer to the Probate Procedures on the Webpage of Judge Rebecca Ivy White under Circuit19.org.