JUDGE MICHAEL D. PORTER
ST. LUCIE COUNTY CIVIL JURY DIVISION
(even numbers only)
JUDICIAL PRACTICES & PROCEDURES

Effective March 16, 2026

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Table of Contents

A. Communication with the Judicial Office…….. 2
B. Scheduling Procedures…….. 3
C. Remote Appearance…….. 5
D. Submission of Orders and Judgments……... 5
E. Courtesy Copies of Case Law and Other Documents……... 6
F. Emergency and Other Urgent Matters…….. 6
G. Exhibits for Evidentiary Hearing Proceedings…… 7
H. Pretrial Procedures, Conferences, and Motion Practice…… 7
I. Trial and E-Docket Procedures…… 8
J. General Magistrate…… 11
K. Interpreting Services…… 11
L. Other Division Procedures…… 11
M. Other Helpful Links…….. 12

[1] Email is the best way to reach this office. It is our preferred form of communication.

A. COMMUNICATION WITH THE JUDICIAL OFFICE

- **Method of Communication:** The preferred method of communication is via email and emails will receive the quickest attention. Correspondence and/or emergency motions should be emailed to SLCJudge4@circuit19.org. You must carbon copy the opposing counsel or party (if *pro se*) on all email correspondence.

  Email sent to this office must contain the following in the subject line:
  - Case Short Style Name (Jones v. Jones)
  - Case Number (short case number is okay – example: 21CA234)
  - Purpose of Email (Order, Notice of Cancellation of Hearing, Request for Hearing more than one hour, etc.)
  - **If you are requesting an Emergency Hearing, you MUST indicate in the subject line "Request for EMERGENCY Hearing"**

  The body of the email must contain a brief description of the purpose of the email. If a hearing date and time over one (1) hour is requested, then you must include a good faith estimate of time needed for the time for the entire hearing (after consultation with opposing counsel/party).

- **Ex-Parte Communication:** Please do not ask the Judicial Assistant or other Court personnel to communicate any message to the Judge as this is prohibited *ex-parte* communication. All communication with the Judge shall be in open Court with all parties present, in writing/ email copied to opposing counsel/party, and/or filed with the Clerk and served on the opposing party/ counsel. No party or attorney shall otherwise communicate directly with the Judge. All emails must include all parties (even if pro-se) and the style of the case, or they will be discarded.

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

- **E-Filing Portal Contact Information:** All attorneys and self-represented litigants must provide an email 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 email account registered for electronic service.

- **Response to Inquiries:** The judicial assistant is not authorized to provide legal advice. All inquiries received that are in compliance with the court's division procedures will be responded to in the order in which they are received.

- **Submission Procedures:** Documents submitted to this office by email should be attached as a document with a name that is easily identifiable and searchable. As an example: Jones v. Jones, 21CA234 O-Set Hrg. Motions must be submitted in .pdf format. **All proposed orders must be submitted in WORD format.** Please submit all documents attached to one (1) email to the Judicial Assistant at SLCJudge4@Circuit19.org.

- **Telephone:** Please do not leave a voicemail message; this office communicates best via email.

B. SCHEDULING PROCEDURES

All motions must be filed with the Clerk before you set the motion on the online calendaring system or contact this office for hearing time.

- **Conferral Prior to Filing Motions:** Before filing a non-dispositive motion, the movant must confer with the opposing party in a good-faith effort to resolve the issues raised in the motion. At the end of the motion and above the signature block, the movant must include a certificate

  of conferral in substantially the following form: "I certify that prior to filing this motion, I discussed the relief requested in this motion by [method of communication and date] with the opposing party and [the opposing party (agrees or disagrees) on the resolution of all or part of the motion] OR [the opposing party did not respond (describing with particularity all of the efforts undertaken to accomplish dialogue with the opposing party prior to filing the motion)]."

  OR

  "I certify that conferral prior to filing is not required under rule 1.202."

  If you are scheduling a hearing on objections, the good faith conferral must be listed in the Notice of Hearing.

  Failure to include this certification will result on the motion and/or hearing being stricken from the docket.

- **Uniform Motion Calendar ("UMC") Procedures:** These hearings are non-evidentiary (no witnesses) and will not be permitted to exceed ten (10) minutes in length. This means that each side will have five (5) minutes to argue their position. Hearings are limited to ten (10) minutes per case and only one motion per "UMC" slot.

  All UMC Motions will be conducted via Zoom only. Meeting ID: 553 306 8943

  Scheduling UMC Hearings: Attorneys may schedule UMC hearings using the online scheduling program at Attorney Calendar Login.

- **Scheduling Hearings of less than 1-hour:** All hearings of **one (1) hour or less** may be scheduled online at Attorney Calendar Login. You must first register to obtain your user ID and password on the site. Additional motions may not be "piggy-backed" without permission from the Judicial Assistant.

- **Scheduling Hearings of more than 1-hour :** Please note any hearings that require more than one hour must be requested by email to SLCJudge4@Circuit19.org. A copy of the motion MUST be attached.

  All EVIDENTIARY hearings will be conducted in person without exception. Non-Evidentiary hearings may be noticed for Zoom or in person. If a NON-EVIDENTIARY hearing is noticed in person and you would like to appear via Zoom, a motion must be filed. Meeting ID: 553 306 8943.

- **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:** A copy of the motion, notice of hearing, (and a proposed order if a UMC hearing) MUST also be emailed to the Judicial Assistant at SLCJudge4@Circuit19.org within five (5) CALENDAR days of scheduling the hearing. All proposed orders must be submitted in WORD format. Failure to timely provide a copy of the notice, motion, (and proposed order if a UMC hearing), to the court will result in the matter being stricken from the docket. If your case is stricken from a docket, it will not be rescheduled on that same date.

- **Certificate of Service of All Court Filings and Proposed Orders**: All court filings and proposed orders MUST contain proper address certification i.e. the FULL address of ALL parties or email address where the motion was served (or order will be served.) "I certify that a copy of the foregoing was emailed to all parties through the e-service portal" is NOT sufficient. Likewise, listing a party on the order "cc:" without listing the address is insufficient. If the party does not have an e-service address, then the moving party will be required to mail a copy of the court filing or order to that party.

- **Coordinating Hearings and Unilaterally Setting Hearings**: The moving party is responsible for contacting the opposing party to coordinate the hearing date. If after three (3) business days you are unable to coordinate the hearing date, you may unilaterally schedule the hearing setting forth in your good faith certificate the attempts that were made to coordinate the hearing.

- **Cancelling Hearings:** If you cancel your hearing, you must file a Notice of Cancellation and advise the Judicial Assistant by email no later than noon, the day before the hearing, with a copy to all parties, so that it may be removed from the Court's docket. It is the responsibility of the moving party to remove any hearing from the Court's calendaring system**.** Simply filing a Notice of Cancellation does not remove the hearing from the

Court's docket. Attorneys who repeatedly abuse the online calendaring by not removing hearings from the online calendar may be denied the privilege of self-scheduling.

- **Requirements for Court Reporters:** All evidentiary matters (both trials and hearings) must be reported by a court reporter. Counsel for the Petitioner is responsible for having a court reporter present. If counsel for the Petitioner does not plan on asking to have the proceedings reported, then he/she MUST timely notify the opposing party so that they may obtain a reporter, should they wish to do so. Failure to do so may be grounds for cancellation of the trial and may be grounds for sanctions.

C. REMOTE APPEARANCE:

- **Remote Appearance Procedure:** The court maintains a hybrid virtual courtroom, allowing parties to appear either in person or remotely, as provided by Florida Rule of General Practice and Judicial Administration 2.530. However, ALL EVIDENTIARY HEARINGS AND TRIALS WILL BE CONDUCTED IN PERSON, unless otherwise permitted by the Court prior to the hearing. A Non-Evidentiary hearing may be noticed as a virtual or in person hearing. The Notice of Hearing MUST indicate the type of appearance (i.e. In Person or Remote).
- **Platform Used:** The court uses Zoom for remote appearances.

- **Platform Meeting ID#:** 553 306 8943. There is no password requirement.

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. All proposed orders and motion MUST contain proper address certification – i.e. the FULL address or email address where the motion was served (or order will be served.) "I certify that a copy of the forgoing was emailed to all parties through the e-service portal" is NOT sufficient. Likewise, listing a party on the order "cc:" without listing the address is insufficient. The order will reflect that counsel will be required to mail copies of any orders that require US mail.

- **Submission Method:** All proposed orders shall be submitted to the Court via email to SLCJudge4@Circuit19.org.

- **Deadline for Submissions:** If counsel is asked to prepare an order, the order shall be drafted and circulated to opposing counsel or pro se party within fourteen (14) business days of the hearing and must be submitted to the Court in WORD format and to all counsel and pro se parties within seven (7) days of the hearing, unless otherwise ordered at the hearing.

- **Agreed Orders:** If you have reached an agreement/stipulation, a separate agreed order in WORD must be provided to the Court with language approving the agreement/stipulation. If you have exhibits to include in the agreed order, you must also submit the agreed order in .pdf format and include all necessary attachments. The Court will not execute agreed orders, or stipulations without a written verification or cover letter stating the action requested, that a copy was provided to all counsel of record and pro se parties, and if there is a stipulation or an agreed order, that there are no objections to the entry of the order. Do not state in a cover letter words to the effect: "By copy of this cover letter to opposing counsel, opposing counsel is requested to advise the Court if there is an objection to the proposed order" OR "No objection was received." Instead, advise the Court if there is an objection to the proposed order.

  Agreed Orders shall be submitted to the Court via email to SLCJudge4@Circuit19.org along with a copy of the corresponding motion. Motions must be in in compliance with rule 1.202.

E. COURTESY COPIES OF CASE LAW AND OTHER DOCUMENTS:

- **When Required:** When counsel/ party intends to rely on case law or other documents in a hearing, a courtesy electronic copy submitted to the court and the opposing party in advance is required. Please do NOT send courtesy copies of documents that have been filed and docketed in the court file.

- **Submission Method:** All submissions should be emailed to SLCJudge4@Circuit19.org. Lengthy materials submitted in the form of tabbed PDF electronic binds are greatly appreciated. Brevity is also appreciated. **Do not mail binders to the Judicial Assistant. Links to shared cloud accounts are not accepted and will not be used.**

- **Deadline for Submissions:** Courtesy copies of case law, legal memoranda, and/ or hearing materials must be submitted no later than **five (5) business days prior to the hearing.**

F. EMERGENCY AND OTHER MATTERS:

- **Requirements:** All emergency motions must be clearly marked in the title of the motion as an emergency and emailed to the court's office at SLCJudge4@Circuit19.org with a timestamp on it.

- **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 HEARING PROCEEDINGS:

- At least five (5) business days prior to the evidentiary hearing, a witness list and an exhibit list should be e-filed and e-mailed to the Court and all parties. Exhibits should not be emailed to the Court in advance of an in-person hearing. Exhibits shall also be exchanged between the parties at least five (5) business days prior to the day of trial or evidentiary hearing. The exhibits will be marked by the Clerk at the beginning of the trial/hearing alphabetically for identification by the side seeking to offer the exhibit into evidence. If the exhibit is admitted into evidence, the Clerk will sequentially number the exhibit in evidence. If the exhibit is not admitted, the Clerk will retain it with only the alphabetical identification. Once exhibits are marked, either for identification or in evidence, and given to the clerk, they become the property of the Clerk of Court and may not be altered or removed from the courtroom without order of the Court.

  This procedure does NOT change or modify the Court's Case Management Plan and Order Setting Trial stating the deadline to meet and exchange documents and the deadline to list all witnesses and exhibits.

H. PRETRIAL PROCEDURES, COMPLIANCE, AND CONFERENCES:

- **Case Management Conference/ Status Conference:** Any party may request or schedule a case management conference (CMC) or Status Hearing when a case requires. The court strongly encourages the early use of CMC in more complex cases, multiple-party litigation, or any case that might benefit from court intervention. Unless excused by the court in advance, all CMC's are mandatory for attorneys and self-represented litigants. Parties represented by counsel are not required to appear at a CMC. Any request for a CMC or status conference must articulate the reasons for the necessity of the conference.

- **Pre-Trial Conference:** All cases will be referred to the General Magistrate for a pretrial conference according to the timeline set out in the Case Management Plan. The parties are to schedule the conference before the General Magistrate using his online calendar. The pretrial conference must be scheduled no later than the third week of the month prior to the e-docket date.

- **Pre-Trial Compliance:** This Court requires full compliance with the Case Management Plan and Order Setting Trial, which includes, without limitation, timely submission of a joint pre-trial statement. Your case will be subject to removal from the trial docket if a joint pre-trial statement is not filed in compliance with the Case Management Plan and Order Setting Trial. Motions in limine and other motions concerning how the trial is to be conducted will not be entertained during trial or on the day of jury selection, unless the Court is satisfied that with due diligence, the matter could not have been heard pre-trial.

I. TRIAL AND E-DOCKET PROCEDURES:

- Notices for Trial are not required, as trial dates are set by the Case Management Plan and Order Setting Trial.

- All jury trials are in person. All expert witnesses must appear in person for jury trials.

- All E-Docket Calls will be held in Chambers on the first business day of each month. Counsel will not attend E-Docket Call. Instead, counsel with cases on each month's docket will fill out the E-Docket Call Form found in your Case Management Plan and Order Setting Trial, and e-mail it to SLCJudge4@Circuit19.org. The Court will make its best effort to place you on the Trial Schedule during the week(s) you have selected. Cases will be stacked during your selected week(s) according to the year that the case was filed, with the older cases being placed at the top of that week's trial schedule.

- Counsel for each case is required to submit the E-Docket Call Form for the trial period during which your case is set. All counsel shall discuss and agree regarding trial dates to be selected, and one form is to be submitted for each case. **Simply filing a motion to continue will not suffice to continue the case. Your case will not be continued because both parties agree and note same on the E-Docket Call Form.** The form shall be signed by all counsel of record for that particular case. If you fail to submit the form as set forth above by the deadline, you will be set on the Trial Schedule at the will of the Court. **All forms are to be e-mailed to SLCJudge4@Circuit19.org by 5:00 p.m. 3 business days before the posted Docket Call date.**

- All cases set for trial will receive an Order Setting Jury Trial, which will state your trial position. If you are scheduled as a back-up, it will also list all cases set before you. *It will be the responsibility of counsel and *pro se* litigants to keep track of their position on the trial docket and to monitor whether the cases set ahead of your case are settled or continued. If your case is not able to be set for trial, you will receive an Order Rescheduling E-Docket Call.

- *Unless otherwise ordered, the top 2 (two) cases moving forward as of 5:00 p.m. on the Friday preceding your trial are required to appear the morning of trial.* Unless the case is settled or continued prior to the date set for trial, counsel must appear for trial. *All other cases will be rolled to another trial week or to the next E-Docket Call date. If your case is rolled to the next E-Docket Call, you will be required to submit another Joint E-Docket Call Form for same.* *If your case is rolled or continued, existing deadlines stay in place, and you will receive an Order Rescheduling E-Docket Call. **Do not call the Judge's office to determine the status of your case or priority of your case for the trial week.** It is unacceptable to announce to the Court that counsel is not ready to proceed to trial because counsel thought another case would proceed instead. If your case is called up for trial and you do not appear or are not ready for trial, the case will be dismissed if you are the plaintiff, or a default entered if you are the defense.

- All other trial specific information is found on your Case Management Plan and Order Setting Trial or your Trial Order.

- **Settlement of Cases:** If your case settles after you have received an executed Case Management Plan and Order Setting Trial, please first immediately notify the Court's Judicial Assistant by email advising of settlement. This also applies to cases that are subsequently placed on the trial docket.

- **Continuance of E-Docket Call:** If your case is continued or rolled over to another date for trial and/ or E-Docket Call this does not extend the cut-off dates set out in the original Case Management Plan and Order Setting Trial. You must obtain a Court order either by stipulation or hearing to extend the cut-off dates as set forth in the Case Management Plan and Order Setting Trial.

- **Trials:** Counsel and their clients are to be in the courtroom and ready for trial in a timely manner. Depending on other emergency matters, the Court will start as soon after the scheduled start time as possible.

- **Trial Briefs:** If a trial brief is to be filed with the Court it should be submitted to the Judge's Chambers no later than five (5) business days before the trial is to commence. The Court requires hard copies of cases cited in the trial brief with appropriate highlighting of the pertinent sections.

- **Trial Notebook:** Plaintiff's counsel shall present to the Court, five (5) business days prior to trial, a trial notebook containing copies of pertinent pleadings filed in the case (i.e., Complaint, Answer and Affirmative Defenses, Counter-Claims, Pre-Trial Stipulation, etc.).

- **Jury Selection Process:** After voir dire, the Court will first ask each side for any cause challenges. Upon completion of challenges for cause, the Court will move to peremptory challenges. The Court will start with the first juror and move sequentially as they are seated in the venire, alternating between counsel until a panel is chosen. Back striking during jury selection is always permitted. The number of alternates will be determined by the type and length of the trial. Each party will have one additional strike as to each alternate.

- **Opening and Closing:** Only demonstrative aids or exhibits marked by the Clerk, agreed to by all counsel, or approved by the Court may be used in either opening or closing. The Court will discuss with counsel the time requirement of both opening and closing and will expect that a reasonable estimate be provided by counsel. Please note that opening statements will begin immediately after a jury is selected and sworn unless otherwise ordered by the Court.

- **Exhibits:** If counsel has questions regarding submitting exhibits to the Court, please contact the Clerk of Court/Civil Division. All exhibits are to be marked for identification by the clerk **prior** to the start of trial. Exhibits which will be stipulated into evidence may

be marked in evidence. Once exhibits are marked, either for identification or in evidence, they become the property of the Clerk of Court and may not be altered or removed from the courtroom without order of the Court. No exhibits are to be published or exhibited to the jury until admitted into evidence and authorized by the Court. Objections to exhibits not preserved in the pre-trial stipulation shall be deemed waived.

- **Demonstrative Aids:** Any demonstrative aid that is to be used at trial must be marked by the clerk and exhibited to opposing counsel and the Court prior to the start of trial. The Court will hear argument of any counsel opposing the use of the demonstrative aids prior to the start of trial. No aids are to be shown to the jury without prior approval of the Court.

- **Experts:** The Court will not accept or qualify a witness as an expert in front of the jury. Challenges to an expert's qualifications will be handled outside the presence of the jury. Experts are to be cautioned by the attorney who calls the expert of "in limine" rulings, and the effect of the invocation of the Rule of Sequestration.

- **Use of Depositions:** If depositions are to be used at trial in any manner (impeachment, as video testimony, etc.) make certain a hard copy is available for both the Court and for the witness being questioned.

- **Objections:** The Court will not allow speaking objections in front of the jury. When counsel rises to object, the legal basis for the objection only should be stated. If elaboration is necessary the Court will call counsel to the bench for a bench conference out of the presence of the jury. Counsel shall not interrupt opposing counsel or witness's questions or answers with an objection unless the answer or question is patently objectionable. Once the Court has ruled, no further argument shall be permitted.

- **Jurors:** The Court generally will allow jurors to take notes and to ask questions where necessary. *See* Section 40.50, Florida Statutes. If any counsel objects to these procedures such objection should be addressed to the Court prior to the day of trial.

- **Jury Instructions:** Jury instructions are to be prepared by both sides and exchanged prior to the E-Docket Call pursuant to the Case Management Plan and Order Setting Trial. **A final draft in Word format shall be provided to the Court by e-mail (**SLCJudge4@Circuit19.org**), no later than noon the Friday prior to the start of the trial.** The Court intends to provide the jury with a written copy of all jury instructions when the jury retires to deliberate. Therefore, there should be enough copies of the final instructions for each juror and the Court, counsel and the court reporter. In addition, the final instructions (the instructions that go back with the jury for deliberations) should not contain any citations, jury instruction titles, or information as to who requested the instruction. In certain cases, and with the agreement of all counsel, the Court may provide some substantive law instructions to the jury during preliminary instructions and/or before closing arguments.

- **Information Not Covered:** If any matters concerning the conduct of the pre-trial or trial procedures are not covered herein, counsel is free to contact the Court, in writing via e-mail at SLCJudge4@Circuit19.org.

J. GENERAL MAGISTRATE: This court refers discovery matters, attorney's fees motions, and all non dispositive matters to the General Magistrate. You may obtain an order of referral by requesting one from the magistrate's assistant by email at civil_magistrate@circuit19.org.

K. INTERPRETING SERVICES: If you are in need of translation services, it is your responsibility to being a Florida Supreme Court certified interpreter to your court hearing. Your notification of the need of an interpreter to either the judicial assistant of the clerk is greatly appreciated at the time of scheduling of the hearing and/ or trial for planning purposes.

L. OTHER DIVISION PROCEDURES:

- **Motion to Dismiss:** On occasion, the Court may review and rule on Motions to Dismiss in Chambers on its own initiative. The best practice would be for counsel to file a Response within 10 days of the filing of a Motion to Dismiss. The Court will not rule on any Motion to Dismiss in Chambers within 10 days of filing unless a Response has also been filed.

- **Discovery Motions and Motions to Compel**: Motions to Compel, as well as all discovery motions must comply with the Florida Rules of Civil Procedure 1.202. Motions to Compel must also comply with Administrative Order 94-10.

  When a motion to compel discovery alleges a complete failure to respond or object to discovery, and the time for complying with the discovery request has lapsed and there has been no request for an extension of time, an ex parte order may be entered requiring compliance with the original discovery demand. The movant shall submit a copy of the motion and proposed order(s) shall be emailed to the Judicial Assistant (copies to other side) in WORD format.

- **Motions for Rehearing, Reconsideration, or New Trial**: Upon filing said motion the moving party shall send a copy to the Judicial Assistant for review. The copy of the motion sent to the Judicial Assistant shall be accompanied by a generic order granting/denying the motion. If the moving party fails to comply, any party may furnish a copy of the motion and the required documents to the Court. If the Court determines that a hearing is necessary, the movant will be advised to schedule and hearing and file appropriate notices. Do not set a Motion for Rehearing, Reconsideration, or New Trial for hearing without first receiving permission from the Court.

- **Withdrawal or Substitution of Counsel**: You must follow the provisions of Fla.R.Jud.Ad. 2.505. You must obtain the client's consent in writing which shall be filed with the Court, or a hearing must be held after proper notice to the client.