Judicial Practices and Procedures

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A. Communications with the Judicial Office

1. Method of Communication

All communications to the judicial office must be submitted by e-mail to sedas@circuit19.org. The subject line must contain the case number, case name, and relevant matter (e.g., 2024 CF 001234 SC – State of Florida v. Doe - 2-Hour Hearing Requested)

2. Ex-parte Communications

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. The Court's staff is not permitted to relay ex-parte information to the Judge. All communication with the Court shall be in open court with all parties present, in writing or by email copied to opposing counsel/party, and/or filed with the Clerk of Court. No party or attorney shall otherwise communicate directly with the Court. All emails must include all parties, the style of the case, and the case number or they will be disregarded.

3. 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.

4. E-Filing Portal Contact Information

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

1. Scheduling Hearings

Any motion requiring five to sixty (5-60) minutes can be scheduled using the Court's online scheduling system using the "COPs/Short Motions" (for hearings requiring 10-minutes or less) or "COPs/Motions" hearing timeslots. ***All hearings must be coordinated with opposing counsel. Failure to do so will result in the motion being stricken from the court's docket.***

The Court's calendars are posted online at https://slccjis.stlucieco.gov/attorney_calendar/.

All motions must be filed with the Clerk prior to scheduling your motion for hearing. Hearings must be scheduled at least 2 business days prior to the hearing date. Simply go online and find available hearing time under "COPs/Short Motions" (for hearings requiring 5-minutes or less) or "COPs/Motions" (1 hour or less), confer with opposing counsel to coordinate and schedule the appropriate time online. ***Hearing time will not be given out over the phone.*** E-file your Notice of Hearing. Email the motion (.doc or .pdf format) and proposed order (.doc format) to SedaS@circuit19.org at least two (2) business days prior to the hearing with the style of case and hearing date in the subject line/email. E-file your responsive memos or pleadings with the Clerk and send us a copy as well at SedaS@circuit19.org.

The Case Type is the motion(s) being set for hearing (Examples: M/Suppress, M/Early Termination of Probation, M/Recall B/W; COP, etc.).
The Case Number is 24XXXXXXCF. **Please use one hearing slot for each defendant, not for each case number.** (If there are multiple cases being

scheduled for the same date and time, please schedule one of the cases on the online calendar and provide the additional case numbers to the Judicial Assistant, via email, to be added to the calendar.)

Additional motions may not be "piggy-backed" by cross-notice unless counsel first confirms with opposing counsel, and the Judge's Judicial Assistant, that sufficient additional time can be reserved to hear them.

All hearings scheduled online must be cancelled online if not going forward. A Notice of Cancellation should also be e-filed (with a copy sent to SedaS@circuit19.org).

Failure to coordinate hearing time and failure to timely cancel a hearing could result in the loss of your online scheduling privileges. If you have any questions regarding these procedures please do not hesitate to email: SedaS@circuit19.org.

Please do not contact the Judicial Assistant about scheduling unless you have reviewed these procedures and the online calendar/schedule.

Procedure to schedule hearings using the Court's online calendar/scheduling system: Be sure to click on the Martin Calendar for Judge Metzger when utilizing this system:

1. Logon to https://slccjis.stlucieco.gov/attorney_calendar/
   You must register to obtain your user ID and password on this site;
2. Click on case scheduling;
3. Enter County, Judge Metzger's name, month and year in drop down fields;
4. Hit available Hearing Time: View button and screen will open showing all available hearing times;
   Any issues relating to your login/use of the online calendar should be directed to: Christopher.Baker@stlucieco.gov and not to this office.

Please use a short form of case number when using on the online calendar, Example: 22CF303.

2. Special Set Hearings over One Hour

For any hearing requiring more than 1 hour, please email the motion to be scheduled to the Judicial Assistant, SedasS@circuit19.org, and include the case number/case name, motion(s) and the amount of time requested for both sides in the subject line. Opposing counsel must be

included when emailing the J.A. Your email must state the parties have agreed to the amount of time necessary for the hearing and a statement explaining exactly why more than 1 hour is needed. In addition, you must confirm your motion has been e-filed. Hearing time will not be given out over the phone. *Additional motions may not be "piggy-backed" by cross-notice unless counsel first confirms with opposing counsel, and the Judge's Judicial Assistant that sufficient additional time can be reserved to hear them. Please do not include this office in email chains coordinating hearing times.*

3. All Hearings must be cleared with opposing counsel

Good faith cooperation is expected from counsel and their support staff. Should counsel or their staff fail to respond within three (3) business days or refuse to cooperate in obtaining or in setting a hearing, the difficulty should be specifically set forth either in a motion or in the notice of hearing. Forward a copy of the Notice of Hearing via email to the Judicial Assistant. Should a notice of hearing not immediately be forwarded to the Judicial Assistant via email, after a special set hearing is obtained, such hearing will not be placed on the Court's docket.

4. Submission Deadlines

The court must receive all materials for the hearing no later than three business days before the hearing.

5. Order of Proceedings

Matters will be heard in the order that they appear on the docket.

6. Continuance Procedure

An Unopposed Motion to Continue must be e-filed and an order (in **WORD** format) forwarded to the Judicial Assistant (SedaS@circuit19.org) no later than Noon on Wednesday the week prior to docket call (***NO EXCEPTIONS***). If a continuance is requested, the motion must state ***the number of prior continuances, and if more than 2 and the defendant is incarcerated, the number of days incarcerated***. If defense has already had 2 prior continuances, good cause must be shown.

The proposed order must reflect the date the matter is being continued from and the date the matter is being continued to (all dates are set forth on the Court's online calendars). If you do not have a copy of a ***signed*** order of continuance before Docket Call, you and your client **must**

appear in person for Docket Call, if a Waiver of Appearance has not been filed**.** **VOP Docket Call** continuances must be submitted to the Judicial Assistant at SedaS@circuit19.org, no later than noon the Wednesday before **VOP Docket Call**, (***NO EXCEPTIONS***). Please review the Court's online calendar for the next date and fill in the agreed date on the proposed order. *Last minute continuances on all matters will not be granted except for extraordinary circumstances.* ***All other continuances*** *must be submitted to the Court at least three (3) full business days in advance of the day the matter is currently set before the Court.*

C. Remote Appearance

1. **Remote Appearance Procedure- Via Zoom:** The Rules for Remote Appearances:
   a. The court does not allow any remote appearances for evidentiary hearings.
   b. The court does not allow court appearances for hearings greater than 30 minutes.
   c. The court does not allow any remote appearances that the attorney has not filed a motion 10 days prior to the hearing requesting to appear via zoom.
   d. All remote appearances, other than the JAC hearings, must be approved by Cour order.
   e. The court will allow JAC hearings to occur remotely.
   f. In cases of exceptional circumstances, the Court may allow exceptions. Time, distance or inconvenience is not an exceptional circumstance.
   g. The court maintains a limited virtual courtroom, allowing parties to appear either in person or remotely, as provided by Florida Rule of General Practice and Judicial Administration 2.530. Requests to use communication technology for a virtual appearance must be made by filing a motion.

1. **Platform Meeting ID#**

   Zoom Meeting ID#: 528 494 2614

2. **Technology Needs**

   https://www.circuit19.org/technology/

D. Submission of Orders and Judgments

1. Format

All proposed orders must be submitted in word format. All proposed orders must be accompanied by a cover letter or email 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.

2. Submission Method

Via email to the judicial assistant at sedas@circuit19.org.

3. Deadline for Submissions

Proposed orders must be submitted within 2 days after any hearing.

4. Proposed Orders

DO NOT submit proposed orders prior to hearings, unless requested to do so by the Court. The proposed order **must** reflect the date of the hearing, that it is ex-parte or coming before the Court in chambers. All motions must be filed through the e-portal prior to submission of the proposed order. All **proposed orders** are to be submitted to the Judicial Assistant, SedaS@circuit19.org , in **WORD** format, *along with a copy of the motion* which may be submitted in WORD or pdf format and a cover letter or email. The document should be named in a searchable format, which contains a short style of the case, short case number and short name of order. **SAMPLE: SoF v. Doe 22CF303 O-Cont**. The proposed order must utilize the Supreme Court Case Numbering System (County Code, Year, Division and Six-digit number with no dashes, i.e.: 43 2022 CF 000303). Your order must contain a complete service list, setting forth eservice address, as well as any postal addresses if there is no eservice address. **Orders that do not contain eservice addresses will be efiled, but no copies will be provided by this office.** Signed orders will be efiled and e-served via the e-portal. The party submitting the order will be responsible for providing any copies that are to be sent via U.S. Mail. All proposed orders must have the following language under the service list:

- "A COPY OF THIS ORDER IS BEING SERVED ON THE FOLLOWING VIA THE E-FILING PORTAL:

(Include the names of all parties with email addresses below this paragraph)

COUNSEL FOR THE STATE OF FLORIDA/DEFENDANT'S

COUNSEL SHALL SERVE A COPY OF THIS ORDER ON THE FOLLOWING PARTIES IMMEDIATELY AND FILE A CERTIFICATE OF SERVICE IN THIS COURT FILE: (Include the parties with physical addresses below this paragraph if they are excused from providing a designated email address for service)

E. Courtesy Copies of Case Law and Other Documents

1. When Required

Courtesy copies of case law or other specified documents must be submitted to the court for any evidentiary proceeding.

2. Submission Method

If hearing materials are 10 pages or less, email to sedas@circuit19.org. Hard copies via mail or hand delivery are required for hearing packets over 10 pages.

3. Deadline for Submissions

Courtesy copies must be delivered to the court no later than three business days *before* any evidentiary proceeding.

F. Emergency Matters

1. Requirements

If an emergency situation 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 emailed to the Judicial Assistant, SedaS@circuit19.org, for review by the Court prior to a hearing being set. If the Court determines that an emergency exists, the Judicial Assistant will contact counsel to set the hearing.

G. Other Division Procedures

1. In-Court Surrenders

Not permitted except for extraordinary circumstances and by PRIOR approval of the Court, this includes motions to set or reduce bond or

for ROR on pending warrants.

2. Arraignment

Appearance is to be in person. If a written plea of not guilty has been filed prior to arraignment, neither the attorney nor the defendant need to appear for arraignment. If the case is called, it will be noted that the written plea of not guilty has been filed.

3. Waiver of Appearance

A Waiver of Appearance must be filed for each pre-trial hearing, unless the waiver specifically sets forth that the defendant knowingly and voluntarily waives his/her appearance at any pre-trial hearing and elects to appear through undersigned counsel. A copy of the efiled waiver must be available to present to the Court.

4. Docket Call

Private Attorney & Public Defender Docket Call is usually held once per month. Counsel may attend the Docket Call in person or via Zoom. Telephonic appearances are not permitted. Plea negotiations and client discussions must take place before Court commences. Inmates will not be transported unless requested in advance, and all Defendants not in custody are required to appear unless excused prior to Docket Call; *defendant's appearance at docket call may be waived by e-filing a Waiver of Appearance with the Clerk's office at least three (3) business days prior to docket call. Counsel should have available a copy of the waiver to present to the Court at docket all, if needed.* Failure to appear when the case is called or failure of counsel to appear with a copy of the Waiver of defendant's appearance at Docket Call will result in the issuance of a Bench Warrant without bond, unless counsel requests, and the Court agrees, to recall the case at the end of the docket (with counsel present). Defense counsel is responsible for having their clients in the courtroom when their case is called if a Waiver of Appearance has not been filed. Changes of plea will be accepted the afternoon of docket call, time permitting.

5. Mini Docket Call

Appearance by Counsel may be by Zoom, BUT appearance by defendants MUST be in person. NO WAIVERS WILL BE ACCEPTED FOR THIS HEARING.

6. Sentencing

Defense counsel must be prepared to provide the Court with an accurate credit for time served when you appear for sentencing.

7. Change of Pleas "COP" (including VOP)

A fully executed plea form and accurate scoresheet for review must be submitted to the Court PRIOR to setting a change of plea. *The Court's plea form (Word format) is available on Judge Metzger's webpage. NOTE: Digital signatures must comply with Florida Rule of Judicial Administration, 2.515 Signatures and Certificates of Attorneys and Parties.* All plea offers shall be conveyed to defense prior to docket call. Defense counsel shall fully discuss the plea with the Defendant prior to announcing the plea to the Court. The plea form must be fully completed and executed prior to the COP hearing.

8. Competency Hearings

Upon receipt/filing of a competency evaluation finding Defendant competent to proceed, defense counsel must set a competency hearing, in order for the Court to make a competency determination/finding.

9. Inmates/Defendants

It is the attorney's responsibility to advise the judicial assistant (SedaS@circuit19.org) if an inmate needs to be transported for a hearing or Docket Call at least 2 business days prior to the hearing. It will be the responsibility of the defendant and attorney to ensure the defendant's presence, as the Clerk will not provide reminder cards.

10. Certificates of Service

Your certificate of service must be complete. Make sure that you include all parties and their central eservice addresses.

11. Eservice addresses you may find useful

- **Public Defender: PD19eservice@pd19.org**
- **State Attorney: SA19eservice@sao19.org**
- **Office of Regional Conflict Counsel: CriminalServiceMC@rc-4.com**

12. ADA Accommodations

If you require an ADA accommodation, please contact Court Administration at 772-807-4370. Visit the Circuit website for further information at:https://www.circuit19.org/americans-with-disabilities-act-ada/.

13. Interpreter Requests

If an interpreter is needed for a hearing or trial, please contact Court Administration. Visit the Circuit website for further information at: https://www.circuit19.org/court-interpreters/.

14. Post-Conviction Motions

A courtesy copy of all Post-Conviction Motions MUST be emailed to the Court at sedas@circuit19.org immediately upon filing. A Post-Conviction motion will not he heard in a timely manner if the Court is never made aware of its existence.

15. Pretrial Motions/Motions in Limine/Motions to Suppress

All pretrial motions, including Motions in Limine and Motions to Suppress MUST be set for hearing and heard at least 45 days prior to trial or the matter(s)will be deemed waived. The Standing Order regarding criminal case management and pretrial motion deadlines executed by this court on August 28, 2026, effective September 1, 2026 must be complied with. A copy of the Standing Order is contained on the court's web page.

16. Motions to Compel Discovery

Discovery disputes usually arise in civil cases. For the most part, prosecutors and defense counsel can conduct discovery without judicial intervention.

A party cannot file a Motion to Compel with the court without first working cooperatively with the other party to resolve the dispute.

A Motion to Compel Discovery or for Sanctions for Failing to Answer or Respond must include a certification that the movant has in good faith conferred or attempted to confer with the party failing to act in an effort to obtain the answer or response without court action.

The certification must include a description of the communication held or attempted in attempting to resolve the matter, including the date, time,

and participants in each communication.

No Motion to Compel Discovery will be heard where the parties did not comply with the foregoing procedures.