



ANGELA J. COWDEN
JUDGE OF THE CIRCUIT COURT
STATE OF FLORIDA, COUNTY OF HIGHLANDS
WWW.JUD10.FLCOURTS.ORG

Highlands County Courthouse
430 South Commerce Avenue
Sebring, FL 33870

Anita Reiley
Judicial Assistant
(863) 402-6617 – Office
(863) 402-6620 – Fax
E-Mail Address
areiley@jud10.flcourts.org

HIGHLANDS CIRCUIT CIVIL PROCEDURES AND GENERAL INFORMATION

- Term of Assignment:** Effective July 2021 until further Order of the Chief Judge
- Mailing Address:** 430 South Commerce Avenue
Sebring, FL 33870
- Hearing Room:** 3A, Third Floor, Highlands County Courthouse
Motion Hearings and Non-Jury Trials
- Courtroom:** 2A, Second Floor, Highlands County Courthouse
Jury Trials
- Administrative Orders:** Copies of all Administrative Orders for the Circuit are available on our website at WWW.JUD10.FLCOURTS.ORG.
- Docket Schedule:** Each month, the court sets aside one week for jury trials. Non-Jury Trials are scheduled during motion weeks. For trials longer than five (5) days, accommodations will be made.

NOTE: Please see the **Virtual Court Procedures and Preferences During Public Health Emergency** on the Judge's webpage for additional information.

GENERAL INFORMATION:

Office hours: Our office is open from 8:00 am – 5:00 pm Monday through Friday, except Court holidays. If you call our office during business hours and are directed to our voicemail, please leave a message, as detailed as you wish, with your full name, case number/style of the case you are calling about and a phone number where you can be reached, and my Judicial Assistant (JA) Anita Reiley will return your call as soon as she is able. Please note that if you have reached the voicemail during normal business hours (except during the lunch hour), it is likely that Ms. Reiley is away from her desk

tending to other matters such as gathering the mail and coordinating matters with the Court or other JA's.

Limitations: Under no circumstances can you call and talk to the Judge directly about a case. You may speak with a Judicial Assistant, but you should not attempt to ask her to give you legal advice, nor should you attempt to talk about your side of the case to her. She will politely ask you to speak to an attorney about your case, but you cannot speak to the Court, nor can she get a message to the Judge for you.

Filing: You may file your pleadings with the Clerk's office through the e-portal at <https://myflcourtaccess.com/> or in person. It will become a part of the case file, visible to all parties of record. If you attempt to get a letter or email to the Judge, it must be copied to all parties of record. An ex parte communication will be returned to you, unread by the Judge.

Copies for the Judge: If a Motion or Notice is filed in the Court file, please do NOT assume that the Judge will automatically see what you have filed. If you want to bring a Motion to the Court's attention, either email a courtesy copy of it to Ms. Reiley once it has been filed with the Clerk, or mail a hard copy to our office. For example, a Notice that Cause is at Issue, Notice of Voluntary Dismissal, or Motion for Reconsideration or Rehearing needs to be copied to the Judge's office for prompt consideration.

Single Submission: If you submit a proposed order by email, or on paper, or in the Queue (applicable in the near future), please only submit it in ONE form, not multiple. It becomes very confusing to try to determine if we have received the proposed order more than once.

SCHEDULING HEARINGS ON REGULAR (MOTIONS) DOCKET:

All scheduling is done by email. You may e-mail our office, my Judicial Assistant Anita Reiley, at areiley@jud10.flcourts.org to obtain hearing times for a motion hearing *only after the motion has been filed with the Clerk's office* and, if the case has been closed, once the case has been properly *reopened and any applicable filing fees are paid*. You will need to provide the following information:

1. Estimate of time needed for the hearing. If a hearing is to be set for more than four (4) hours, a 15-minute Status Conference will also be set about a week ahead of the hearing, to ensure everything is ready for a lengthy hearing, such as addressing witness issues, continuances, whether the parties have resolved any issues, technology needs of the parties, etc. **It is very important that you schedule ample time for each party to have a fair opportunity to be heard regarding the issues. If ample time is not scheduled, the hearing may come to an end and require re-setting to conclude. Please copy all parties to be coordinated within your email request.**
2. The case number, style of the case, names of the attorneys involved, and the motion(s) to be heard.
3. To reserve a particular date/time slot, you **MUST** send back an email to Ms. Reiley with your requested date/time slot. **Do not send out a Notice of Hearing until you have received email confirmation from my Judicial Assistant that your time slot is still available. Only the JA can confirm a hearing.** Hearings are set on a first come/first served basis.
4. All hearing date/time slots shall be cleared with opposing counsel prior to notices being filed and the notice of hearing should state clearly on its face that: **"The above hearing date has been cleared with opposing counsel's calendar on [Date]"**. In the alternative, if counsel's good faith attempt to clear a hearing has been unsuccessful, the following language shall be used: **"The above hearing date has not been cleared with opposing counsel's calendar because (factual statement)."** Once a slot has been cleared (or a good faith attempt has been made) you must send back an email, copying all parties, to reserve a particular date/time slot. If you do not, the hearing will not be reserved or added to the calendar. All available hearing date/time slots are given to anyone attempting to set a hearing. Slots are **not "held"** unless directed by the Judge.

5. You must either **mail** a hard copy of the Motion that is being heard with the Notice of Hearing, or **email** same (except see below) to the Judicial Assistant. As a majority of the motions are scheduled several weeks out, hard copies must be sent via regular U.S. Mail, or by another mail delivery service. In any event, they must be received in this office **no later than five (5) business days prior to the hearing date. If there are attachments to the Motion a hard copy must be mailed to this office. Do not email your attachments to the JA.**
6. Be sure to include the location of the hearing on your Notice of Hearing. Motion hearings are held in Hearing Room 3A, Third Floor of the Highlands County Courthouse, Sebring, Florida. Alternatively, if the hearing is Virtual, it will be held in Virtual Hearing Room 3A (the Virtual instructions are available from my Judicial Assistant, or are also located on the Court's website at www.jud10.flcourts.org in the Highlands County Virtual Courtroom Links page). The live link is entitled "Click here to enter Highlands Virtual Courtroom 3A".
7. **Uniform Motion Calendar:** Judge Cowden **does not** have a UMC Calendar. If a matter is uncontested, you may submit the motion and proposed order, with the Order in Word format, to the Judge for review. The motion itself should reflect that the matter is, in fact, uncontested.
8. **Emergency or expedited hearings:** Emergency or expedited hearings **are only set by the Judge** once she has received an *Emergency Motion* for consideration and directs that an emergency hearing be set on the matter. If the *Emergency Motion* is denied as an emergency, the attorney/movant may set it during the regular course of business per the Civil Rules of Procedure.

APPEARING VIRTUALLY OR BY TELEPHONE (for time certain hearings set on the Judge's regular/motions docket):

Judge Cowden allows and encourages virtual or telephonic appearances for both local and non-local attorneys for any matters that are scheduled for 15 minutes or less, or for **non-evidentiary** matters. No motion/order is necessary for any counsel who wish to appear virtually or by telephone. Counsel's Notice of Hearing should contain the Virtual Courtroom Instructions language so that all parties and counsels may attend virtually.

Any party (non-attorney) wishing to appear virtually or telephonically for a hearing should submit the appropriate motion and proposed Order for the Judge's consideration and may only appear virtually if the Judge grants the motion. Any parties appearing virtually or telephonically must appear pursuant to the Florida Rules of Judicial Administration, Rule 2.530. If a party wishes to appear virtually, the party should have a device which has a reliable internet connection, a microphone and a camera. The Court's electronic Notice of Hearing will contain the Virtual Courtroom Instructions language so that the party may attend virtually. Alternatively, a party may visit the court's website at www.jud10.flcourts.org and locate the Highlands County Virtual Courtroom Links, using Virtual Courtroom 3A.

For evidentiary matters, counsel and parties may request to conduct the hearing Virtually or in-person. During the Public Health Emergency conditions, evidentiary hearings will be conducted in Courtroom 2A and the concurrent Virtual Courtroom 2A until further notice (rather than Hearing Room 3A). Please notify my JA when setting the hearing, and the Notice of Hearing should reflect whether it is evidentiary or not, and whether it is Virtual or in-person. If there is a dispute as to Virtual or in-person, the Court will evaluate the explanation for each side and determine which method will afford due process to the parties.

FORECLOSURES

SCHEDULING MOTIONS FOR SUMMARY JUDGMENT HEARING FOR RESIDENTIAL/COMMERCIAL FORECLOSURES:

1. If there is no opposing counsel, a residential or commercial foreclosure *Motion for Summary Judgment* hearing may be scheduled with Ms. Reiley, by emailing her and securing a date and time, during motion weeks.
2. **Judgment packets for foreclosures shall be forwarded to our office a minimum of ten (10) days prior to the hearing date. The packet must include the Notice of Hearing, Motion for Summary Judgment, Proposed Final Judgment, Adding Machine Tape, notarized *Affidavit of Compliance* (required by the Tenth Circuit Administrative Order 3-29.2), Final Disposition form, Notice of Sale and Certificate of Title. The Final Judgment and Certificate of Title require copies for all *pro se* parties and two (2) sets of self-addressed, stamped envelopes for *pro se* parties. The envelopes should have the Judge's address as the return address. All information readily available (i.e. attorney's fees and costs) should be completed. **All original loan documents must be filed with the Clerk of Courts.** Do not send original documents with the packet.**

FORECLOSURE NON-JURY TRIALS:

The Judge's office will schedule *and notice* foreclosure non-jury trials. When counsel is ready to set a case for Foreclosure Non-Jury Trial, please email Ms. Reiley and coordinate the date/time. Final document requirements are the same as for Motions for Summary Judgment, including the *Affidavit of Compliance* and Adding Machine Tape.

MOTION FOR DEFAULT FINAL JUDGMENT ON RESIDENTIAL/COMMERCIAL FORECLOSURE CASES:

Motions for Default Final Judgment on residential or commercial foreclosure cases will only be granted upon a properly noticed hearing, coordinated with the Judicial Assistant. The *only* exception to this is if the Default Final Judgment was stipulated to by the counsel/parties. A copy of the signed Stipulation must be submitted along with the Foreclosure Judgment packet, and all filings must be in compliance with Local Administrative Order 3-29.2, which includes filing and providing a hard copy of a notarized *Affidavit of Compliance*.

CANCELLATION OF HEARINGS:

1. Please call Ms. Reiley as soon as you learn that a hearing is to be canceled so that your time may be given out to someone else. Immediately file a notice of cancellation of hearing after you have notified the Court of the cancellation.
2. Only the party who set the hearing may cancel it, and **it is that party's responsibility to notify everyone of the cancellation**, and to prepare and e-file the Notice of Cancellation, and also email the Notice to the Judge's office.
3. If the length of a hearing changes in any way (for example, a case settles and you know that a long hearing will only take a few minutes rather than an hour) please let the Judge's office know as soon as possible. The remainder of that time may be needed for other hearings.
4. If the hearing has been cross-noticed, canceling the hearing on *your* motion **DOES NOT** cancel the hearing in its entirety.
5. **IF YOUR CASE SETTLES COMPLETELY**, and you have other hearings scheduled or the case is scheduled for trial, please contact the Judge's office to notify Ms. Reiley to cancel the

scheduled dates/times. The Court will then prepare and e-file a Notice of Cancellation of all other outstanding dates/times so the Clerk may remove them from the docket.

SUBMITTING PROPOSED ORDERS FOR CONSIDERATION:

ORDERS SUBMITTED WITHOUT A HEARING:

1. All proposed Orders must include a copy of the motion and may be submitted *by email in Word format* to the Judge's office, with all counsel and parties of record included in the email submission. If the Judge believes that a hearing is needed, the submission will be returned to the sending attorney by reply email from Ms. Reiley, again copying all parties, stating that the Judge requires a hearing, and will include the email address for scheduling.
2. Orders to Show Cause regarding entry of Summary Judgment **MUST** include a final hearing date that is obtained by email before submitting the packet for the Judge's consideration. If this is sent in with a blank for the final hearing date, it will be returned by reply email directing the attorney to email for available dates and resubmit with the date filled in.
3. If sending in proposed orders by mail, please be sure to send a transmittal letter showing that a copy of the letter and proposed order has been sent to the opposing party(ies). Counsel must include sufficient copies and stamped envelopes to be conformed and mailed out to all unrepresented parties. Counsel will receive their electronic copies through the e-portal.
4. Proposed orders, whether email or paper, will generally be held for a minimum of five (5) working days in order to give the opposing party/counsel time to object. If the cover letter/email indicates that there are no objections to the proposed order, the Judge may waive the hold process and sign the order upon submission to the Court.
5. If you object to an order, please call or email and inform the Judge's office immediately. You should immediately email your explanation for your objection to Ms. Reiley, copying the opposing party/counsel. If you only mail in correspondence of objection and rely on that getting to this office within five (5) working days you may be too late with the objection. Note that objections made by phone must be followed up by a written explanation within five (5) working days, with copy to opposing counsel.
6. All proposed orders submitted by mail should be bound together by either a paperclip or binder clip. **PLEASE DO NOT STAPLE the cover letter, original proposed order, and copies to be conformed together as one large packet.** Also, do not staple the envelopes to the copies to be conformed. Stamped, addressed envelopes: Send stamped addressed envelopes for all parties to whom a copy of the order should be sent. The return address on the envelope should be that of the Judge:

Circuit Judge Angela J. Cowden
430 South Commerce Avenue
Sebring, FL 33870

7. All original motions must be filed with the Clerk of Courts. If you are filing a motion that requires a reopen fee, make sure that you submit the information directly to the clerk for initial processing.
8. If you are submitting a request to have a mortgage and note returned to your office because of your Motion to set Aside Final Judgment of Foreclosure, ensure that you have sent a large enough return mailing receptacle, with sufficient postage, for the Clerk to return your documents. It will delay your receipt if you simply send a standard envelope with a single stamp to have multiple pages returned to you.

ORDERS GENERATED FROM A HEARING OR TRIAL

- The order should have a full title containing the subject matter of the motion or pleading ruled upon (e.g., Order Granting Plaintiff's Motion to Compel, **not just "Order"**).
- The opening paragraph of the Order should include the hearing or trial date and the names of counsel and parties who were present at the hearing. If a party did not appear after having received proper notice of the hearing, the Order should so indicate.
- **Electronic orders should be submitted in Word format to Ms. Reiley's email at areiley@jud10.flcourts.org** copying all counsel/parties who have email addresses so that they have the ability to object. Counsel who prepare the order should circulate the order amongst all counsel/parties of record before submitting to the court, and if there are no objections, should so state in the body of the email. If there are objections, the body of the email should also indicate that there are objections, and the objector should respond, by a reply-all to indicate the nature of the objection. The Judge will evaluate the objection and may sign the order without a hearing, or may direct that a hearing be set to handle the objection. This is not an opportunity to re-litigate the motion to get the Judge to rule differently.
- All paper orders submitted for the Judge's signature should be on plain white paper (i.e., not on the firm's printed paper). Envelopes for sending out conformed copies (i.e., to *pro se* parties) should contain the name and address of the Judge as the return address.
- **Do not** put "Honorable" or "The Honorable" under the signature line. The correct form is simply to type the Judge's name in capitals, followed by a comma, and then the title.

Correct form:

ANGELA J. COWDEN, Circuit Judge

- **Do not** type only the **'DONE AND ORDERED'** part or only the signature line on a page by itself. In other words, you should include some text from the order before you start with the **DONE AND ORDERED**, etc.
- Do not leave any more "fill in" blanks in an order than you absolutely have to. If you can find out the information by placing a telephone call, you should do so, and then type it in the order before submitting it to the Judge's office. That gives opposing counsel an opportunity to react to the figures or dates, and saves problems arising after entry of the order. It also prevents incorrect information being filled in, and then the order having to be redone.
- Always show at the bottom of the order (and the transmittal letter) the people to whom copies are being mailed. If someone is being ordered to do something (submit a report to the court, etc.), they will need a copy, even if they do not normally get copies of all pleadings. Please submit a stamped, addressed envelope for everybody who needs a copy of the order, except those who receive electronic copies through the e-portal.
- Do not include a Certificate of Service to be completed by the judicial assistant.
- *For the time being*, please refrain from submitting proposed Orders through the e-portal. A Tenth Circuit Workgroup is in place evaluating rules for such submission and the rules are not yet final. Very likely an Administrative Order will soon be in place setting out the protocol for submission through the e-portal. When that happens these procedures will be amended to accommodate that change in submission.

FAXES:

The only documents that should be faxed to this office should be titled as **Emergency Motions**. **Please call to make sure it was received and that there is someone available in the office to process it.** Failure to do this will delay in the processing of your *Emergency Motion*. Also, be sure you

indicate the name of the person to whom the fax is being sent, as we share a fax machine with other offices.

SUBMITTING EMERGENCY MOTIONS FOR CONSIDERATION:

You must first **call** this office to apprise the judicial assistant that your office will be submitting an **Emergency Motion** for Judge Cowden's consideration and then fax a copy of the *Emergency Motion* to the office. Any emergency motion submitted for *ex parte* consideration, should clearly so state. Unless the *Emergency Motion* is being submitted *ex parte*, the fax shall include a cover letter that indicates that this submission has been copied to the opposing party/counsel, who may send in a timely response per the procedure of this Judge's office. After reviewing the *Emergency Motion* and any response received from the other side, Judge Cowden will decide if the matter raised is a true emergency and whether the hearing should be advanced on the docket. **Failure to call the office before faxing the *Emergency Motion* will delay the processing of the *Emergency Motion*.**

If you have an Emergency Motion or priority need and Judge Cowden is unavailable, the following is an outline of the correct procedure to follow:

1. **You must first call Judge Cowden's office.** If directed to do so by Judge Cowden, the judicial assistant will then refer you to another Judge's office.
2. Each Judge has designated "back-up" Judges. Generally Highlands County Judges will substitute for each other when necessary, subject to their availability. However, **referring a case to another Judge is completely at the discretion of Judge Cowden**, which is why it is necessary to call her office first.

MOTION(S) FOR APPOINTMENT OF ATTORNEY AD LITEM:

If a case calls for the appointment of an Attorney Ad Litem, you may choose an attorney that accepts regular appointments in civil matters. At such time as you are ready to submit the motion and proposed order to our office, please be sure to include the attorney ad litem's information (i.e. name, address, phone number) in the order. There should be no blanks in the Order for the Judge to fill in.

MOTIONS FOR ORDER TO SHOW CAUSE:

When sending a corresponding Order to the Judge on your Motion for Order to Show Cause, please obtain a date/time for the hearing in advance, fill in the appropriate date/time, along with the hearing room information, on the proposed Order to Show Cause and forward the original, copies for all parties, as well as the underlying Motion, and self-addressed, stamped envelopes for all parties who need to receive hard copies. If you plan to have the order served, the conformed copies requested will be returned to you in the self-addressed, sufficiently stamped envelope you provided the Court.

CASE MANAGEMENT CONFERENCES – TYPES

There are typically three kinds of Case Management Conferences (CMC's) which could be set. When you receive an Order Scheduling Case Management Conference, please read the Order very carefully, as it contains important information.

Trial CMC: the parties/counsel of record meet at a short virtual hearing with the Court for the specific purpose of calendaring a trial and pretrial conference. Please have your trial calendar available when attending this CMC. These are typically set upon the Court receiving the Notice of Trial indicating the case is at issue. Ms. Reiley will coordinate the specific date and time of the CMC with counsel/parties of record via email. If the parties/counsel agree to the Jury Trial date and corresponding pre-trial conference (the list of proposed dates is available on the Court's webpage), no CMC is necessary.

Lack of Prosecution CMC: the Court, in conjunction with the Case Manager, sets cases down for a mass docket hearing to address cases which are languishing for one reason or another, or those which have had no record activity and are reaching the point of being dismissed by the Court. The reason your case has been scheduled for this type of CMC may be because there has been inactivity for at least six (6) months, or perhaps you have failed to provide a corresponding proposed order for a motion that has been filed. All motions must have a corresponding order entered, or the motion must be withdrawn, in order for a case to be closed. If you can resolve the issue which brought your case to a CMC in a timely manner (i.e., submit a proposed order to the Judge, etc.) your attendance at the CMC **may not** be required, but always check to be sure. **IF YOU ARE THE PLAINTIFF AND ARE SET FOR THIS KIND OF CMC AND YOU DO NOT ATTEND, YOUR CASE WILL BE DISMISSED. NO CASES WILL BE REMOVED FROM THIS CMC DOCKET IF RECORD ACTIVITY HAS NOT TAKEN PLACE AT LEAST THREE (3) BUSINESS DAYS PRIOR TO THE CMC DATE.**

Case Management Plan/Order CMC: this is set for the specific purpose of establishing the Supreme Court required Case Management Plan and Order – these CMC's are expected to be canceled upon the Court's receipt of the joint Case Management Plan and proposed Order. Failure to submit a proposed Case Management Plan and Order in the time reflected in the Order Setting CMC will result in the Court entering its own generic Case Management Order, and the parties will be required to abide by the Court's Order.

CASE MANAGEMENT PLANS/CASE MANAGEMENT ORDERS

Pursuant to the Supreme Court's Administrative Order, AOSC21-17 Amendment 1, and Tenth Circuit Administrative Order 1-60.0 and 1-60.2 the Judge is required to enter Case Management Plan Orders in each and every case that comes before the Court. A Case Management Conference (CMC) may be set in your case specifically for the purpose of accomplishing the Joint Case Management Plan and corresponding Order in a timely fashion. For cases filed *before April 30, 2021*, the Judge is required to have a Case Management Plan in place by December 3, 2021. If the parties have submitted their joint Case Management Plan and proposed Order to the Judge at least three (3) business days prior to the CMC date, your CMC will be canceled.

For cases filed *on April 30, 2021 or later*, the Court is required to enter, *sua sponte*, a Case Management Order within 30 days after the date the last defendant was served or dropped as a party. Do not be surprised to see these kinds of orders show up on the case docket as the Court has the obligation to continually case manage these kinds of cases to determine whether they meet the Supreme Court criteria for the entry of the Case Management Order.

TRIALS:

To have your case set for trial, you will need to file a Notice for Trial or Notice that Cause is at Issue with the Clerk of Court and email or mail a copy to this office. Do not rely on the clerk to provide our office with the information, although they will email the judge's office to notify us of the filing.

For Jury Trials: Upon receipt of the Notice for Trial, expect Ms. Reiley to reach out to counsel of record to set a Case Management Conference (CMC) for the specific purpose of coordinating a Trial and pre-trial date with all parties of record. Please attend the virtual CMC with calendars available so a date may be selected. Alternatively, if all parties/counsel agree to a specific trial block, counsel should email Ms. Reiley the agreed trial block, estimated length of trial, and how long the parties need for a Pre-Trial conference – they typically last between 15 and 30 minutes. Jury trials are scheduled during the trial week listed for Highlands County on the Judge's webpage. The corresponding Pretrial date is also included in that list. **Appearance at the pre-trial conference by telephone is not permitted, however, appearance by trial counsel virtually is encouraged.** Counsel and any *pro se* parties should appear in Virtual Courtroom 3A, prepared to discuss trial issues in detail.

Pretrial conference issues to be discussed include, but are not limited to: Pretrial Stipulation, Statement of case to be read to the Jury, length of trial, witness issues, admissibility of evidence, streamlining of trial issues, pre-marking exhibits, demonstrative aids for opening statements, voir dire issues, pretrial publicity, technology needs, court reporter responsibility, jury instructions and verdict forms, and any other matters pertinent to your case.

For Non-Jury Trials: Non-Jury Trials are scheduled during Motion weeks. If the estimated time of a hearing or Non-Jury Trial is *four (4) or more hours*, the Court requires a Pre-trial Conference about a week before the commencement of the trial, in order to discuss all issues surrounding the trial, to include witness issues, technology needs, etc. Counsel who will try the case and any unrepresented parties **MUST** appear at the Pre-Trial conference Virtually. If an unrepresented party is not able to appear virtually, that party must appear in person in Hearing Room 3A, complying with all administrative orders and CDC guidelines regarding masks and social distancing. If a party who must appear in person believes they have been exposed to COVID-19, that party should contact Ms. Reiley as soon as they know of the exposure or illness and accommodations will be made for the party to appear virtually or telephonically.

PRE-MARKING TRIAL EXHIBITS:

Prior to any hearing or non-jury or jury trial, all documents or other items intended for admission into evidence shall have exhibit identification information pre-marked in a form suitable for receipt into evidence. The exhibit labels shall be in substantially the following format:

Case No. _____

Party _____ **Exhibit No.** _____

Admitted _____ **Excluded** _____

Date: _____

The party submitting the exhibit shall fill in all blanks on the label except "admitted" and "excluded."

JURY INSTRUCTIONS:

In accordance with the uniform Order Setting Pretrial Conference and Jury Trial and Directing Mediation, Plaintiff shall provide a complete set of proposed jury instructions. Defendant shall provide only special instructions not included in Plaintiff's submission. The proposed instructions should be submitted via email in **Word format** to the judicial assistant no later than the Friday before the trial.

JOINT MOTION(S) TO CONTINUE TRIAL:

Judge Cowden *normally* does not require hearings on Joint Motion(s) to Continue Trial. Counsel for the moving party should contact the judicial assistant to advise that a joint motion is forthcoming, so the pretrial and/or trial date can be flagged for removal from the docket upon execution of the Order of Continuance/new Pre-Trial Conference/Trial Order. In order to avoid a delay in prosecution of the case, Judge Cowden prefers that that a new pretrial and trial date be chosen at the time the joint motion is filed, with the new agreed to date/time/location for both the Pre-Trial Conference and Trial Block being included in the Order of Continuance/ new Pre-Trial Conference/ Trial Order submitted by counsel. You will also need to include any other information that counsel/ parties wish to change, i.e. cutoff dates, mediation, etc., as the proposed Order submitted for entry will serve as the new Pre-Conference/ Trial Order. Any information not updated in this new Order will remain as announced in the previously entered Pre-Trial Conference/ Trial Order.

MOTION(S) FOR REHEARING:

Florida Rule of Civil Procedure 1.530(b) provides that a Motion for New Trial or Motion for Rehearing should be served within 10 days of the jury verdict or 10 days from the filing of a judgment in a non-jury action. You must file the original with the Clerk and mail or email a courtesy copy to the Judge. If a rehearing is to be held, the judicial assistant will email you available dates and times for you to clear and notice the hearing.

MISCELLANY

HEARING NOTEBOOKS: Many times, for a lengthy hearing, counsel will submit a binder containing case law, exhibits, the motions to be heard and anything else counsel believes the Court needs to have a good understanding of their side of the case. The Court appreciates this, however, sending them to the Court the day before the hearing is of little use if you seek a prompt ruling. You should plan to have these notebooks to the Court no later than **five (5) business days** before the hearing date.

CONDUCT DURING VIRTUAL HEARINGS: Please remember that even though we are working in a more virtual world than ever before, we are still appearing in court. Please encourage your clients to be respectful, please come dressed as if you were appearing in court, and most of all be prepared. If an individual is unruly or disrespectful to the court or the other litigants or counsel, the Judge may disconnect that individual from the hearing. We must all strive to maintain the dignity of the process.

Prepared August 18, 2021

Angela Cowden