

Telephonic Appearances

Docketing Event: N/A

Negative Notice: N/A

Accompanying Orders: N/A

Code and Rule References: N/A

Fee: Yes. The fee is determined by CourtCall or CourtSolutions.

Applicable Chapters: 7, 11, 12, 13

Implemented: 7/19/2016

Last Revision: 9/1/2021

Description

The Court allows parties to appear by telephone for certain hearings. Telephonic appearances are considered a privilege, not a right, and are subject to the judge's discretion.

Prior approval is not required for an attorney or party to appear at hearing by telephone.

Telephonic hearings are conducted using CourtSolutions or CourtCall as set forth below.

NOTE: In light of the ongoing Coronavirus crisis, the recommendations of the Centers for Disease Control, and the "Safer at Home" and "Stay at Home" orders of certain municipalities and counties in the State of Florida, effective Monday, March 16, 2020, and continuing until further notice, the Court has implemented the following policies:

- A. Judges in all Divisions will conduct all non-evidentiary hearings by telephone. Attorneys should arrange to appear via CourtCall or CourtSolutions as set forth below. Both CourtCall and CourtSolutions have agreed to waive their charges for *pro se* parties. A party who is not represented by counsel and is unable to coordinate with CourtCall or CourtSolutions should contact the judge's courtroom deputy. Contact information is listed on each judge's webpage.
- B. Individual judges may determine to continue evidentiary hearings and trials that are not time sensitive. In that event, Court staff will contact counsel for the parties, and the Court will enter an order continuing the hearing or trial.
- C. Any party who has a valid basis for requesting the continuance of an evidentiary or non-evidentiary hearing may file a motion to continue. Motions to continue shall include a statement (i) that the movant has conferred with counsel for opposing parties concerning the requested continuance and (ii) summarizing the position of the other parties concerning the request.

1. Requirements for Telephonic Appearances

- a. Except as set forth above, counsel resident in a Division of the Middle District generally must appear in person at all hearings and trials in that Division. Parties who are not represented by counsel may appear by telephone; parties who are represented by counsel may attend hearings by telephone in “listen only” mode.
- b. If possible, parties appearing telephonically should use a landline rather than a cell phone. Parties shall not use cell phones while in public spaces or while driving or riding in an automobile. If a cell phone is used, parties shall ensure that they have a strong cellular phone system or use the Wi-Fi calling option on their phones.
- c. Parties are strongly cautioned that the use and quality of Bluetooth technology, such as headphones and earbuds, may negatively affect the Court’s ability to hear them and the ability of a court reporter to prepare an accurate transcription.
- d. Counsel shall not connect their clients to the telephonic hearing by “conference call.” If the client wishes to listen in, the client must separately call into the hearing.
- e. When not addressing the Court, parties shall place their calls on “mute.”
- f. When addressing the Court, parties shall not use the speaker phone or the “hands-free” feature of their phones.
- g. When addressing the Court, parties shall:
 - i. wait until they are called upon by the Court to speak;
 - ii. announce his or her name each time the party starts to speak;
 - iii. make an extra effort to speak slowly, clearly, and calmly;
 - iv. pause a moment before speaking as delays in the transmission of calls are common;
 - v. not “speak over” or interrupt another speaker.
- h. If the Court cannot understand an attorney attending a hearing by telephone, the Court may, in its discretion, continue the hearing, request the attorney to file a written argument, or rule on the matter before it without consideration of the attorney’s statements.

2. CourtSolutions LLC – Judges Colton, Jennemann, Vaughan, and Williamson

- a. Telephonic appearances before Judges Jennemann, Colton, Vaughan, and Williamson are through CourtSolutions LLC.
- b. All persons who wish to listen to or participate in a scheduled hearing telephonically must register for a CourtSolutions account by visiting the CourtSolutions website at <https://www.court-solutions.com/>. Note: For unrepresented parties using CourtSolutions, please proceed to the website and select “Sign Up.” Before submitting the completed form, you must select “I am not an attorney” and “Certified Indigent.” Once the information is submitted you will receive an email with further instructions.
- c. For administrative purposes, registered participants must submit a request to appear telephonically on the business day prior to the hearing date through their CourtSolutions account. Clerk’s office staff will routinely approve requests for telephonic appearances conducted in compliance with these policies and procedures.
- d. CourtSolutions will provide counsel with written confirmation of a telephonic appearance and give counsel a number to call to make that appearance.
- e. Counsel is responsible for dialing into the call by the time of the scheduled hearing. CourtSolutions does not place calls to counsel.
- f. Direct questions regarding charges and payment arrangements directly to CourtSolutions.

3. CourtCall – Judges Delano, Funk, and McEwen

- a. Telephonic appearances before Judges Delano, Funk, and McEwen are through CourtCall.
- b. Telephonic appearances must be arranged by contacting CourtCall at 866-582-6878 **not later than 5 p.m., EST, on the business day prior to the hearing date.**
- c. CourtCall will provide counsel with written confirmation of a telephonic appearance and give counsel a number to call to make that appearance.
- d. Counsel is responsible for dialing into the call by the time of the scheduled hearing. CourtCall does not place calls to counsel.
- e. Direct questions regarding charges and payment arrangements directly to CourtCall.