

## **TEMPORARY DIVISION HEARING DOCKETS**

There are three in-custody hearing dockets. An AM docket, a PM docket, and an "Additional PM" docket.

The dockets run as follows: AM In-Custody Docket: 8:30AM to 12:00PM. PM In-Custody Docket: 1:30PM to 5:00PM. The "Additional PM" In-Custody Docket: 1:30PM to 5:00PM. The Dockets run Monday through Friday, excluding Court holidays. The Zoom link is different for each docket. The specific division schedules and links are attached below.

### **GENERAL PROCEDURES FOR IN-CUSTODY DEFENDANTS**

- 1) Counsel must contact the Division Judge's judicial assistant to be placed on an in-custody docket. The Division Judge's judicial assistant will provide counsel with the information to participate in the hearing. Counsel must provide a working phone number and email address.
- 2) Each docket is dedicated to matters related to in-custody defendants, whether requested by the State or defense counsel, including by example, but not limited to: Motions for Release/Bond Hearings, Arthur Hearings, Violations of Probation, VFOSC Hearings, Motions for Downward Departure, Negotiated Change of Pleas, Open Pleas/VOP Admissions, Motions to Revoke Bond, and evidentiary matters requiring an in-custody defendant's attendance.
- 3) When setting the hearing, counsel shall provide the Division Judge's judicial assistant with a good-faith estimate of the length of time anticipated for the hearing. All hearings will take place by Zoom, with the defendant appearing from jail.
- 4) In the event counsel intends to introduce documents or exhibits, they must be provided to the Division Judge and opposing party no later than two (2) days prior to the hearing date. However, this shall not prohibit the State from accessing a defendant's criminal history during the hearing, nor shall it prevent the Judge from taking judicial notice of the court file.
- 5) It is the responsibility of counsel to provide witness names and contact information to opposing counsel no later than two (2) days prior to the hearing date. Counsel shall be responsible to notify any witnesses to be called to testify at the hearing. Witnesses will be sworn-in remotely.
- 6) No sidebars will be permitted during the hearing. Any issues counsel wishes to discuss with the defendant or witness should be done prior to the hearing. However, a method of communication with the jail is available if the need arises during the hearing for counsel to speak privately with the defendant.

## **SPECIFIC PROCEDURES RELATED TO BOND HEARINGS**

- 1) A copy of the motion must be e-filed with the Clerk's office and sent by email to the opposing party and the Division Judge. Pursuant to Fl. Const. Art. 1 §16, "Marsy's Law," the State is responsible for notifying the victim so the victim is afforded the opportunity to be heard at the hearing.
- 2) Motions shall state with specificity the facts related to the defendant's charge and shall list all the defendant's cases, the charges associated with each case, and the legal reason why the defendant is in custody. No "boilerplate" motions will be allowed.
- 3) A motion shall be filed for each individual case number, including the case number for the new law charge and VOP (if applicable).
- 4) Counsel shall certify that they have contacted opposing counsel and made a good-faith attempt to resolve the issue. However, if counsel represents they have been unable to speak to opposing counsel he/she must certify they have attempted to contact him/her at least three (3) times, and also sent a follow-up email asserting they attempted to contact them.
- 5) If the opposing party objects to the motion, this must be clearly indicated within the motion.

## **SPECIFIC PROCEDURES RELATED TO IN CUSTODY CHANGE OF PLEAS**

- 1) If defense counsel and the State have agreed upon a plea for an in-custody defendant, defense counsel shall file a notice of change of plea. The notice shall clearly indicate the terms of the plea.
- 2) The notice shall be e-filed with the Clerk's office and sent by email to the opposing party and the Division Judge.

## **SPECIFIC PROCEDURES RELATED TO BOND ISSUES & PLEAS FOR IN-CUSTODY DEFENDANTS FROM OTHER JURISDICTIONS**

- 1) These matters will be heard by Judge Andrew Siegel, and shall be set through Sabrina Albert at [Salbert@17th.flcourts.org](mailto:Salbert@17th.flcourts.org).
- 2) If a defendant is being held in BSO custody on a no bond/hold related to a case originating out of another jurisdiction, any request to be heard, as provided in the Supreme Court's AO, shall only be set before Judges designated to hear out of circuit bond/change of pleas upon the defendant's waiver of jurisdiction, and an agreement between the State Attorneys of the jurisdiction issuing the warrant, and the presiding Judge of the jurisdiction out of which the warrant originated.
- 3) The 17th Judicial Circuit does not take control of the case in its entirety.

4) The judges of each circuit will share any relevant information regarding setting bond, the conditions of release and/or the change of plea. The outcome of the hearing shall be provided to the other jurisdiction and become part of its court file.

### **GENERAL PROCEDURES FOR OUT OF CUSTODY DEFENDANTS**

- 1) Hearings will be conducted five (5) days a week from 9:00am to 5:00pm using Zoom.
- 2) The location of the hearing room is at the Broward County Judicial Complex, Room 3144, West Tower, 201 S.E. 6th St., Ft. Lauderdale, FL 33301.
- 3) The defendant shall arrive at least ten minutes before the start time of their hearing. The defendant shall proceed to the front entrance of the courthouse and will be advised when he/she may proceed inside the courthouse and into the hearing room. The defendant is required to bring valid governmental photo identification. If present, defense counsel may accompany his/her client to the hearing room. No other persons will be permitted to attend the hearing in person. Any person a party wishes to be called as a witness, including mental health professionals, experts, or family members may appear by Zoom.
- 4) Defendants will follow all courthouse screening procedures for admittance; including the mandatory use of masks or facial coverings.
- 5) It is the responsibility of counsel to provide witness names and contact information to opposing counsel no later than two (2) days prior to the hearing date. Counsel shall be responsible to notify any witnesses to be called to testify at the hearing. Witnesses will be sworn-in remotely.
- 6) In the event counsel intends to introduce documents or exhibits, they must be provided to the Division Judge and opposing party no later than two (2) days prior to the hearing date. However, this shall not prohibit the State from accessing a defendant's criminal history during the hearing, nor shall it prevent the Judge from taking judicial notice of the court file.
- 7) No sidebars will be permitted during the hearing. Any issues counsel wishes to discuss with the defendant or witness should be done prior to the hearing.
- 8) A representative from the Broward County Sheriff's Office will be present at the hearing to take fingerprints of the defendant.
- 9) Counsel shall provide a good-faith estimate of the length of time anticipated for the hearing.

### **SPECIFIC PROCEDURES RELATED TO NEGOTIATED PLEAS**

- 1) Negotiated pleas for out of custody defendants will be done by appointment only. Please see the posted procedures on the Court's website for more specific information: <http://www.17th.flcourts.org/division-fb/>.
- 2) Defense counsel shall file the notice of change of plea. Defense counsel shall clearly indicate the terms of the plea. The notice shall be e-filed with the Clerk's office and sent by email to the opposing party and the Division Judge. The Court will notify the parties of the hearing date and time.
- 3) To make an appointment, counsel for the defendant shall call Judge Coleman's judicial assistant, Tyrone Kintchen, at (954) 831-5835 (tkintchen@17th.flcourts.org). Appointments are anticipated to be set in approximately 30-minute intervals throughout the day.

### **SPECIFIC PROCEDURES RELATED TO OPEN PLEAS & MOTIONS FOR DOWNWARD DEPARTURE**

- 1) To make an appointment for an open plea or Motion for Downward Departure the time shall be coordinated between the Division judge's judicial assistant and Judge Coleman's judicial assistant, Tyrone Kintchen, at (954) 831-5835 (tkintchen@17th.flcourts.org). Appointments are anticipated to be set in throughout the day.
- 2) Counsel must provide a good-faith estimate of the length of time anticipated for the open plea and Motion for Downward Departure.
- 3) The open plea and motion for downward departure will be heard by the Division Judge.

### **SPECIFIC PROCEDURES RELATED TO HEARINGS WHERE DEFENDANT'S PRESENCE HAS BEEN WAIVED OR IS NOT REQUIRED**

- 1) Any hearing may be held where the defendant has a waiver of appearance on file in the Court record, or the matter does not require the defendant's presence.
- 2) No hearing will be set without a written motion filed.
- 3) These hearings will be scheduled before the Division Judge through the Division Judge's judicial assistant.
- 4) The hearings will take place either telephonically or via Zoom using the specific Division's Zoom link.
- 5) If an interpreter is needed, advise the Division Judge's judicial assistant in advance so arrangements can be made assuring the attendance of the interpreter.

**Please continue to check the 17th Judicial Circuit Court's website for updated Administrative Orders and Procedures:**

<http://www.17th.flcourts.org/coronavirus-covid-19-updates>

**Zoom Meeting Links and Names:**

**FM In-Custody Zoom Meeting (AM Docket)**

<https://17thflcourts.zoom.us/j/95752631895>

**FQ In-Custody Zoom Meeting (PM Docket)**

<https://17thflcourts.zoom.us/j/95752631895>

**FS In-Custody Zoom Meeting/First Appearance (Additional PM Docket)**

<https://17thflcourts.zoom.us/j/620446048>

**FL In-Custody Zoom Meeting (Change of Plea Docket)**

<https://17thflcourts.zoom.us/j/91501431927>

**JULY 2020 IN-CUSTODY HEARINGS BY DIVISION, TIMES AND DATES:**

<u>DIVISION</u>	<u>AM</u>	<u>PM</u>	<u>ADDITIONAL PM</u>
<u>FA</u>	<u>7-13-2020</u>	<u>7-20-2020</u>	<u>7-24-2020</u>
<u>FB</u>	<u>7-17-2020</u>	<u>7-30-2020</u>	<u>7-15-2020</u>
<u>FC</u>	<u>7-06-2020</u>	<u>7-27-2020</u>	<u>7-13-2020</u>
<u>FD</u>	<u>7-09-2020</u>	<u>7-15-2020</u>	<u>7-21-2020</u>
<u>FE</u>	<u>7-08-2020</u>	<u>7-21-2020</u>	<u>7-06-2020</u>
<u>FF</u>	<u>7-10-2020</u>	<u>7-28-2020</u>	<u>7-30-2020</u>
<u>FG</u>	<u>7-14-2020</u>	<u>7-23-2020</u>	<u>7-20-2020</u>
<u>FH</u>	<u>7-15-2020</u>	<u>7-24-2020</u>	<u>7-07-2020</u>
<u>FI</u>	<u>7-16-2020</u>	<u>7-17-2020</u>	<u>7-09-2020</u>
<u>FJ</u>	<u>7-07-2020</u>	<u>7-22-2020</u>	<u>7-14-2020</u>
<u>FK</u>	<u>7-20-2020</u>	<u>7-14-2020</u>	<u>7-10-2020</u>
<u>FO</u>	_____	_____	<u>7-27-2020</u>
<u>FP</u>	<u>7-27-2020</u>	<u>7-29-2020</u>	<u>7-08-2020</u>
<u>FR/FZ</u>	<u>7-22-2020</u>	<u>7-10-2020</u>	<u>7-23-2020</u>
<u>FT/FX</u>	<u>7-23-2020</u>	<u>7-09-2020</u>	<u>7-22-2020</u>
<u>FV</u>	<u>7-24-2020</u>	<u>7-08-2020</u>	<u>7-17-2020</u>
<u>FY</u>	<u>7-21-2020</u>	<u>7-07-2020</u>	<u>7-16-2020</u>
<u>FN</u>	<u>7-28-2020</u>		

**AUGUST 2020 IN-CUSTODY HEARINGS BY DIVISION, TIMES AND DATES:**

<u>DIVISION</u>	<u>AM</u>	<u>PM</u>	<u>ADDITIONAL PM</u>
<u>FA</u>	<u>8-26-2020</u>	<u>8-17-2020</u>	<u>8-07-2020</u>
<u>FB</u>	<u>8-05-2020</u>	<u>8-13-2020</u>	<u>8-20-2020</u>
<u>FC</u>	<u>8-10-2020</u>	<u>8-19-2020</u>	<u>8-31-2020</u>
<u>FD</u>	<u>8-31-2020</u>	<u>8-06-2020</u>	<u>8-25-2020</u>
<u>FE</u>	<u>8-03-2020</u>	<u>8-31-2020</u>	<u>8-11-2020</u>
<u>FF</u>	<u>8-18-2020</u>	<u>8-07-2020</u>	<u>8-27-2020</u>
<u>FG</u>	<u>8-20-2020</u>	<u>8-12-2020</u>	<u>8-04-2020</u>
<u>FH</u>	<u>8-12-2020</u>	<u>8-03-2020</u>	<u>8-21-2020</u>
<u>FI</u>	<u>8-25-2020</u>	<u>8-17-2020</u>	<u>8-03-2020</u>
<u>FJ</u>	<u>8-24-2020</u>	<u>8-05-2020</u>	<u>8-13-2020</u>
<u>FK</u>	<u>8-13-2020</u>	<u>8-04-2020</u>	<u>8-28-2020</u>
<u>FO</u>	<u>8-19-2020</u>	<u>8-10-2020</u>	<u>8-28-2020</u>
<u>FP</u>	<u>8-21-2020</u>	<u>8-11-2020</u>	<u>8-26-2020</u>
<u>FR/FZ</u>	<u>8-06-2020</u>	<u>8-14-2020</u>	<u>8-24-2020</u>
<u>FT/FX</u>	<u>8-28-2020</u>	<u>8-18-2020</u>	<u>8-05-2020</u>
<u>FV</u>	<u>8-17-2020</u>	<u>8-26-2020</u>	<u>8-06-2020</u>
<u>FW</u>	_____	<u>8-24-2020</u>	<u>8-12-2020</u>
<u>FY</u>	<u>8-04-2020</u>	<u>8-25-2020</u>	<u>8-18-2020</u>