

# County Court Judge Turner A. Rouse

## Civil Division Judicial Practices and Procedures

Charlotte County Justice Center  
350 East Marion Avenue  
Punta Gorda, Florida 33950  
Phone: (941) 637-2266  
Judicial Assistant E-Mail: [alang@ca.cjis20.org](mailto:alang@ca.cjis20.org)

### Communications with the Judicial Office

#### \* Method of Communication:

- All communications to Judge Rouse's office is preferred to be submitted by e-mail to *Judge Rouse's Judicial Assistant, Amanda, at [alang@ca.cjis20.org](mailto:alang@ca.cjis20.org)*.
- The subject line of any e-mail must contain the case number, case name, and relevant matter (e.g., 24-1234-CC, Doe v. Doe – Hearing Request).

#### \* Ex parte Communications:

- All communications with the judicial office must comply with Canon 3(B)(7) of the Code of Judicial Conduct, which prohibits a judge from initiating, permitting, or considering ex parte communications and from considering other communications outside the presence of the parties concerning a pending or impending proceeding, unless authorized by law.
- All parties must be copied on any e-mail directed to the judicial office, unless an ex parte communication is authorized by law.
- All letters, emails or other written communications sent to the Judge should be filed with the Clerk and provided to the attorneys or litigants in a case. The Court is only allowed to consider evidence and arguments made in the courtroom and in documents properly filed in the case as authorized by law and the Rules of Court. The Court cannot ethically read or consider any other evidence or arguments about the case.

#### \* 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.

★ **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 provide and/or update their contact information using Form 2.603, Designation of Current Mailing and E-Mail Address form. The Designation of Current Mailing and E-Mail Address form can be found on the Charlotte County Clerk of Court's website at [https://flcourts-media.flcourts.gov/content/download/685859/file\\_pdf/915.pdf](https://flcourts-media.flcourts.gov/content/download/685859/file_pdf/915.pdf).

★ **Response to Inquiries:**

- The judicial assistant is not authorized to provide legal advice. The judicial assistant strives to substantively respond to all e-mail inquiries within one (1) business day. If the judicial assistant is unable to substantively respond within one (1) business day, your message will be acknowledged as received with an indication of when to expect a substantive response and alternate contact for immediate assistance.
- When the judicial assistant is out of the office, your message will be acknowledged as received with an indication of when to expect a substantive response and an alternative contact for emergency matters.
- Any e-mail sent to or from the judicial office may be a public record subject to disclosure.

**Scheduling and Hearing Procedures**

★ **Scheduling Hearings:**

- Hearings are scheduled by the Judicial Assistant using the Court's online scheduling platform JASS (Judicial Automated Scheduling System). Parties cannot schedule hearings through JASS.
- Prior to scheduling a hearing, motions **must** be filed with the Clerk of Court and **viewable** in the case. Verify the motion is viewable before scheduling a hearing.
- All hearing requests must be emailed to the Judicial Assistant, who will provide a list of three dates. The e-mail request must contain the case number, case name, the motion to be heard and the amount of time to be reserved. Dates are to be coordinated with opposing counsel/pro-se party. When the parties have agreed to

a date/time, reply via e-mail to the Judicial Assistant at. You will receive an e-mail from the Judicial Assistant confirming the hearing has been added to the Judge's calendar.

**If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Jon Embury, Administrative Services Manager, whose office is located at 350 E. Marion Avenue, Punta Gorda, FL 33950, and whose telephone number is (941) 637-2110, at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled court appearance is less than 7 days; if you are hearing or voice impaired, call 711.**

★ **Notice of Hearing:**

- A Notice of Hearing must be filed and served immediately after receiving the confirmation e-mail from the Judicial Assistant. If a Notice of Hearing is not filed, the Motion will not be heard. A Notice of Hearing must comply with Administrative Order 2.35, which must include the name of the motion to be heard and the date the motion was filed.
- All scheduled hearings will be conducted in Judge Rouse's virtual courtroom via video or by telephone and be accessed at:

**Join Zoom Meeting**

<https://zoom.us/j/3818433087>

Meeting ID: 381 843 3087

Password: None

- Parties must comply with the conferral and certification requirements in Fla. R. Civ. P. 1.202 and 1.460(d).
- All Notices of Hearing must contain the ADA notification required by Florida Rule of General Practice and Judicial Administration 2.540.

★ **Submission of Hearing Materials:**

- Hearing material of 15 pages or less may be sent to Amanda via e-mail to [alang@ca.cjis20.org](mailto:alang@ca.cjis20.org).
- Hearing materials of more than 15 pages must be submitted by U.S. mail or hand-delivered in hard copy to the Court.
- The Court must receive all materials for the hearing no later than three (5) business days before the hearing. Copies of all hearing materials must be

provided to all parties/counsel.

★ **Continuance Procedure:**

- A motion for continuance must be filed at least five (5) days prior to the scheduled court date. Continuances are disfavored and will be granted only upon good cause shown. Successive continuances are highly disfavored. Lack of due diligence is not grounds for granting continuance.
- Motions for Continuance must state with specificity: (1) the basis of the need for the continuance, including when the basis became known to the movant; (2) whether the motion is opposed; (3) the action and specific dates for the action that will enable the movant to be ready, including, but not limited to, confirming the specific date any required participants are available; and (4) the proposed date by which the case will be ready to proceed and whether that date is agreed by all parties. Except for good cause shown, the motion must be signed by the party requesting the continuance, as required by Florida Rule of General Practice and Judicial Administration 2.545(e).

★ **Motions for Rehearing:**

- Motions for Rehearing must be reviewed by the Court prior to being scheduled for a hearing.
- Once the Motion has been filed and is viewable on the Clerk's docket, a courtesy copy of the Motion should be submitted via email to the Judicial Assistant at [alang@ca.cjis20.org](mailto:alang@ca.cjis20.org) for the Court's review and consideration.
- The motion may only be scheduled for hearing if the Court directs and approves.

★ **Cancelling Hearings:**

- You must cancel hearings by notifying the Judicial Assistant immediately via e-mail at [alang@ca.cjis20.org](mailto:alang@ca.cjis20.org). You must also immediately file and serve a Notice of Cancellation on opposing counsel and any self-represented litigant.

## Remote Appearance

★ **Remote Appearance Procedure:**

- **Civil Traffic:** Arraignments will be on zoom for both attorneys and pro-se litigants. Trials **will** be in person at the Charlotte County Justice Center.
- **Small Claims and County Civil:** All scheduled evidentiary hearings, including

trials, will be conducted in person. All other non-evidentiary hearings will be on zoom.

- If you require to appear virtually for an evidentiary hearing, you must file a motion to continue for the judge to review. If the Judge grants your motion to continue you must provide an order granting your motion. Please note, you assume the risk and consequences of appearing virtually if you have any technical issue with appearing on zoom.

★ **Requirements:**

- Any person appearing remotely must be in a private location that is quiet and free from distractions.
- Under no circumstances will a participant be permitted to appear remotely from a moving vehicle.
- Any person appearing remotely must dress and behave professionally in the same manner as if physically present in the courtroom.
- Any person appearing remotely must enable the person's camera when joining the proceeding and keep the camera turned on until instructed otherwise by the Court.
- Any person appearing remotely must mute the person's microphone when joining the proceeding and keep the microphone turned off until instructed otherwise by the Court.
- If a witness appears remotely, the party calling the witness must ensure the witness has a functioning camera and microphone and has tested the internet connection before the hearing. The oath will be administered in accordance with Florida Rule of General Practice and Judicial Administration 2.530.

## Submission of Orders and Judgments

★ **Format:**

- All proposed orders must be submitted in **Word format only**. The font must be in Times New Roman, 12 pt font. If the other party is pro-se you must include their mailing address or email address on the proposed order. **Do not include** headnotes, footnotes, inserts such as text boxes or pictures, any reference to date, signature line, Judge's name and Certificate of Service after "Done and Ordered".

★ **Submission Method:**

- Orders are to be sent to the Florida E-Portal for processing and signature. When submitting a proposed order, a cover letter must indicate that all counsel have reviewed the proposed order and indicate whether or not the proposed order is agreed to or if there is an objection. If there is an objection, both parties must submit their proposed order(s). The cover letter or the body of the e-mail must contain a statement outlining the objections. All proposed orders must be provided to opposing counsel and self-represented litigant.
- Only **proposed orders that have been agreed to** by all parties (Agreed Orders) should be submitted through the Court's E-Filing Portal. When submitting an Agreed Order, a cover letter must be included indicate that all counsel have reviewed the proposed order and is agreed to by all parties.

### **Courtesy Copies of Case Law and Other Documents**

★ **Submission Method:**

- Courtesy copies less than 15 pages can be submitted to the Court by e-mail to [alang@ca.cjis20.org](mailto:alang@ca.cjis20.org).
- Courtesy copies in excess of 15 pages must be submitted to the Court by U.S. Mail or hand-delivered to the judicial office.
- Statutes, case law and any other legal authority should be highlighted. Parties must provide opposing counsel with all documents provided to the Court.

★ **Deadline for Submissions:**

- Courtesy copies must be submitted at least three (5) days prior to the scheduled hearing.

### **Emergency and Other Urgent Matters**

★ **Requirements:**

- If a party believes there is a factual basis for setting an emergency hearing, a detailed motion must be filed setting forth the following: (1) the issues to be

resolved, (2) reasons why an emergency hearing is necessary, and (3) the amount of time needed for each party's presentation.

- All requests for an emergency hearing must be submitted to the Judicial Assistant via email to [alang@ca.cjis20.org](mailto:alang@ca.cjis20.org) with a copy of the Motion. All parties of interest must be copied on the correspondence to the Court. After review, the Judge will determine if a hearing is required.

**\* 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.

## Pretrial Procedures and Conferences

**\* Case Management Conference:**

- Any party may request a case management conference (CMC) or Status Hearing when a case requires. The Court strongly encourages the early use of CMC hearings in more complex cases, multiple-party litigation, or any case that might benefit from court intervention. Unless excused by the Court in advance, all CMCs are mandatory for attorneys and self-represented litigants. Parties represented by counsel are not required to appear at a CMC.

**\* Requirements:**

- Any request for a CMC must include the reasons for the CMC and any issues of concern regarding the case.

**\* Scheduling:**

- The moving party may schedule the CMC pursuant to the Court's "Scheduling and Hearing Procedure" above.

## Setting Case for Trial

**\* Court Ordered Case Management Plans:**

- The CMP will have dates for a mandatory Status Hearing, Pre-Trial Conference,

Docket Sounding and a trial period.

★ **Amended Court Ordered Case Management Plans:**

- If it becomes necessary to amend the Court issued CMP, the parties may submit an Agreed Court Ordered Case Management Plan (ACMP) subject to the Court's approval. The (ACMP) may be accessed in fillable format on the Court's website at: <https://www.ca.cjis20.org/Programs/Civil-Case-Management/generalcivil.aspx>. The ACMP are to be submitted through the E-Filing Portal at <https://www.myflcourtaaccess.com/default.aspx> and must include a cover letter to Civil Case Management. If the parties cannot agree on an Amended CMP, the parties may request a case management conference.

★ **Orders Setting Trial:**

- The Court will issue an Order Setting Jury Trial/Non-Jury Trial and Pretrial Conference (Trial Order) approximately fourteen (30) days prior to the trial date. The Trial Order imposes deadlines for hearings on certain motions and other trial preparation activities, including hearings on Motions for Summary Judgment, Motions in Limine, Daubert Motions and hearings on Objections to Deposition Designations. The Court strictly enforces the terms of its Case Management Plan and its Trial Order, including hearing deadlines and witness and exhibit disclosure.

★ **Trial Period:**

- At the Docket Sounding, the Court will assign cases to specific days/week during the trial period and may assign back-up cases for each week. Attorneys, self-represented litigants, parties, and witnesses are expected to be available during the specific days of the set trial period.

**Trial Procedures**

★ **Jury Instructions:**

- The parties shall file **one joint set** of Agreed Jury Instructions (100-800) with any requested changes/additions not agreed to by all parties "redlined".

★ **Verdict Forms:**

- If not agreed, each party shall file a requested verdict form.

★ **Deadline for Submissions and Method:**

- All Jury Instructions and Verdict Forms shall be filed no later than 3:00 p.m. the day prior to the scheduled Final Pretrial Conference hearing, or, if a Final Pretrial Conference hearing is not scheduled, by 3:00 p.m. prior to the first day of the scheduled trial.
- All jury instructions and verdict forms shall be submitted to the Court in an electronic version in Microsoft Word via e-mail to [alang@ca.cjis20.org](mailto:alang@ca.cjis20.org). The submitted Instructions and verdict forms shall be based upon the Florida Standard Jury Instructions and Verdict forms with appropriate adaptations for the specifics of the case. This paragraph shall not foreclose the right of each party to request modifications of the jury instructions and/or verdict form(s)

★ **Exhibits:**

- The parties will exchange final exhibit lists of all photographs, documents and exhibits at least two (2) business days before the first day of the trial and will be limited thereby except for good cause.
- Counsel shall confer prior to trial and mark and initial those exhibits agreed to be admitted into evidence without objection. The parties shall file all exhibits with stipulations to admissibility and authenticity no later than 3:00 pm the day prior to the scheduled Final Pretrial Conference or, if a Final Pretrial Conference is not scheduled, by 3:00 p.m.
- All exhibits must be pre-marked prior to commencement of trial. Parties must contact the Clerk of Court's Office at 941-637-2214 at least three (3) business days prior to trial to ensure that all exhibits will be properly marked prior to the commencement of trial.

★ **Courtroom Technology:**

- If the parties intend on utilizing the courtroom's technology for presentation of their case, they are required to contact Charlotte County Court Administration IT Department at [Charlottehelpdesk@ca.cjis20.org](mailto:Charlottehelpdesk@ca.cjis20.org) at least two (2) days prior to the commencement of trial. Do not assume technology is available without confirmation from our IT Department.

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