

COUNTY COURT JUDGE TAMARA LYNN
NICOLA OFFICE AND COURTROOM
PROCEDURES

CIVIL DIVISION

Judge Nicola's office prefers email communications. Please try to reduce the amount of paper you are producing from your office by emailing your electronic documents and/or submitting proposed court orders via email.

CORRESPONDENCE TO THE COURT:

Unless otherwise authorized by law, any correspondence received by the Court shall be placed in the Court file and subject to public record. Pursuant to Canon 3.B(7), Code of Judicial Conduct, the Court cannot consider any ex parte communication made to the Court outside the presence of counsel or the parties concerning a pending or impending matter.

PROPOSED ORDERS:

This office only receives proposed Orders via email.

If submitting via email, please send the Judicial Assistant an email with the attached proposed Order, which must be in MS Word format. The subject line of the email must include "PROPOSED ORDER" and the case number. A submission of the corresponding motion is only necessary if it was recently emergency e-Filed.

In required or necessary Civil/Small Claims Division matters, when submitting a proposed Order, please attach a stipulation or other writing with the signature of opposing counsel or party indicating that he or she has agreed to or has no objection to the proposed Order.

For those cases in which Plaintiff is represented but Defendant is unrepresented, Plaintiff's attorney is responsible for providing Defendant with a copy of the Court Order, Final Judgment, Notice, Fact Information Sheet, or any other

court-issued document. For cases in which both Plaintiff and Defendant are unrepresented or Plaintiff is unrepresented and their email addresses are unknown, the Court will mail hardcopies of court-issued documents to the parties.

SCHEDULING MOTION HEARINGS:

Motion hearings shall be coordinated with opposing counsel and set with the Judicial Assistant via email. Please include the case number(s), case name, motion(s) to be heard, and the total amount of time required for each side. You will be provided with several date and time options to be coordinated with opposing counsel. Once you have an agreed upon date and time, please email the Judicial Assistant to verify that it is still available and it will be added to the docket. Thereafter, the moving party should file a Notice of Hearing which shall include the Court's Zoom information if the hearing is to be conducted via videoconferencing. Please only make these requests via telephone if it is an emergency or if you have not received a response after 24 hours of emailing your request.

In the event that both parties are unrepresented or Plaintiff is unrepresented, then the Court will schedule the motion hearing on its own or attempt to coordinate the hearing date and time with the parties.

This office does NOT provide hearing confirmation numbers.

SMALL CLAIMS NONJURY TRIALS:

Small Claims Nonjury Trials will be scheduled by the Court upon receipt of a Small Claims Pretrial Conference tracking sheet indicating that a mediated settlement agreement was not reached. Should the Court schedule the nonjury trial on a date or time that one or more parties or their witnesses are unavailable, then the moving party must immediately file a motion to continue with a copy to the opposing party or counsel along with an electronic copy emailed to the Court's Judicial Assistant. The moving party shall state whether the opposing party or counsel has any objection to the continuance. The Court will rule on the motion without hearing if possible or schedule a hearing on the motion.

TIMELINESS:

All motions should comply with the appropriate Florida Rules of Procedure. Please submit your motions in a timely manner and pursuant to the Florida Rules of Procedure. This office does NOT accept certain motions within 48 hours prior to a scheduled hearing; these motions include motions to appear telephonically or Zoom videoconferencing and motions for continuance.

COURTROOM DECORUM and CALENDAR CONFLICTS

All counsel, parties, witnesses, and other persons in the courtroom shall comply with the Standards of Courtroom Decorum as set forth in Administrative Order No. 2.13, which may be found online at www.ca.cjis20.org.

The following additional standards apply:

- Attorney cell phones, laptops, electronic tablets, smart watches, pagers, etc. must be turned on silent before entering the courtroom. All parties, witnesses, or other persons in the courtroom should turn off their devices before entering the courtroom.
- No talking during court proceedings.
- No chewing of gum or tobacco.
- No beachwear or inappropriate shoes or clothing.
- No hats or sunglasses.
- Children must be quiet.

All attorneys are expected to follow Florida Rule of Judicial Procedure 2.550 and Administrative Order No. 2.10 when they have calendar conflicts whether inside or outside of Collier County and whether between county, circuit, or federal court in or out of Florida. The case having priority established by statute, rule of procedure, case law, administrative order, or otherwise should take precedence unless determined differently by the presiding judge.