

UNIFIED FAMILY COURT – JUVENILE DIVISION
POLICIES AND PROCEDURES

HONORABLE ERIK LEONTIEV
Circuit Court Judge
Dependency, Delinquency, and Cross-Over
Family Cases

EFFECTIVE May 8, 2023

Setting Hearings	<p>CONTENT OF MOTION: A motion must include a concise statement of the precise relief requested and a statement of the legal basis supporting the request. Each motion shall only embrace one issue.</p> <p>Motions must be filed with the clerk’s office prior to the party seeking hearing time with the JA.</p> <p>Hearings are scheduled only by email correspondence to the JA.</p> <p>HEARING TIME WILL ONLY BE GIVEN FOR THOSE MOTIONS THAT SET FORTH IN THE INTRODUCTORY PARAGRAPH OF THE MOTION THE LEGAL AUTHORITY (CONSTITUTIONAL, STATUTORY AND/OR RULE) UPON WHICH THE MOVANT IS RELYING IN HIS/HER REQUEST FOR RELIEF. CASE LAW DOES NOT NEED TO BE CITED IN THE MOTION UNLESS THAT IS THE SOLE LEGAL AUTHORITY FOR THE RELIEF BEING REQUESTED.</p> <p>Note that hearing times are provided on a first come first served basis and that it is your responsibility to coordinate with all parties or their counsel to ensure availability PRIOR to confirming a date and time with the JA.</p> <p>The Judicial Assistant will give several alternative hearing dates and times. Those dates are to be used for coordinating with opposing parties. If an agreement cannot be timely made, the Court will select a time for the hearing to be conducted and counsel will need to arrange coverage if necessary.</p> <p>Please do NOT include the JA in your emails coordinating dates and times with other offices or parties.</p> <p>A NOTICE OF HEARING MUST BE FILED OR THE TIME PREVIOUSLY GIVEN WILL BE OPENED UP FOR OTHER HEARINGS.</p>
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<p>Time Reserved</p>	<p>Hearings are limited to the time reserved. The parties opposing the motion are entitled to equal time. Accordingly, the party reserving and scheduling the hearing shall confer with opposing counsel and agree to the actual time requested.</p>
<p>Cancellation of Hearings</p>	<p>Please notify the Court of cancellations as soon as possible to make that time available for other hearings.</p> <p><u><i>A Notice of Cancellation of Hearing must be filed with the Clerk.</i></u></p>
<p>Communication Technology / Zoom and Telephonic Appearances</p>	<p>Effective October 1, 2022, the Florida Supreme Court has adopted several new rules of Juvenile and Family Procedure. With respect to juvenile procedure, evidentiary hearings MUST be conducted in person as the default position. The rule permits evidentiary hearings to be conducted remotely or conducted in a hybrid format if the parties agree or the court so orders upon good cause shown. The following procedure is required for remote or hybrid attendance:</p> <ul style="list-style-type: none"> ▪ File a motion or stipulation signed by ALL parties to the action. ▪ Set your motion for hearing well in advance of the hearing, if disputed. ▪ If the parties enter into a stipulation, file the original and provide a copy to the Judge’s office with a proposed order for the Court’s review and authorization. ▪ The Court will provide Zoom codes when a remote or hybrid proceeding has been granted. The attorney must include the Zoom Code on the Notice of Hearing when the remote or hybrid appearance is authorized. ▪ Attorneys who have calendar conflicts that cannot be avoided, may contact the court’s judicial assistant and request permission to appear via Zoom. However, the court will expect those attorneys to have spoken in advance of court to their client regarding the attorney’s remote appearance and be prepared to effectively represent the party. <p>See Florida Rules of Juvenile Procedure 8.100(e) and(f) and 8.255(e) and (f)</p> <p>For Family Law Cases (other than Injunction matters) the use of remote technology will continue to be governed by Rule 2.530 of the Florida Rules of General Practice and Judicial Administration.</p>
<p>Proposed Orders</p>	<p>Following a hearing or a trial, pursuant to Fla.R.Juv.P. 8.260, the Court may ask counsel to submit a proposed order. That order must be submitted to the e-filing portal, in a modifiable format. Please provide the order in WORD format to allow for editing. Please ensure opposing counsel is copied in your e-service when submitting your proposed order to the portal.</p>

	Any errors contained in the orders or judgments may be raised by motion of any party pursuant to Fla.R.Juv.P. 8.270.
Ex-Parte Communications and Orders	<p>Canon 3-B-7 of the Florida Code of Judicial Conduct requires that the Court not consider ex parte communications or consider other communications made to the judge outside the presence of the parties concerning a pending or impending proceeding with certain exceptions. All ex parte communications will be filed in the Court file under an <i>Order of Reference</i>.</p> <p>Motions for an ex parte order must contain specific citations to the legal authority that gives the judge the authority to enter an ex parte order in the situation alleged in the motion. Without such legal citations, ex parte relief may be denied.</p>
Position Statements	In certain cases, the Court may enter Orders which are usual and customary within the usual course of a matter. For instance, the Court may enter an Order Authorizing Administration of Psychotropic Medication in a dependency matter, without the necessity of hearing, provided that all parties provide their consent or present the Court with their Position Statement. Should all parties not be in agreement, the Court will require a hearing on the Motion before the entry of an Order.
Motions to Withdraw as Counsel	<p>Unless there is a Stipulation signed by the Client authorizing the withdrawal as Counsel, the Court will require that a hearing be set for all Motions to Withdraw. The filing of a Notice of Appearance by another Attorney on a party's behalf does not constitute a withdrawal by the original attorney without a Stipulation signed by the Client and as such you should not deem yourself as no longer the Attorney of Record until such a time that the Court enters an Order permitting your withdrawal, either by consent or after a hearing on the matter.</p> <p>Motions to Withdraw and the subsequent Notice of Hearing MUST include service upon all parties, including your Client in which you are seeking to withdraw from representation.</p> <p>See Florida Rule of Judicial Administration 2.505(f)(1)</p>
Citizen Foster Care Review Panel	Certain Judicial Review Hearings in dependency court will be heard by the Citizen Foster Care Review Panel pursuant to Florida Statutes 39.701 and 39.702. The Court expects all parties appearing before the Panel to conduct themselves in such a way as if they were appearing before the assigned Circuit Court Judge:

	<ol style="list-style-type: none"> 1. Be on time and conscious of the Panel's time; 2. Be respectful and remember you are addressing the Court; 3. Be prepared.
<p>Local Rules and Standards of Professionalism</p>	<p>All attorneys and <i>Pro Se</i> litigants must follow the Local Rules and Twentieth Judicial Circuit's Standards of Professionalism, which are available on the Internet at www.ca.cjis20.org . Unprofessional conduct before the Court will be handled by the Court, including referrals to the local Professional Committee or the Florida Bar.</p>
<p>Courtroom Decorum</p>	<p>All counsel, parties, witnesses and other person in the courtroom shall comply with the Standards of Courtroom Decorum as set forth in the Administrative Order No. 2.13, which may be found online at www.ca.cjis20.org</p> <p>Attorneys and litigants are expected to arrive on time and be ready to address their case(s).</p>
<p>Information for Self-Represented Parties</p>	<p>Judges and the Judicial Assistant may not give legal advice, including any advice or direction regarding the preparation of court papers.</p> <p>Judges may not have any one-sided communication with any party. Requests to speak privately with the Judge will be refused.</p> <p>Do not send letters directly to the Judge.</p> <p>Judges and the Judicial Assistant must remain neutral and impartial.</p> <p>A party without a lawyer is not entitled to special treatment and must follow the same rules or procedures, rules of evidence and laws that govern lawyers.</p>