

Judge Hayes's Civil Motion Guidelines

These procedures are intended to ensure that all parties and their attorneys have equal access to justice through the organized administration of the courts.

ALL HEARINGS MUST BE COORDINATED. ALL HEARINGS MUST BE SCHEDULED OR CANCELLED THROUGH THE JUDICIAL ASSISTANT.

Scheduling a hearing:

1. Go to JACS to view available time slots (see "view time slots" link). Hearings requiring 15 minutes or less must be set in the 15 minute time slots only. Hearings requiring 30 minutes will be set in the available morning time slots.
2. **Coordinate hearing time with opposing counsel.**
3. You may set multiple motions at the same time as long as you schedule the hearing for the appropriate amount of time needed to hear all motions.
4. Call the Judicial Assistant, Barbara, at 239-533-8244 to schedule your hearing after coordination. Please have the case number, hearing date and time requested, motion being set and the date the motion was filed when calling to set a hearing. Please do not leave a voice mail requesting the hearing date and time; your hearing will not be scheduled.
5. **After** speaking to the Judicial Assistant and scheduling your hearing, prepare and file the Notice of Hearing.

DISCOVERY MOTIONS LASTING MORE THAN 15 MINUTES ARE TO BE SCHEDULED BEFORE THE MAGISTRATE. PLEASE CONTACT ADELA AT (239) 533-2583 TO SCHEDULE YOUR HEARING.

NO PIGGYBACK/ADD-ONS/CROSS-NOTICE: Once a motion is scheduled, subsequent motions may not be piggybacked, added-on or cross-noticed onto the time reserved for the first motion without prior approval of the Court and opposing counsel. The motion already set and the motion being added must be able to be heard in the original time allotted for the hearing. Additional time will not be added to the time slot to accommodate add-on hearings.

****The Judicial Assistant is the only person who can be contacted to schedule a hearing. No messages are to be left for scheduling purposes****

COPIES OF PLEADINGS AND NOTICES OF HEARINGS ARE NOT REQUIRED!

JURY TRIALS

Jury trials will be held in person at the Lee County Justice Center, 1700 Monroe Street, Fort Myers, Florida.

TELEPHONIC APPEARANCE

Each party must schedule its own appearance with Court Scribes, after the hearing has been set with the Court. See information below: *

Hearings continue using Court Scribes. See information below.*

To schedule a Court Scribes Remote Court Appearance, please visit the NEW scheduling portal from CourtScribes.

<http://scheduling.courtscribes.com/>

To start scheduling a hearing, please create an account using the "Sign up" button on the top right. Fill out all the necessary information, and then return to the homepage and you will see "Schedule Now". Input the required information. Each party is now required to set up their own appearance.

Once entered, continue with the process and you will receive the zoom link once completed. An email will also be sent to the email address you used to create your profile. If you have any questions, please contact CourtScribes at 833-727-4237 (ext. 1).

*Judge Hayes previously allowed phone appearances via any means which did not charge the Court. However, even with guidelines this became logistically confusing and time consuming for the Judge's office. Therefore, telephonic appearances are now only allowed by Court Scribes which appears to be the lowest cost phone service available to all.

PROPOSED ORDERS

Please choose one of the following methods for submitting orders:

1. Proposed orders may be mailed in along with copies for conforming and postage paid envelopes to all pro se or non-attorney parties. Attorneys listed on the order will receive a copy of the order via the e-portal. Attorneys must be listed on the order. **Do not submit**

proposed orders that say “all counsel of record”. All orders must have the case number listed on the order.

OR

2. Proposed orders for civil and probate cases may now also be uploaded via the e-filing portal as a “Proposed Document” for Judge Hayes’s review and signature. Please also send in a cover letter stating whether the proposed order has been agreed to by opposing counsel.

IMPORTANT NOTE: (Please read)

If you efile proposed orders, please put the case number first, then the name of your document in the “Document Title” field on the “Add/Edit Document” screen when you submit the order. Do not put the words “case number” before the numerals. Please use the following format for the case number, 20CA-123, (two digit year, case type (CA, CP, GA, MH) and case number with no leading zeros).

You must select the parties to be served before submitting the order for review. If you have pro se parties who should receive a copy of the order, you must put them in the e-filing portal with their email address and select them to receive service, prior to submitting the order for review.

If your document is an emergency or time-sensitive, please put the word “emergency or urgent” before the case number in the “Document Title” field and call the office to let me know you have submitted a document that is time-sensitive.

Guardianship orders must be submitted to the Guardianship Case Manager at leega@ca.cjis20.org unless the order pertains to a ruling made by the Judge at a hearing. Orders on rulings from hearings may be submitted through the e-filing portal or mailed to the judge’s office.

E-filings in the court file are often not visible to the Court for 3 business days. Do the Court the courtesy of calling to advise it if a hearing is cancelled.

Trial Notices

Please provide a courtesy copy of the trial notice.