Judge McFee's
Civil Division Procedures
Collier County

ATTORNEYS: Please read and follow the Standards of Professional Courtesy and Conduct for Lawyers Practicing in the Twentieth Judicial Circuit found at www.ca.cjis20.org/pdf/ao/ao_2_20.pdf.

LEGAL ASSISTANTS and PARALEGALS: Please read these procedures and remind your Attorneys to do so also.

JUDGE MCFEE'S WEBSITE INFORMATION: Available on Judge McFee's 20th Judicial Circuit Webpage (Judge McFee's Webpage) are the following:

- Judge McFee's Downloads, including forms (will be updated periodically)
- Zoom Information

GENERAL POLICIES AND PROCEDURES

CONTACTING JUDGE MCFEE'S OFFICE: You may contact Judge McFee's Office via email at ACugat@ca.cjis20.org. Judge McFee's Judicial Assistant is Magda.

Judge Shannon McFee

Collier County Courthouse
3315 Tamiami Trail East, Suite 405
Naples, FL 34112
Telephone: (239) 252-8314

All proposed orders MUST be submitted to the E-Portal for Judge McFee's review and signature. Judge McFee's office does NOT accept paper orders, with the exception of Final Judgments of Foreclosure which must be mailed to Judge McFee with copies and stamped envelopes for the parties.

Office hours for contacting the Judge's office are 8:30 AM to 4:30 PM. Due to the high volume of phone calls and emails that the Civil Division receives, you may not reach the Judicial Assistant in person. Therefore, when calling and leaving voice mail or sending an email, please indicate: your name; your return telephone number; the name of the attorney if contacting us for an attorney; case number; and a brief message. **If you or your entity is represented by an attorney, please do not contact the Court directly by email, phone, letter or any other method of communication. Your attorney must be the only person contacting our office on your behalf.**

The Judicial Assistant will attempt to return your call as soon as possible to address your request.

TRANSMITTAL LETTERS OR EMAILS: Please send a transmittal letter or email when you submit documents to Judge McFee's office indicating: (1) Case number and caption; (2) what is being submitted if anything; (3) the reasons for such being submitted; (4) the date of the court proceeding to which they pertain; (5) a list of those copied with the letter and such submissions; AND (6) whether it is agreed. **(ALL attorneys and self-represented parties should be copied on ANY communications with the Judge's office!)** HOWEVER, such communication should be short. If more than a few sentences are necessary, you should put your concerns or requests in a MOTION. Judge McFee does not take action on letters, emails, or proposed orders that did not follow the filing of a motion ONLY motions and pleadings.

IDENTIFY COURT DOCUMENTS WITH SPECIFICITY: For judicial economy and in accordance with Administrative Order No. 2.35: When a party to a proceeding before the Courts of the Twentieth Judicial Circuit, or counsel, files a pleading, document or notice of hearing, or submits a proposed order, which includes a reference to a previously filed pleading, document or to the motion being scheduled for hearing, the party or counsel shall, for ease of further reference: (1) identify with specificity the previously filed pleading or document referenced therein, or the motion being scheduled for hearing; (2) identify the previously filed pleading or document referenced therein, or the motion being scheduled for hearing, by the date it was filed with the Clerk of Court; AND (3) identify the previously filed pleading or document referenced therein or the motion being scheduled for hearing, **by the docket line or docket number**, as may be reflected on the Clerk's online web portal. For Judge McFee, always include the **date of filing** of the pleading, motion, order etc. to which you are referring.

MOTIONS

IMPORTANT: Motions or other court proceedings not scheduled pursuant to the procedures set forth below may be cancelled by the Judge or the Judicial Assistant (JA) with the judge's consent without notice.

*****ALL MOTIONS MUST CONTAIN WITHIN THE INTRODUCTORY PARAGRAPH A REFERENCE TO THE CONSTITUTIONAL PROVISION, STATUTE, OR RULE UPON WHICH THE MOTION IS BASED. Failure to do so may lead to a denial of hearing time or a cancellation of hearing time if previously given or scheduled on JACS.***

TYPES OF MOTIONS HEARD BY JUDGE: All motions except as specifically set forth herein that are to be referred to the Magistrate, will be heard by Judge McFee and scheduled on the Judge's motion calendar. Judge McFee hears all Motions to Withdraw, Motions for Continuance, Motions to Extend Deadlines in a Case Management Plan, Motions to Amend a Case Management Order and Motions for Summary Judgment in Foreclosure Cases.

TYPES OF MOTIONS HEARD BY MAGISTRATES: ANY civil motion may be heard by the Magistrates assigned to your case upon agreement of attorneys and self-represented parties. The following motions SHOULD be heard by the Magistrate:

- Discovery Motions

- Claims of Exemption
- Forfeiture- Preliminary Adversarial Hearing
- Motion for Leave to File Amended Pleading
- Motion to Strike Affirmative Defenses

All motions must be set for hearing and heard within 60 days from filing the motion or the motion will be deemed abandoned and denied.

SCHEDULING HEARINGS BEFORE MAGISTRATES: Before obtaining court time before a Magistrate, please obtain agreement from the other attorneys or parties to same. While parties or their attorneys in civil cases may object to proceedings occurring before a Magistrate at any time up to the beginning of said proceedings, failure to obtain prior agreement to using the Magistrate or last-minute withdrawal of such agreement, may be grounds for the assessment of fees and costs.

No motions can be scheduled before the Magistrate within 90 days of the commencement of the trial period. **All such motions must be heard by the Judge.**

Magistrate Pamela Barger is the Civil Magistrate for Judge McFee.

EXCEPTIONS TO THE MAGISTRATE'S RECOMMENDED ORDERS: If an Exception to the Magistrate's Recommended Order is filed, please provide a copy to Judge McFee's office. After the judge's review, the Judicial Assistant will set the Exceptions for a hearing. If you have not heard back from the Judicial Assistant within ten (10) days, please reach out and ask for a status.

SCHEDULING HEARINGS BEFORE JUDGE MCFEE:

JUDGE'S MOTION CALENDAR: Judge McFee regularly hears Motions requiring **60** minutes or less scheduled on the JACS scheduling system. If you can't find a time slot on JACS within a reasonable period of time, you may contact Judge McFee's Judicial Assistant via her email address. Longer hearings may be scheduled through request to Judge McFee's Judicial Assistant via email address including all parties on the email. (ACugat@ca.cjis20.org)

ZOOM HEARINGS: Use of communication technology shall be governed by Fla.R.Gen.Prac. & Jud.Admin. 2.530.

- All Status Conferences, Pre-Trial Conferences and Docket Soundings will be held via Zoom.

- All **non-evidentiary** proceedings scheduled for 30 minutes or less will be held via Zoom,, unless good cause exists to require in-person hearing. The time frames will be strictly adhered to in order to give everyone the time they requested.

- All **evidentiary** hearings for which Zoom appearance is requested requires a written

motion by a party setting forth good cause why the testimony should be allowed in the specific form requested and must specify whether each party consents to the form requested. What constitutes good cause is set forth in Fla.R.Gen.Prac. & Jud.Admin. 2.530(b)(2)(A).

Judge McFee's Zoom Information:
Meeting ID: 417 466 3607 (no password required)

IMPORTANT: When scheduling hearings, please schedule enough time for you to present your argument and information as well as the opposing attorney(s) or self-represented parties. Judge McFee holds attorneys and self-represented parties to the time that they have reserved. The time allotment that you choose will be divided by the number of parties involved in your case, e.g. one-half of a hearing time will be allotted to each party in cases involving 2 parties. The time allotted to each party includes direct and cross examination of witnesses, any opening statements and closing or other argument.

Important JACS Log-On Information for scheduling Civil Motions: For first time users, click the "Schedule Time Slots" link, enter your bar number for both user ID and password, select a Judge and then click "Log in". If you are able to log in, the system will give you the opportunity to set a password of your choice. Please enter the case in the following format; 4-digit year, letters assigned to the case type and the base case number, for example "10-CA-1234". If you are unable to successfully log-in, send an email with your bar number to CollierJacs@ca.cjis20.org.

For all hearings longer than 60 minutes, please contact the Judge's office to schedule same at ACugat@ca.cjis20.org.You do NOT need to send a letter to the Judge for a hearing of up to 1 hour. Just email Judge McFee's Judicial Assistant and all parties. Judge McFee's Judicial Assistant will give you a couple of dates and times. The movant or movant's attorney then must coordinate with the other parties or their attorneys. DO NOT INCLUDE US ON THE EMAILS between attorneys, EXCEPT to let us know which date and time you would like for your motion. **Judge McFee's Judicial Assistant does not actually schedule your motion until you email her as to which date and time is acceptable to all parties or their attorneys**. She will then give you a confirmation number. We do not hold dates, so act quickly to confirm the date you have agreed on.

For hearings longer than one (1) hour, please submit your request in an email and attach the Motion upon which you are requesting a hearing. Please also mail a copy to Judge McFee's Office no later than 7 days prior to the hearing.

NO PIGGYBACKING OF MOTIONS: Once a motion is scheduled, subsequent motions may not be "piggybacked" or "cross-noticed" onto the time reserved for the first Motion, absent prior approval of the Court AND the original scheduling attorney.

NO BACK TO BACK SCHEDULING: Attorneys may NOT schedule the SAME Motion

for back to back hearings to acquire a longer block of hearing time (e.g. scheduling two 5-minute hearings to acquire 10 minutes, etc.) Any hearings scheduled in this manner may be cancelled. Contact Judge McFee's Judicial Assistant via email if you are having difficulty scheduling.

Notices of Hearings: All Notices of Hearing shall reflect the following in addition to the date and time of the Motion:

- If the hearing is to be evidentiary, this MUST be reflected in the Notice of Hearing.
- The title of the motion or motions to be addressed at the hearing along with their docket line number AND the **date** that they were filed. Separate motions should be set forth on separate lines for ease of reading.
- The amount of time reserved for the hearing.
- Parties must comply with the conferral and certification requirements in Fla.R.Civ.P. 1.202. Before filing the motion, the moving party on non-dispositive motions must confer with the opposing party in a good faith effort to resolve the issues raised in the motion. Such conferral must be **between** the attorneys in- person, by phone or by video- conference. **Email conferral is not sufficient.**

SPECIFIC MOTION PROCEDURES:

Motions for Rehearing/ New Trial/Advance Docket: Such Motions must be submitted in writing and must be reviewed by the Judge before they may be scheduled for hearing. Such Motions should be filed with the Clerks' Office. The Clerk's Office generally forwards them to the presiding Judge. However, if you want to ensure that it does reach the Judge, you may email it to the Judge's Judicial Assistant after you have filed it in the Court file. A hearing may only be scheduled for hearing time IF the Judge so directs and approves. You will receive an Order if the Court denies the Motion without a hearing. Judge McFee's Judicial Assistant will contact you regarding hearing time if the Judge directs a hearing to be held.

Motions to Continue Trial:

- This Court strictly adheres to *Fla.R.Jud.Admin. 2.545(e)* and *Fla.R.Civ.P. 1.460*. As such, continuances are disfavored, shall rarely be granted and only upon a showing of good cause.

CANCELLATIONS OF MOTION HEARINGS: If you cancel a hearing, you are required to file a Notice of Cancellation. If you scheduled through JACS, you may cancel up to 3 business days before the hearing. You cannot cancel hearings set by the Court. The Notice of Cancellation should be filed with the Clerk's Office, with copies being provided to all parties and counsel of

record, as well as the Judge's office, as soon as counsel becomes aware that a hearing is to be cancelled or is otherwise given reasonable notice of the cancellation. If a hearing has been cross-noticed by self-represented parties or counsel, then they must agree to the cancellation of the subject hearing and file a Notice of Cancellation of Cross-Notice of Hearing. You may not cancel a cross-noticed motion hearing without written consent of the parties/counsel.

NOTE: IT TAKES THE CLERK'S OFFICE AT LEAST 48 HOURS TO PROCESS ANY FILED DOCUMENTS. If you have filed something within 48 hours of the scheduled hearing you must email a copy of the item filed to the Judicial Assistant and all parties so the Court can review prior to the hearing.

DOCUMENTS SUBMITTED TO THE JUDGE REGARDING MOTIONS: Please do NOT forward copies of items that have been filed in the Court file including Notices of Hearings, Motions, and Memoranda. You do not need to forward case law that is cited in your court filings. The Judge knows how to access Westlaw. If you plan to rely on case law that is NOT cited in your court filings, you may forward such a case if you believe it is important for the Judge to read. Please forward proposed orders and judgments to the Judge's Judicial Assistant AFTER the court proceeding, NOT before it. **Please forward them through the e-portal in WORD format.** Your letter attaching said orders or judgments should indicate whether there are any disagreements as to the submitted documents.

EXHIBITS TO BE USED IN ZOOM HEARINGS:

- Please refer to **Administrative Order 2.40**.
- Please forward all exhibits to the Judge's Judicial Assistant via email 5 days prior to your court proceeding. All exhibits must be marked with an exhibit number or letter and you must provide an index. You must also provide paper copies to the Clerk's Office 5 days prior to the court proceeding.
- You are required to forward to opposing counsel and any self-represented parties, copies of what is forwarded to the Judge and Clerk's office. (You aren't required to send copies of both because presumably these are the same.)

TRIAL PROCEDURES AND DOCKETS

COURT ORDERED CASE MANAGEMENT PLANS: Case management will be handled according to Fla.R.Civ.P. 1.200 and 1.201 as well as caselaw interpreting and applying those rules. Judge McFee will issue a Case Management Plan no later than 120 days after the commencement of an action. Said Plan will have dates for a Mandatory Status Conference (General), Pre- Trial Conference, Docket Sounding and a Trial period.

The Court's Case Management Plan 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 DOCKETS: Judge McFee will issue trial orders subsequent to the Status Conference. For each trial period, trials will be called from the list of the trials scheduled for that trial period for which your case has been set. Generally, the oldest cases as determined by date of filing will be scheduled first. You are expected to be ready for trial for the entire trial period for which you have been scheduled. Generally, Judge McFee does not schedule date certain trial times. You are responsible to follow along the trial order and be ready should your case be called. If you believe you are legally entitled to a date certain trial date or priority trial scheduling, a motion should be filed and addressed with the Court at a hearing no later than the Pre-Trial Conference.

PRE-TRIAL CONFERENCES: Attendance at Pre-Trial Conferences shall be via Zoom. A Pre-Trial Conference Order must be submitted to the Court prior to the Pre-Trial Conference Date. (See the Court's Trial Order issued in your Case.)

SETTLEMENT: If you settle your case, please notify the Judge's office and forward a copy of Notice of Settlement or Stipulation of Dismissal. The Judge will not take you off the trial docket until his office has received copies of the Notice or Stipulation of Dismissal and a Final Disposition Report in conformance with Rule 1.998 of the Rules of Civil Procedure.

MEMORANDA: Written memoranda on lengthy or complex motions are not necessary but if supplied, they must be submitted **at least seven (7) business days prior to the hearing.** Memoranda or briefs to be considered by the Court for any hearing shall be limited to ten (10) pages in length on 8 1/2-by-11-inch paper and shall also comply with the lettering and spacing requirements of Rule. 9.210(9)(2), Rules of Appellate Procedure.

MEDIA EQUIPMENT: Apple Products are not compatible. Please bring your own laptop, VGA (Video Graphic Array) compatible preferred. If you have an HDMI (High Definition Multimedia Interface) connection, you must bring your own adaptor and laptop.

Thank you for your cooperation! We look forward to working with you!

Magda, Judge McFee's Judicial Assistant
Office: (239) 252- 8314

Court Administration: (239) 252- 8800

Updated: October 28, 2026
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