

EMERGENCY HEARING PROCEDURE
(JUDGE HAYES)

In order for the Court to consider a request for an emergency hearing, the following procedures must be followed:

1. Motion must be filed with the Clerk of Court, and unless the request is for ex parte relief, the motion must be served on opposing party/counsel.
2. All factual allegations must be sworn to by the movant. The motion *must* state under oath the facts which the party believes constitutes the “emergency”, meaning the reasons the matter should be considered on an expedited basis rather than being scheduled in due course. The relief requested should be limited to that required to address the emergency, indicating how much time is needed for the Court to hear the emergency matters, recognizing that the hearing time will be divided equally among the parties.
3. If you are asking for ex parte relief, you must comply with Rule 1.610.
4. Once you have filed your motion with the Clerk of Court (the title of the motion must contain the language “emergency”), the Clerk’s office will e-mail same to the judicial assistant who, in turn, will provide the judge with a copy for his/her review/determination.
5. After the judge has had an opportunity to review the motion, the judicial assistant will contact the moving party’s office advising them of the judge’s ruling.

If the Court grants emergency hearing time, the moving party will be required to serve opposing part(ies) with written notice of the hearing date/time. If the Court, based on the allegations in the sworn pleading, finds no emergency exists, an Order will be entered denying the request for an emergency hearing, in which event, the matter must proceed on a non-emergency basis.