

JUDGE LESTER BASS

DIVISION C

AMBER COLLIE, JUDICIAL ASSISTANT

ROBERT M. FOSTER JUSTICE CENTER

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Procedures

Cancellation of Hearings/Trials A Motion must be filed. Please send a courtesy copy to the JA via email. The JA will confirm whether or not the hearing will be removed from the calendar, then you may file a Notice of Cancellation.

Setting Hearings for Pending Motions To put a pending motion and/or issue on the Judge's calendar, the attorney's office requesting the hearing must contact the Judicial Assistant via email. Please include the opposing Counsel's office in said email. Please provide the case number, the name of the motion to be heard (MUST be filed prior to the scheduling of the hearing), and how much time you are requesting for the hearing.

Proposed Orders All proposed Orders must have (1) cover letter stating whether opposing attorney agrees, disagrees or other pursuant to local rules, (2) an original order and correct number of copies for **all** parties with stamped, addressed envelopes for **all** parties unless all parties can accept eservice, and (3) Proper postage affixed to all envelopes. If proposed Orders are emailed to the Judicial Assistant, then the correct number of stamped, addressed envelopes with the case number are to be provided to the Judicial Assistant for mailing copies unless all parties can accept eservice.

Qualified Domestic Relations Orders In order for QDROs to be signed by the Judge, the proposed QDRO must be signed by each party and each signature must be notarized OR a five (5) minute hearing may be set with proper notice given to both parties. Simply emailing a proposed QDRO to the JA for signature without the parties' written consent is not acceptable even if you state in the email that the parties consent. **A Final Judgment allowing for entry of a QDRO doesn't negate the necessity of written consent from the parties consenting to content and form.**

Emergency Motions/Scheduling or Injunctions (1) Must be a genuine emergency;(2) MUST be filed Clerk of Court, [Rule 1.610&12.610(a)];(3) If seeking ex parte (w/o notice or hrg) you must state an adequate reason why the other party should not be given notice; otherwise (4) due process requires proof of service on the other party;(5) verified/sworn by the movant & signed by counsel;(6) If children are involved (required) a filed UCCJEA has been attached;(7) emergency motion should be emailed or delivered to the judge's chamber's for review;(8) If hand delivered and the division JA is not in the office (that does not mean the judge not available), you are required to email this Motion;(9) There shall be **no ex parte communication concerning this request** and (10) after the Judge has reviewed the action, the judicial assistant will advise: the motion will be granted w/o hrg or notice, denied, granted w/hrg on an emergency basis or for movant to schedule the matter on the next regular calendar date. Should the Judge be out of the office for an extended time, please follow local rules of procedure by contacting the next division in alphabetical order. **The Judge expects the attorney(s) to make themselves available until after the ruling of said motion whether it's granted without a hearing, denied without a hearing or a hearing is set on the matter.**

Courtesy Copies There are no need for copies-please make sure the originals are timely filed with the Clerk of Court so the current pleadings are placed in court file. Exceptions for courtesy copies are: verified emergency motions, Motions for Rehearing, and Memorandum of Law. If you are submitting a courtesy copy, please **DO NOT** fax **and** send one via mail or hand delivery - *one is sufficient*.

Children First in Divorce Course Required in both Petitions for Dissolution of Marriage *and* Paternity cases.

Motions to Compel or Protective Order (Non-emergency) Motions to Compel Discovery and Motions for Protective Order must be set on the regular calendar. The Motion MUST contain a certificate at the end of the filed motion, signed by the attorney for the moving party stating that he or she has contacted opposing counsel and has attempted without success to resolve this matter without the necessity of a hearing. Hearings are rarely able to be cancelled even if the requested documents are received. As such, cancellations are considered on a case-by-case basis.

Continuance of Trial If an Order Setting Non-Jury trial has been entered and one party requests a continuance, and the continuance is granted, the party requesting the continuance prepares a one page order granting continuance with the new trial week and pre-trial conference date and time providing that all provisions of Court's previous Order Setting Non-Jury trial remain in full force and effect, or that the trial will be reset upon either party's Motion to Set.

Exhibits for Hearings and/or Trials

Any submissions or evidence for hearings that the parties wish the Court to consider should be sent to the Court **at least 3 business days** before the hearing. Each document should be properly labelled. Please do not send any exhibits electronically.