

IN THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR THE STATE OF FLORIDA  
LEE COUNTY

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FAMILY LAW DIVISION

**ORDER REGARDING FAMILY LAW MATTERS  
PENDING BEFORE JUDGE AMY HAWTHORNE**

**YOU ARE HERBY NOTIFIED THAT**, pursuant AOSC21-17, effective June 21, 2021, all domestic relations/family law proceedings may be conducted in person. Therefore, the undersigned has adopted the following policies with regards to Division U (Hawthorne) cases. All in person proceedings will be held in Courtroom 4H on the 4<sup>th</sup> floor of the Lee County Justice Center, 1700 Monroe Street, Fort Myers, Florida, 33901:

**EVIDENTIARY PROCEEDINGS**

**Evidentiary Hearings and Trials currently scheduled to be heard after June 21, 2021, but prior to August 2, 2021:** All evidentiary hearings and trials scheduled to be heard on or after June 21, 2021, but prior to August 2, 2021, previously scheduled to be conducted by Zoom conferencing **may** be conducted in-person so long as both parties agree. Parties wishing to convert their Zoom evidentiary hearing/trial to an in-person evidentiary hearing/trial may submit a stipulation to the Court by filing the stipulation with the Clerk and forwarding a copy to the Court's Judicial Assistant. If the matter is scheduled for trial, the Court will enter an Amended Notice for Trial. If the matter is scheduled for an evidentiary hearing, the movant is responsible for filing an amended notice of hearing. **Failure to file a timely amended notice of hearing may result in cancellation of the hearing.**

**Evidentiary Hearings and Trials scheduled after August 2, 2021:** **All evidentiary hearings and trials scheduled to be heard on or after August 2, 2021, will be conducted as in-person proceedings.** All evidentiary hearings and trials currently scheduled to be heard on or after August 2, 2021, by Zoom conferencing will be heard in person. If a matter is set for trial and the Court has previously filed a Notice for Trial by Zoom application, the Court will enter an Amended Notice for Trial indicating that the trial will be held in person. If the matter is set for an evidentiary hearing, the movant is responsible to file an amended notice of hearing indicating that the matter will be held in person. **Failure to file a timely amended notice of hearing may result in cancellation of the hearing.**

**Evidentiary Hearings and Trials not yet scheduled:** All future evidentiary hearings and trials not yet scheduled as of the date of this Order will be scheduled to be heard in person beginning June 21, 2021.

**PLEASE NOTE: Trial/Hearing exhibits need NOT be filed in the court file for in-person proceedings, as was previously required. For in-person proceedings, parties must file hard copies of exhibits with the clerk and provide a copy of all exhibits to the Court. For proceedings held by Zoom, all exhibits must be electronically filed pursuant to the 20<sup>th</sup> Judicial Circuit Administrative Order 2.40.**

### **NON-EVIDENTIARY PROCEEDINGS**

**Non-evidentiary Hearings currently scheduled to be heard after June 21, 2021, but prior to August 2, 2021:** All non-evidentiary hearings previously scheduled to be heard on or after June 21, 2021, but prior to August 2, 2021, which are scheduled to be conducted on-line by Zoom conferencing **may** be conducted in-person so long as both parties agree. Parties wishing to convert their Zoom hearing to an in-person hearing may submit a stipulation to the Court by filing the stipulation with the Clerk and forwarding a copy to the Court's Judicial Assistant. The movant is responsible for filing an amended notice of hearing. **Failure to file a timely amended notice of hearing may result in cancellation of the hearing.**

**Non-evidentiary Hearings currently scheduled to be heard after August 2, 2021:** All non-evidentiary hearings currently scheduled to be heard by Zoom for which hearing time longer than 15 minutes has been set aside will be conducted in-person. The movant is responsible for filing an amended notice of hearing. **Failure to file a timely amended notice of hearing may result in cancellation of the hearing.** All non-evidentiary hearings currently scheduled to be heard by Zoom for which 15 minutes or less has been scheduled will be conducted by Zoom.

**Future Non-evidentiary Hearings:** Any non-evidentiary hearings where the movant requests 15 minutes or less of hearing time **may** be held through Zoom application at the Court's discretion. Parties requesting a hearing by Zoom must make the request at the time of scheduling. Beginning June 21, 2021, all non-evidentiary hearings scheduled for more than 15 minutes will be held in person.

### **MISCELLANEOUS**

**Emergency matters** will be handled on a case by case basis. Please forward a copy of any emergency motion to the Judicial Assistant. Only matters of extreme urgency, such as matters of life and death or instances of irreparable harm will be considered on an emergency basis. Please review the 20<sup>th</sup> Judicial Circuit Administrative Order No. 2.17 and Loudermilk v. Loudermilk, 693 So.2d 666 (Fla. 2d DCA 197) with regards to matters that may be considered an emergency. The Court will determine whether an emergency matter will be held in person or through Zoom conferencing on a case by case basis. An emergency motion must include a request for Zoom conferencing if it is so desired. If no such request is made, the Court will assume the movant is requesting an in-person hearing.

Either party may file a motion to convert an in-person proceeding to a Zoom proceeding or to convert a Zoom proceeding to an in-person proceeding by filing the motion with the Clerk and forwarding a copy to the Court no later than 10 days prior to the hearing. The motion must state with specificity the grounds on which a party is requesting conversion. **Failure to forward a copy of the motion to the Court on the same day it is filed will result in the denial of the motion.**

**PLEASE NOTE: Masks and social distancing in the courtrooms are no longer required. Masks are optional with each individual entering the courtroom and social distancing may be requested.**

If a matter is to be heard virtually through Zoom, all prior requirements regarding Zoom conferencing remain in full force and effect. See the Zoom Conferencing Requirements on the Court's page of the 20<sup>th</sup> Judicial Circuit Court Administration website found at [www.ca.cjis20.org](http://www.ca.cjis20.org). If an evidentiary hearing or trial is to be held through Zoom conferencing, all exhibits must be electronically filed pursuant to the 20<sup>th</sup> Judicial Circuit Administrative Order 2.40. In addition, the rules of Virtual Courtroom Etiquette as posted on the Court's page of the 20<sup>th</sup> Judicial Circuit Court Administration website must be followed.

DONE AND ORDERED in Chambers at Lee County, Florida.