

DEPENDENCY AND UNIFIED FAMILY COURT PROCEDURES as of 1/7/25
JUDGE KRIER

NOTE: The development of these procedures is on-going and they are subject to change. Check monthly for most current version through June 2025

ZOOM and REMOTE appearances for Court proceedings

- NO regular Zoom appearances or other remote appearances by Parents, Parents' attorneys, DCF attorneys or Case Managers for any court proceedings, including Judicial Review hearings with the Citizens Foster Care Review Panel. These are important court cases, involving abrogation of legal rights and the welfare of children. Parents must be actively and directly involved in the cases involving their children and they must be able to consult with their attorneys before, during and after their court appearances. They cannot accomplish this on Zoom.
- Zoom appearances ARE allowed for **Children** during school days during school hours or who reside or attend school out of Collier County, Florida.
- Zoom appearances ARE allowed for caregivers who reside out of Collier County, Florida.
- Zoom appearances MAY be allowed for experts testifying during evidentiary court proceedings, upon Motion filed by the attorney calling such witness.

MOTIONS

- **MOTIONS MUST BE FILED:** A Motion must be filed in the Court file in order to obtain hearing time. If a Motion has recently been filed and may not yet appear in the court file, you may scan and email it to us with your request for hearing time.
- **MOTIONS MUST BE FILED AND ADDRESSED BEFORE TRIALS:** Daubert Motions and Motions in Limine, to Strike Witnesses, to Admit Child Hearsay and any others that are directed towards an evidentiary proceeding such as a dependency or TPR trial **MUST** be filed **prior to Pre-trial hearings for TPR trials and no later than 2 weeks before** the first day of the trial period for Dependency Adjudicatory trials. Such Motions must be heard by the Court before the first day of the trial period on which the respective case is scheduled.
- **SCHEDULING** Motions maybe be scheduled through the Court's Judicial Assistant via email at eyearnton@ca.cjis20.org. The Court's regular motion-hearing day is Monday of Week-1 of the Court's 5-Week Dependency-Delinquency-Guardianship schedule. (see Schedule on the Court's 20th Circuit webpage). When scheduling:
 - DO copy all attorneys of record on your email;
 - DO list the case number;
 - DO list the Motion for which you are requesting hearing time AND the date it was filed and/or the Docket Line number. If the Motion was recently filed, please attach a copy;
 - DO inform the Court's JA if there are any deadlines such as an upcoming trial;
 - Do NOT communicate more than is necessary for scheduling purposes: do NOT involve the Court's judicial assistant in any squabbles that are occurring between attorneys or offices.

TRIAL PROCEDURES

- Attorneys **MUST** file Witness and Exhibit lists no later than 2 weeks prior to the first day of the trial period on which a respective case is scheduled. Except for the parents at issue, said Witness list must set forth the subject about which the witness is expected to testify and if said Witness will be offering expert testimony.
- Attorneys are expected to confer no later than 2 days **BEFORE TRIAL** and when possible agree on admission of exhibits.
- Attorneys are **NOT** expected to waste the court's time objecting to the admission of business records when the correct notices have been filed or requiring proof of authenticity when certified court documents are submitted.
- All persons and parties are expected to be ready for trial as scheduled. The Court uses a rolling trial schedule. Trials will be called and heard based on age of case and legal requirements. When one trial is concluded, the next trial will be called and begin.
- The Court **WILL** require a short opening statement from attorneys and unrepresented parties as well as a closing argument. Depending on the Case, the Court may require a written closing **OR** schedule the oral closing argument on a date subsequent to the evidentiary portion of the trial. **KNOW YOUR CASE AND BE PREPARED!**

SCHEDULING GENERALLY

- Judge Krier's Judicial Assistant is responsible for scheduling motion-hearings on the Monday of Week-1 of the Judge's Dependency-Delinquency weeks. Contact her via email as set forth above and at eyearton@ca.cjis20.org.
- Judge Krier's Court schedules are available on her 20th Circuit webpage for viewing and printing, including Judge Krier's "Judicial Automated Calendaring System" (JACS) docket, her 5-week [general schedule] and her 2025-Calendar.
- Judge Krier's Monday-hearing docket will be reflected on her JACS docket by Case number, child's initials and will specify what Motion is scheduled for hearing.
- Judge Krier's JACS-docket will reflect the general scheduling slots for various types of cases and different court proceedings.
- Judge Krier's JACS-docket will **NOT** list the Cases for the following hearings scheduled on her docket: Judicial Reviews, Dependency Arraignment, Dependency Dispositions, TPR Advisory hearings and TPR Pretrials. **These schedules will be available on ShowCase, the Collier County Clerk's system.** Regarding Dependency and TPR Trials, Judge Krier hasn't yet determined whether to reflect them on her JACS docket.
- The Judicial Review Hearings for the Citizens Foster Care Review Panel (the Panel) **WILL** be set forth on its JACS docket by Case Number, and children's initials. That is available as a link on Judge Krier's 20th Circuit webpage.
- With the exception of Judicial Review hearings already scheduled for individual specific times as of 1/7/25, Judge Krier will be scheduling Judicial Review hearings in groups, for

example 4 cases at 9:00 AM and 4 cases at 10AM. ALL attorneys and their clients as well as all necessary Parties are expected to be present in court at the beginning of the time period for which they are scheduled, subject to the above exceptions.

- The Panel Judicial Review-hearings will continue to be scheduled for specific times in 30-minute increments.
- The following will be scheduled by the Court from open Court or the Department: Shelter hearings, Dependency Arraignments, Dependency Disposition Hearings, TPR Pretrial Hearings, Dependency and TPR trials, and Dependency and TPR Calendar Call hearings.
- The Panel and/or DCF will schedule subsequent Judicial Review hearings before the Judge after they conclude their own JR hearing.
- **Legal time frames:** The Court itself as well as its Dependency Case Manager and DCF attorneys are responsible for scheduling pursuant to all statutory time frames.
- **Continuances:** because of statutory time frames, limited continuances may be allowed and such are governed by Florida Rule of Juvenile Procedure 8.200(d) and various Statutory provisions applicable to the various proceedings including Sections 39.402(14) regarding Adjudicatory and Arraignment hearings and Section 39.402(5)(b) regarding Shelter hearings.

UNIFIED FAMILY COURT

- The “Unified Family Court” laws and procedures including those implemented by the 20th Judicial Circuit, allow Dependency, Delinquency and Family Law Judges to address a broad range of issues and cases simultaneously. The triggering mechanism is when there is an open and active Dependency Case or a Dependency Case that has been closed without returning the child or children to their biological parents or previous legal guardians. If there is no open dependency case or if the dependency case was closed prior to the instigation of the family law and/or delinquency cases with the child or children being returned to the custody of their original parent or guardians, **then there isn’t a legal need for the UFC judge to hear such subsequently filed court cases.** In such instances, the family law case will be reassigned to a judge hearing only family law cases.