

**IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT,
IN AND FOR OKALOOSA COUNTY, FLORIDA**

**ADMINISTRATIVE DIRECTIVE NO: OCAD2024-02
(Vacates OCAD2023-11)**

**RE: PROCEDURE REGARDING E- DELIVERY & E-SERVICE OF FILINGS IN
OKALOOSA COUNTY, FLORIDA**

WHEREAS, mandated by the Supreme Court of Florida, e-delivery and/or e-service of any Court pleading, document, and/or notice is required; and

WHEREAS, to establish a procedure for the Clerk of the Court for Okaloosa County, Florida, to deliver Court pleadings, documents, and/or notices to the Assigned Judge and Staff Attorney(s) as well as to provide proper notice of any filings in the absence of printed documents (i.e. hard copies); and

WHEREAS, to differentiate between the delivery of any Court pleading, document, and/or notice by the Clerk of the Court for Okaloosa County, to the Assigned Judge and Staff Attorney(s); and

WHEREAS, to differentiate between e-delivery and e-service of any Court pleading, document, and/or notice; and

WHEREAS, to facilitate the proper delivery of any Court pleading, document, and/or notice by the Clerk of the Court for Okaloosa County, it is therefore

ORDERED AND ADJUDGED:

1. EFFECTIVE DATE: The administrative policies and procedures herein, shall be effective March 27, 2024.
2. APPLICABILITY: The Clerk of the Court for Okaloosa County, Florida, shall follow the administrative policies and procedures herein regarding the electronic delivery of all Court pleadings, documents, and/or notices to the Assigned Judge and Staff Attorney(s) in the absence of printed documents.
3. NOTIFICATION MATTERS: All notification matters shall be defined as:

ASSIGNED JUDGE: The following matters are categorized as Notification Matters for the Assigned Judge:

PETITIONS:

- a. Writ of Mandamus
- b. Writ of Certiorari

MOTIONS:

- a. Motion for Rehearing, pursuant to, Fla. R. Crim. P. 3.192; Fla. R. Civ. P. 1.530; Fla. Fam. L. R. P. 12.530; Fla. R. Juv. P. 8.130 and 8.265

- b. Motion for New Trial, pursuant to Fla. R. Crim. P. 3.580 (Court May Grant New Trial); Fla. R. Crim. P. 3.600 (Grounds for New Trial); Fla. R. Crim. P. 3.640 (Effect of Granting New Trial); Fla. R. Civ. P. 1.530; Fla. Fam. L. R. P. 12.530
- c. Motions for Correction, Reduction, and/or Modification of Sentences, pursuant Fla. R. Crim. P. 3.800
- d. Motions for Correction of Disposition or Commitment Orders, pursuant to Fla. R. Juv. P. 8.135
- e. Motion to Vacate, pursuant to Fla. R. Crim. P. 3.850
- f. Motion Claiming Ineffective Assistance of Counsel Following Order Terminating Parental Rights, pursuant to Fla. R. Juv. P. 8.530
- g. Motion for Disqualification, pursuant to Fla. Stat. 38.10, 38.02; Fla. R. of Gen. Prac. Jud. Admin. 2.330

NOTICES:

- a. Notices for Jury Trial
- b. Notice for Non-Jury Trial (for parties appearing pro se)

STAFF ATTORNEY(S): The following matters are categorized as Notification Matters for Staff Attorney(s):

PETITIONS:

- a. Habeas Corpus
- b. Writ of Mandamus
- c. Writ of Certiorari

MOTIONS:

- a. Motions for Correction, Reduction, and/or Modification of Sentences, pursuant to Fla. R. Crim. P. 3.800
- b. Motion for Correction of Jail Credit, pursuant to Fla. R. Crim. P. 3.801
- c. Motions to Vacate, Set Aside, and/or Correct Sentence, pursuant to Fla. R. Crim. P. 3.850
- d. Motion for Collateral Relief After Death Sentence Imposed & Affirmed on Direct Appeal, pursuant to Fla. R. Crim. P. 3.851
- e. Motion for Capital Postconviction Public Records Production, pursuant to Fla. R. Crim. P. 3.852
- f. Motion for Postconviction DNA Testing, pursuant to Fla. R. Crim. P. 3.853

4. EMERGENCY MATTERS: All Emergency Matters shall be defined as:

DUTY JUDGE: Duty Judge assignments and requirements are set forth and provided in Administrative Directive OCAD 2024-01. *See* OCAD 2024-01.

The following matters are categorized as Emergency Matters for the Duty Judge:

- a. Petitions for Orders of Protection
- b. Baker Act Ex Parte Petitions
- c. Marchman Act Ex Parte Petitions

ASSIGNED JUDGE: The following matters are categorized as Emergency Matters for the Assigned Judge:

- a. Emergency Child Pick-Up or Prevent Removal Petitions

- b. Answers to Complaints for Eviction
- c. Motion to Stay Writs
- d. Motion to Determine Rents & Claims of Exemptions
- e. Requests for Hearing

5. DELIVERY OF EMERGENCY MATTERS & NOTIFICATION MATTERS:

EMERGENCY MATTERS:

The Clerk of the Court for Okaloosa County, Florida, shall deliver all Emergency Matters to the Assigned Judge via electronic mail (i.e., e-mail).

Any delivery of Emergency Matters via electronic mail shall be sent to the Assigned Judge and the Assigned Judge's Judicial Assistant.

All Emergency Matters delivered via electronic mail must contain the following information in the subject line of that electronic mail:

- a. "EMERGENCY MATTER"
- b. Case Number
- c. Style of Case
- d. Assigned Judge

See Example: EMERGENCY MATTER, 113-CA-123456, Name v. Company, Judge [Name]

NOTIFICATION MATTERS:

The Clerk of the Court for Okaloosa County, Florida, shall deliver all Notification Matters to the Assigned Judge and/or Staff Attorney(s) via electronic mail (i.e., e-mail).

Any delivery of Notification Matters via electronic mail shall be sent to the Assigned Judge, the Assigned Judge's Judicial Assistant, and/or the Staff Attorney(s).

NORTH OKALOOSA NOTIFICATION MATTERS:

Any delivery of Notification Matters via electronic mail shall be sent to the Staff Attorney(s) for Okaloosa County. All Notification Matters related to any case assigned to Division 006 shall be sent to: OKA-AllStaffAttorneys@FLCourts1.gov

SOUTH OKALOOSA NOTIFICATION MATTERS:

Any delivery of Notification Matters via electronic mail shall be sent to the Staff Attorney(s) for Okaloosa County. All Notification Matters related to any case assigned to Division 001 and/or Division 002 shall be sent to: OKA-AllStaffAttorneys@FLCourts1.gov

NOTIFICATION MATTERS: All Notification Matters delivered via electronic mail must contain the following information in the subject line of that electronic mail:

- a. "NOTIFICATION MATTER"
- b. Case Number
- c. Style of Case
- d. Assigned Judge

See Example: NOTIFICATION MATTER, 113-CA-123456, Name v. Company, Judge [Name]

6. DELIVERY OF COURT PLEADINGS, DOCUMENTS, AND/OR NOTICES: Any Court pleading, document, and/or notice shall be delivered via electronic mail as an attachment and shall be attached as a Portable Document Format (i.e., PDF). If any Court pleading, document, and/or notice cannot be attached as a Portable Document Format, then that Court pleading, document, and/or notice shall be delivered and cited as an electronic link to the website for the Clerk of the Court for Okaloosa County, Florida, in the content of that electronic mail.

Any Court pleading, document, and/or notice delivered by the Clerk of the Court via electronic mail is deemed complete as of the date of that electronic mail.

EMERGENCY MATTERS: In the event that the Clerk of the Court is notified of a failure due to a technical issue in the delivery of any Court pleading, document, and/or notice, that pleading, document, and/or notice must be delivered by the Clerk of the Court to the Assigned Judge and Assigned Judge's Judicial Assistant as printed documents (i.e., hard copies).

NOTIFICATION MATTERS: In the event that the Clerk of the Court is notified of a failure due to a technical issue in the delivery of any Court pleading, document, and/or notice, that pleading, document, and/or notice must be delivered by the Clerk of the Court, via courier, to the Assigned Judge, Assigned Judge's Judicial Assistant, and Staff Attorney(s) as printed documents (i.e., hard copies).

All administrative policies and procedures herein as to electronic delivery satisfy the obligations of the Clerk of the Court for Okaloosa County, Florida, regarding the delivery of any Court pleading, document, and/or notice, to the Assigned Judge, Assigned Judge's Judicial Assistant, and Staff Attorney(s).

7. ALTERNATE ARRANGEMENTS: In the event that the Assigned Judge is unavailable to receive any Emergency Matters, that Assigned Judge or Assigned Judge's Judicial Assistant must provide advance notification to and make any necessary arrangements with an Alternate Judge to whom all Emergency Matters shall be delivered to and handled by during the Assigned Judge's unavailability. The Assigned Judge or Assigned Judge's Judicial Assistant must further receive confirmation that the Alternate Judge is aware of any possible Emergency Matters and any information related thereto. The Alternate Judge shall only be responsible for that Emergency Matter if advance notification was provided, and alternative arrangements were made by the Assigned Judge.

In the event the Assigned Judge is unavailable and after the necessary arrangements have been made with the Alternate Judge, the Assigned Judge or Assigned Judge's Judicial Assistant must provide advance notification to the Clerk of the Court for Okaloosa County, Florida. That advance notification must include the name of the Alternate Judge and transmitted to the Clerk of the Court via electronic mail. All notifications of arrangements must be electronically sent to: EmergencyOrders@OkaloosaClerk.com

In the event that advance notification of an Alternate Judge cannot be electronically sent to EmergencyOrders@OkaloosaClerk.com, the Clerk of the Court must electronically deliver Emergency Matters to the Assigned Judge or Assigned Judge's Judicial Assistant as provided herein.

8. ACKNOWLEDGMENT OF EMERGENCY MATTERS: Any Assigned Judge or Assigned Judge's Judicial Assistant, or in the alternative, the Alternate Judge or Alternate Judge's Judicial Assistant, must immediately acknowledge receipt of all Emergency Matters received via electronic delivery. That acknowledgment must be made by a "Reply All" response.

Upon acknowledgement of any Emergency Matter, the Assigned Judge or Assigned Judge's Judicial Assistant must inform the Clerk of the Court for Okaloosa County, Florida, prior to 5:00 p.m. (CT) that business day. That acknowledgement must set forth the Assigned Judge's intention regarding the disposition of that Emergency Matter. Any disposition must occur the same business day as the acknowledgment. If acknowledgement and/or notification of disposal cannot be made by the Assigned Judge on the day of receipt of an Emergency Matter, the Clerk of the Court may conclude that that matter will be disposed of the following business day. The Clerk of the Court is not required to remain open and operational past normal business hours (i.e., 5:00pm (CT)) on the day of delivery.

9. EMERGENCY ORDERS: Any executed Order in response to an Emergency Matter shall be delivered to the Clerk of the Court for Okaloosa County, Florida, via electronic filing (e-filing), or in the instance of a technical issue, hand delivery of printed documents by the Assigned Judge or Judge's Judicial Assistant or, in the alternative, the Alternate Judge or Alternate Judge's Judicial Assistant.

All applicable Orders in response to any Emergency Orders shall be sent via electronic mail by the Clerk of the Court to any appropriate Law Enforcement Office.

DONE AND ORDERED at Fort Walton Beach, Okaloosa County, Florida this 27th day of March 2024.

/S/ WILLIAM F. STONE
WILLIAM F. STONE
ADMINISTRATIVE JUDGE

Administrative Directive No. OCAD2024-02

Copies furnished to:

Honorable John L. Miller, Chief Judge
All Circuit and County Judges, Okaloosa County
Kasey Watson, Trial Court Administrator
Honorable J.D. Peacock II, Clerk of Circuit Court
Eric Bensinger, General Counsel
Ursula Hall, Court Operations Manager, Okaloosa County
Okaloosa Clerk of Circuit Court
Escambia-Santa Rosa Bar Association
Okaloosa Bar Association
Walton Bar Association