



**STANDING ORDER FOR
JUDGE ALICIA GARCIA PRIOVOLOS
COUNTY CRIMINAL – DOMESTIC VIOLENCE DIVISION**

Because of the variety of practices and procedures within the Criminal Divisions of the County Court in Miami-Dade County, and in an effort to promote fairness, professionalism, predictability and efficiency, this court hereby enters this pretrial order. This pretrial order shall govern the manner and methods by which attorneys shall practice before this court. For good cause shown, this court may modify or waive these procedures on an individual basis.

GENERAL

Judge's name & e-mail: Judge Alicia Garcia Priovolos, apriovolos@jud11.flcourts.org
Please copy the Judicial Assistant on emails regarding court business, as well as opposing counsel.

Judicial Assistant's name & email: Paula Lopez, palopez@jud11.flcourts.org

Bailiff's name: Alvaro Puente, apuente@jud11.flcourts.org

Chambers address: Lawson E. Thomas Courthouse, 175 N.W. 1st Avenue, 2920, Miami, FL 33128.
Chambers telephone number: (305) 349-5674.

Judge Garcia Priovolos ZOOM Meeting ID is: **925 8335 4538**.

COURT: IN PERSON vs. ZOOM

The courthouse is open to the public for all calendar calls, in-person hearings, and trials. Judge Garcia Priovolos conducts court in person at the Lawson E. Thomas Courthouse, and on ZOOM. All litigants, witnesses, victims, and observers are welcome and encouraged to attend.

MONDAYS - TRIAL CALENDAR is **in-person at 9:00 am** in courtroom 2-B. No zoom appearances are permitted.

TUESDAYS - SOUNDING CALENDAR is a hybrid calendar. It takes place in-person and on zoom simultaneously. The in-person sounding calendar is conducted in courtroom 2-A commencing **at 9:30 am**. Defendants are always welcome and encouraged to attend. Defendants are not required to be present for sounding if; (1) the defendant is represented by counsel and (2) counsel is not arguing a substantive motion.



WEDNESDAYS - ARRAIGNMENT CALENDAR is a hybrid calendar. It takes place in-person and on zoom simultaneously. In-person arraignments are conducted in courtroom 2-C beginning **at 9:30 am**. Pursuant to rule 3.160 of the Florida Rules of Criminal Procedure, if written pleadings are filed by counsel prior to arraignment calendar, the defendant and counsel are excused from appearing at the arraignment calendar. Both are always welcome to appear, but not required.

WEDNESDAYS - MOTION CALENDAR is a hybrid calendar. It takes place in-person and on zoom simultaneously. In-person motion calendar is conducted in courtroom 2-C starting **at 10:30 am**. If the motion is a non-evidentiary motion, parties may appear in person or on zoom. If the motion is an evidentiary motion, (ie: one which requires testimony or evidence of any kind) counsel, the defendant, and any witnesses the parties wish to call are required to appear in person. If a party is seeking an exception to the in-person appearance requirement, parties must comply with Fla. R. Gen. Prac. & Jud. Admin 2.530(b)(2)(A) and Fla. R. Crim. Pro 3.116(d)(2).

THURSDAYS AND FRIDAYS, this court conducts civil proceedings. Criminal cases are not heard for division 89 during these days. If an emergency arises, this court's staff is available to assist with scheduling matters.

ZOOM APPEARANCES

Zoom appearances are court appearances. Zoom Users must conduct themselves as if they were present in court in-person.

Since zoom has been implemented, courts have experienced a number of challenges. Amongst the challenges are routine "zoom bombings" where zoom users attempt to overtake host powers, impersonate courtroom personnel, or display inappropriate videos, messages, etc., for the sole purpose of disrupting court proceedings. Other challenges include zoom users appearing on zoom to address their cases while simultaneously conducting other activities (ie: working, attending patients, driving, addressing the court while in bed or while smoking controlled substances, etc.).

To maintain proper courtroom decorum and continue to accommodate zoom appearances, the following security measures and protocols are being put in place by this court:

1. Upon entering the virtual courtroom, a zoom user will be placed in a breakout room by court staff. In the breakout room the zoom user will be asked to identify themselves and the case they are there for. The zoom username will then be relabeled by court staff and the user will be transferred back into the virtual courtroom.
2. While in the virtual courtroom, the zoom user must remain muted until their case is called.



Once their case is called, the zoom user can unmute themselves and announce their appearance.

3. If a zoom user hears their case called and is unable to unmute themselves, the user may raise their hand virtually by using the raise your hand emoji at the bottom of their screen.
4. If a zoom user needs to have their case called out of turn, the zoom user should put their name in the chat along with the case they need to address.

ADDITIONAL ZOOM RULES:

5. Zoom users should familiarize themselves with zoom before their court appearance. If the user is unable to operate zoom, the user should appear in-person, not via zoom. Failure to operate zoom appropriately may result in the user's case being rescheduled.
6. All zoom users and court participants must dress and conduct themselves as if they were in court, in-person. Zoom appearances are not the time to engage in other activities while a case is being addressed. A zoom user that is conducting other activities while their case is being addressed will result in the case being reset for another date and time and/or require the zoom user to appear in person.
7. If the zoom user has poor signal, the court may reset the case for another date and time and/or require the zoom user to appear in person.
8. If the zoom user refuses to answer the court staff's questions or to comply with court staff's directions, the zoom user will be refused entry into the virtual courtroom and/or will be removed from the virtual courtroom. A zoom user who is refused entry into the virtual courtroom or removed from the virtual courtroom will be required to appear in person at all future dates.

PLEAS

All pleas that require a defendant to be fingerprinted must be done in person. If a defendant is required to be in-person in court, counsel must also appear in-person.

Negotiated pleas should be conveyed to, and fully discussed with, the defendant **in advance** of the court's colloquy of the defendant. Such discussion should include the rights being waived and all subsections found in Rule 3.172 of the Florida Rules of Criminal Procedure.

If counsel is accepting a plea in absentia, there must be an affidavit in the court file authorizing counsel to accept the plea on behalf of the defendant. The affidavit must also address all subsections found in Rule 3.172 of the Florida Rules of Criminal Procedure.

CALENDAR CALLS

Please be respectful of the time of all litigants that are on the court's calendar. If you need to meet or speak with the State, please plan accordingly. Communications between defense counsel and the



Assistant State Attorneys should take place outside of court, not during calendar calls while others are waiting.

CONTINUANCES

Motions for Continuance may be made *ore tenus* or in writing at sounding calendar.

NON-EVIDENTIARY MOTION CALENDAR (WEDNESDAYS @ 10:00 AM)

To request a non-evidentiary hearing that can be heard in five minutes or less, please email Judicial Assistant Paula Lopez palopez@jud11.flcourts.org. Please copy opposing counsel on the email and attach the Motion and a proposed Order, in Microsoft Word format. The requesting party must make a good faith effort to coordinate a hearing date with the opposing party, prior to requesting the hearing.

All hearing requests must be received no later than noon on Friday for them to make the following Wednesday's calendar. Court staff will notify you no later than by the end of day on Monday if your motion will be heard that week or the following.

Examples of non-evidentiary 5-minute hearings; Petitions to Expunge, Requests to enforce Rule 3.134, Stipulated Written Motions for Return of Property, Notice of Expiration of Speedy Trial, etc.

EVIDENTIARY MOTION CALENDAR (WEDNESDAYS @ 10:30 AM and 2:00 PM)

To request a hearing on a motion that will require more than 5 minutes or which will require the court to consider any form of evidence, including sworn testimony, the requesting party must make a good faith effort to coordinate a hearing date with the opposing party, prior to requesting the hearing. The requesting party shall then email Judicial Assistant Paula Lopez palopez@jud11.flcourts.org and request a hearing date, copying opposing counsel and attaching the written motion. Please also include the following information on the request:

1. three potential hearing dates,
2. whether the defendant is in custody,
3. how many witnesses will be called, and
4. how much time you are requesting the court to reserve for the motion.

Depending on the urgency of the motion and availability, court staff will notify the parties when the motion will be heard.

Please note that if a defendant is out on bond and a party is seeking to modify the conditions of



release, a bondsman must be present at the hearing and the State must notify the victim on the case. Equally, if a party is seeking to modify a stay away order, the person which the stay away order protects (and/or their guardian) must be present at the hearing.

If a party is seeking an exception to the in-person appearance requirement, parties **must** comply with Fla. R. Gen. Prac. & Jud. Admin 2.530(b)(2)(A) and Fla. R. Crim. Pro 3.116(d)(2).

If a party has case law they are relying on for the motion, the case law must be cited in the motion and/or in the response.

ALL MOTIONS MUST BE E-MAILED TO CHAMBERS

Please note e-filing motions will not provide the court with a copy, even if you add the court's email address in the e-filing service.

DISCOVERY MOTIONS & MOTIONS TO COMPEL

Motions to compel discovery shall be in writing and will be heard at sounding calendar. A written motion to compel shall include:

1. The discovery sought with specificity.
2. The date upon which the discovery was propounded and due.
3. The dates the moving party has conferred, or attempted to confer, with the party failing to provide the discovery sought.
4. Any reasons, responses and/or failures to respond by the party failing to provide the discovery.
5. The moving party shall also certify that counsel has attempted in good faith to resolve the issues with opposing counsel on a minimum of **two** occasions, prior to the motion to compel being filed, and has been unable to reach a resolution.
6. Finally, the motion should also describe a movant's independent efforts (if any) to obtain the discovery sought prior to seeking court action.

Motions to compel should be filed and served within a reasonable time before hearing, to permit opposing counsel an opportunity to prepare for the hearing and/or obtain the discovery being requested.

CONTESTED MOTIONS FOR RETURN OF PROPERTY

Motions for Return of Property must be in writing and the moving party must provide the agency holding the property with notice of the hearing date. If a defendant files a facially sufficient motion



and is seeking to have a firearm or ammunition returned to him/her, the State shall address if the return of the firearm or ammunition violates any state or federal law.

MISCELLANEOUS POLICIES AND PROCEDURES

This court requires attorneys to adhere strictly to the Eleventh Judicial Circuit Standards of Professionalism and Civility, the Standards of Professional Courtesy and Civility for South Florida, and the Florida Bar Ideals and Goals of Professionalism, as adopted by Administrative Order 2-14-01-A1.

DONE and ORDERED on January 29th, 2024.

/s/ *Alicia Garcia Priovolos*

JUDGE ALICIA GARICA PRIOVOLOS
COUNTY COURT JUDGE FOR MIAMI-DADE
COUNTY, DOMESTIC VIOLENCE DIVISION