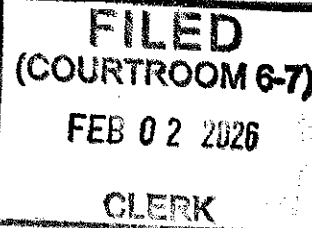


**STATE OF FLORIDA
IN THE COUNTY COURT IN AND FOR MIAMI-DADE COUNTY
CRIMINAL COURT - DIVISION F**

In re all Division F Criminal Cases

Judge Mariano Ariel Corcilli

INFORMATION AND PROCEDURES



THIS COURT has instituted the following information and procedures. All parties, attorneys, and Defendants with matters before this Court must comply with the following:

I. ADMINISTRATIVE INFORMATION

- a. Judicial Assistant: **Denise Saumell** - DSaumell@jud11.flcourts.org
- b. Court Specialist: **Ilon Fernandez** - IFernandez@jud11.flcourts.org
- c. **CHAMBERS INFORMATION:**
Address: 1351 NW 12th Street, Miami, FL 33125
Telephone: 305-548-5187
Zoom Meeting ID: 953-8053-5466

II. COURT CONDUCT

The Court requires all parties to remain professional, civil, honest, and respectful at all times. Attorneys must strictly adhere 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 Eleventh Circuit Administrative Order 2-14-01-A1).

Professionalism and zealous advocacy can and should coexist. The Court expects all counsel to act in good faith, maintain candor, and demonstrate courtesy at all times.

III. METHOD OF APPEARANCE

DEFENDANTS: Defendants must appear **in person** in the courtroom for their Arraignment, unless their physical attendance has been previously waived pursuant to Rule 3.180(a)(3) of the Florida Rules of Criminal Procedure.

ATTORNEYS: Pursuant to Rule 3.116(c), upon written request, attorneys may attend court via Zoom. This Court interprets the "written request" requirement in Rule 3.116 broadly. A written request may include, but is not limited to: an email to the Judicial Assistant, a written letter to Chambers, or a notation in the Defense Attorney's Notice of Appearance requesting to appear via Zoom. The Court will approve all requests consistent with Rule 3.116(c)(1) – **all hearings that are to last more than 30 minutes, all evidentiary hearings, all trials, motions to dismiss, and motions to suppress will require the physical presence of all the parties, absent prior approval by the Court for good cause shown.**

All authorized Zoom participants – including Defendants and Attorneys - must abide by this Court's Standing Order on Zoom Appearance. All Zoom participants must:

- be appropriately dressed;
- not smoke, eat, drink, or move about during the proceeding; and
- refrain from distracting activities.

Parties must inform the Court if any Defendant or witness resides outside Florida so that trial logistics may be addressed.

Cases requiring Defendant's fingerprints:

- All cases in which a Defendant will be adjudicated guilty;
- All Petit Theft charges;
- All Probation pleas; and
- All DWLS charges (whether or not the Court withholds adjudication).

IV. PLEAS

- a. Attorneys are encouraged to convey pleas to the Defendant or Defense counsel as soon as readily able, preferably in writing.

- b. A Defendant may take a plea via Zoom, but then the Defendant must appear in Court in person to file their fingerprints.
- c. A duly executed waiver or plea in absentia is required from the Defendant for the Defense Attorney to appear for trial check-in and to take a plea on behalf of the Defendant. The waiver must include the rights the Defendant waives and the potential immigration consequences of taking the plea. The rights waiver must be signed by the Defendant and notarized. If the Defendant's signature is an electronic signature, then the notary should indicate on the waiver that the notary is permitted to conduct remote notarization or electronic signatures.
- d. **CHANGES OF PLEA:** Negotiated pleas should be conveyed to, and fully discussed with, the Defendant prior to announcing the plea to the Court. Such discussion should include the possible penalties and the issues covered by Rule 3.172. If counsel wishes to address the Court on any issue regarding the plea (e.g., waiver of supervision costs or extended stay for Court costs), this should be done at the time the plea is first announced, not after the plea colloquy has been concluded. Executed Rights Waiver Forms should be submitted before a plea colloquy begins.

V. MOTIONS AND MOTION PRACTICE

- a. Motions must be in writing unless otherwise specified, or in emergency situations, and must comply with Fla. R. Crim. P. 3.190(a). "Boilerplate" motions or those devoid of specific supporting allegations are not legally sufficient. Parties must confer in good faith to resolve or narrow issues before any hearing. The Court strongly encourages the parties to confer to resolve motions and narrow issues prior to setting any motion and to submit agreed orders to the Court as necessary. The first discussion of an issue should never be when the Court calls the case. **The parties must respond to emails from opposing parties in an attempt to resolve issues prior to addressing the Court.**
- b. **Written Responses:** When a motion is set for hearing, the Court, through its Judicial Assistant, will issue an email notice to all parties advising of the hearing date and time. **If the Court requires a written response, the notice will so advise and will set a deadline for the filing and submission to Chambers of any written response in opposition.**

A non-moving party who does not oppose the motion is not required to file a response.

If the Court requires a written response and none is timely filed and submitted to Chambers, absent good cause shown, the Court may deem the opposition waived, may treat the motion as unopposed, and may rule on the motion on the papers, without hearing, and without considering oral argument, legal authority, or factual assertions not timely raised in a written response.

- c. **Courtesy Copies:** The Court will read whatever materials are submitted by the parties and prefers e-mail submission (please contact the Judicial Assistant for additional instructions if submissions exceed 75 pages). Courtesy copies should be delivered to the Court by way of e-mail to the Judicial Assistant and copied to the other party or parties to the case no less than five (5) days before the scheduled hearing.
- d. **MOTION TO SET ASIDE BENCH WARRANT:** Motions to Set Aside Bench Warrant must be heard in person, unless otherwise allowed by the Court. If there is a bond on the case that was estreated, the Motion to Set Aside must have as an attachment an affidavit from the bondsperson that the surety is willing to remain on bond. Failure to do so may result in denial of the Motion. Motions emailed to Chambers must be copied to the Office of the State Attorney (hereinafter "State") in order to allow the State to review the Motion.
- e. **MOTION TO QUASH PROBATION VIOLATION WARRANT:** Any Motion to quash probation violation warrants must be heard in person.
- f. **MOTION TO SEAL OR EXPUNGE:** Defendants must file the original with the Clerk's Office and send a copy to the Judicial Assistant to set on Motion Calendar. Counsel or Defendant do not have to be present at the hearing if all documents are in order.
- g. **MOTION FOR RETURN OF PROPERTY:** Defendants must file the original motion to the Clerk's Office and provide a copy to the Judicial Assistant and opposing counsel for the motion to be set. The motion will be scheduled on or about 10 days after to give the moving party time to notice the arresting agency of the hearing and to give the State sufficient time to determine if it, or the arresting agency, has an objection. It is the State's

responsibility to determine whether the arresting agency has an objection to the granting of the motion. After the filing of the Motion for Return of Property, Pro Se Defendants or Defense Counsel must contact the Judicial Assistant to schedule the motion on Calendar. Then, Defendants must file a Notice of Hearing indicating the date, time, physical address, and Zoom meeting ID for the motion calendar hearing date for your Motion for Return of Property. Notices should be sent to the legal department for that agency with at least ten (10) days' notice. Both the Motion and Notice of Hearing need to be served on the agency holding the property as well as the State. Failure to file/provide notice/proof of notice to all interested parties will be grounds for denial of the motion.

- h. **ALL OTHER MOTIONS:** Please contact the Judicial Assistant to set any motions. The written motions must be emailed to the Judicial Assistant, who will reply with a hearing date. If you do not get a response within 24 hours, kindly contact our office via telephone or email the Court Specialist.

VI. SETTING MOTIONS FOR HEARING

- a. **MEET AND CONFER REQUIREMENT:** Prior to setting any motion for hearing, counsel for the movant must confer (orally or in writing), or make a reasonable effort to confer (orally or in writing), with all parties who may be affected by the relief sought in the motion in a good faith effort to resolve by agreement the issues to be raised in the motion. Counsel conferring with movant's counsel must cooperate and act in good faith in attempting to resolve the dispute. If, after conferring, certain issues have been resolved by agreement, the parties must inform the Court of the issues resolved and the issues that remain for the Court to resolve.
- b. **SPECIAL SET AND/OR EVIDENTIARY HEARINGS:** Special Set and/or Evidentiary Hearings will be set by the Judicial Assistant.
 - 1. Motions must be filed and served upon opposing counsel five (5) days prior to being heard. See Fla. R. Gen. Practice and Jud. Admin. 2.514 regarding the computation of time. A copy of the filed motion must be forwarded to the Judicial Assistant by email to ensure it is properly scheduled. E-mails must include the subject line: Case number – Defendant's name. [example: M21-012345 - JOHN DOE].

2. Absent exceptional circumstances, motions may be special set for hearing no sooner than one (1) week before the case is set for trial. Failure to timely comply with this directive may result in continuance of trial attributable to the non-compliant party.
 3. The Court reserves the right to restrict the number of motions heard on a particular setting or reset motions that require additional time to argue.
- c. Motions to Compel, Motions to Set Aside Bench Warrant and D6, Motions to Set Aside Bond Estreature, Motion to Depose, Motions for Bill of Particulars, and Motions to Withdraw, for example, need not be specially set and may be addressed during any report setting; standard Motions in Limine will be addressed pre-trial.
 - d. PLACING CASES ON CALENDAR: Please contact chambers by e-mail to request a matter be placed on calendar, other than for special set and/or evidentiary hearing. The request should indicate the Defendant's name, case number, motion/matter to be addressed, whether an interpreter is required, which language is required, whether the Defendant's presence is required and whether in person or virtual, and should include a copy of any motion to be heard. Requests to set cases on the following day's calendar must be received by 1:30 PM, absent exceptional circumstances, and are limited to time-sensitive matters. Once the matter has been scheduled, the Judicial Assistant will reply to the scheduling request email with a date and time on motion calendar. If a language interpreter is required, the party requiring the language interpreter shall be responsible for securing the language interpreter.

VII. PROPOSED ORDERS

- a. AGREED/UNOPPOSED MOTIONS AND PROPOSED ORDERS: A proposed order may be electronically submitted in Word format to Chambers if accompanied by a motion signed by both State and Defense or an email or other proof indicating agreement or non-opposition. The Court endeavors to enter proposed agreed/unopposed orders within two business days of submission. All orders will be transmitted to the Clerk.
- b. PROPOSED ORDERS ON CONTESTED MOTIONS: When the Court requests it, proposed orders should be submitted electronically in Word

format. If the parties cannot reach a consensus as to form and content, please advise that competing orders will be submitted.

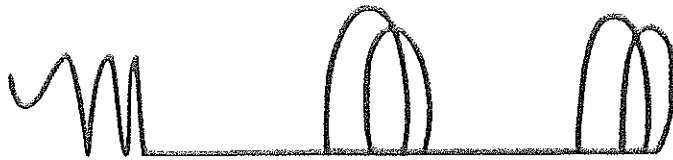
VIII. TRIALS

- a. Trials will have a virtual calendar call in the morning and will be conducted in person that afternoon once the Court has finished addressing all cases set on calendar that day. Defendants, witnesses, and counsel are to appear in person for trial.
- b. Morning Calendar call. In order for a party to announce ready, that party must (1) communicate with each witness that day, and (2) state on the record each witness's availability to testify. In order to be ready, witnesses must be no more than 2 hours from the Courtroom.
- c. Motions to Continue on the day of trial will ordinarily be heard only for extenuating circumstances and good cause. Otherwise, all Motions to Continue must be filed, in writing, and heard by the Court prior to the day of trial.

IX. MISCELLANEOUS

The Court solicits input and feedback from attorneys. You are in a unique position to provide comment and insight on courtroom procedures and opportunities for improvement. If there are procedures you would like to see implemented in Court, or if you have an opinion regarding existing procedures, please share those opinions with us.

DONE and ORDERED in Miami-Dade County, Florida, on February 2, 2026.

A handwritten signature in black ink, consisting of a series of loops and a wavy line, positioned above a horizontal line.

MARIANO ARIEL CORCILLI
County Court Judge