

County Criminal Division

(Misdemeanor and traffic criminal cases)

This is the updated protocol regarding court operations under the exigent circumstances created by the COVID-19 (coronavirus) pandemic and based on the most recent Administrative Orders issued by the Eleventh Judicial Circuit and the Florida Supreme Court.

At this time our courts are in Phase 1. This is defined as follows: *in-person contact is inadvisable, court facilities are effectively closed to the public, and in-person proceedings are rare.* At the present time few persons are being admitted for in-person appearances, all must be Covid-screened, and no one without wearing a facemask.

Applies to June 1, 2020 – July 31, 2020

This protocol supersedes the prior Remote Access Courtroom Protocol issued on May 1, 2020. Remote Access Courtroom will be dissolved as of June 12, as all divisions will now have virtual operations 2 days per week with the presiding judges handling their own divisions.

Mission critical events will continue to be heard in the Jail Division courtroom (REG 6-5) and in the Bond Hearing courtroom (REG 5-3). The remaining divisions will be operating in a remote access protocol at least 2 days per week. All business will be conducted virtually using the <https://zoom.us/> platform or by telephone, email, or comparable means, and/or through the electronic filing system.

Notices for out-of-custody criminal traffic and criminal misdemeanor arraignments have been mailed out. These arraignments will be heard by remote access beginning on June 15, 2020.

These require the defendant to appear virtually and include the Zoom Meeting ID# for that Judge's Virtual Courtroom and the Judge's Chambers phone number to call with questions. Judicial staff have been training on the Zoom platform and are available to assist the public. All hearings are open to the public and a list of each Judge's Zoom Virtual Courtroom Meeting ID# is available on the 11th Circuit's website (www.jud11.flcourts.org).

Per the Florida Supreme Court, the following proceedings are amenable to being conducted remotely:

- ❖ Status conferences
- ❖ Case management
- ❖ Pretrial conferences in all case types
- ❖ Non-evidentiary and evidentiary motion hearings
- ❖ Pleas in all county court misdemeanor cases

Miami-Dade County Courts are also hearing:

- ❖ Seal and Expunge matters
- ❖ Motions to Set Aside Bench Warrants
- ❖ Motions regarding past due court costs and collections
- ❖ Motions regarding license suspensions
- ❖ Other appropriate reports and motions

Case information is available online for the public by entering your case number or the defendant's name and date of birth into the Miami-Dade County Criminal Justice Online System.

For Criminal Traffic cases –

<https://www2.miami-dadeclerk.com/trafficapp/allsearches.aspx>

305-275-1111 – automated information only

For Misdemeanor Crimes cases -

<https://www2.miami-dadeclerk.com/CJIS/CaseSearch.aspx>

305-275-1155 – automated information only

Criminal Trials

All time periods involving the speedy trial procedure in criminal and juvenile court proceedings shall remain suspended through the close of business on Monday, July 6, 2020.

Bench Trials: All bench trials in criminal matters scheduled between March 13, 2020 and June 30, 2020, shall be CONTINUED to a date no earlier than July 6, 2020, unless the bench trial is conducted virtually. Bench trials may only be conducted if all parties agree.

Jury Trials: All jury trials in criminal cases scheduled between March 13, 2020 and July 1, 2020 shall be CONTINUED to a date no earlier than July 6, 2020. For the present time, all jury trials are prohibited.

Pleas to misdemeanor offenses

Pleas may be accepted, provided that the judge agrees and there is either:

- ✓ A notarized plea *in absentia* has been e-filed with the appropriate constitutional/collateral and immigration warnings; or
- ✓ If the defendant appears pro-se, then the defendant will need to have a photo identification that they can show the screen; or
- ✓ If appearing by Zoom and represented by counsel, then counsel can as a member of bar make an on the record identification.

Fingerprints

Where required, the plea itself will be rescheduled to the following Thursday and that defendant will appear at REG for the specific purpose of taking a plea remotely. After showing appropriate identification and clearing a security check, that person will be admitted to Courtroom 1-1 for that purpose. All other pleas would be taken at the time of the hearing itself.

Non-evidentiary & Evidentiary criminal matters

Any non-evidentiary and evidentiary criminal matters may be heard virtually. These cases need to be scheduled with the presiding judge and their staff. Contact information is below.

How to schedule Non-Evidentiary & Evidentiary criminal matters

Instructions for lawyers & unrepresented defendants

As there is limited time for these types of hearings, litigants are strongly encouraged to use their best efforts to resolve the case **prior** to requesting a hearing. Stipulated orders may be signed in chambers without the need for a hearing. Therefore, litigants must contact the opposing party BEFORE requesting a hearing. (see below for contact info for the division assigned ASA).

Step 1 Contact the opposing party

Each litigant should try to resolve the case before turning to the court for judicial action. If the parties agree, the resolution will be faster. In some cases, no hearing will be needed, and you may not have to wait to get on calendar. If the parties agree and can submit an agreed order to the Division Judge, his/her staff can expedite the matter.

Step 2 Send the request for a hearing to the Judge's Judicial Assistant and to the opposing party

Send an email to the Judicial Assistant of the Division Judge **and** to the opposing party. Whenever you contact a Judge or the Judicial Assistant about a case, you **must** copy all counsel in the same email. One sided communication is prohibited. (E-mail addresses by division are set out at the end of the memo). Attach the motion and proposed order, and any evidence or pertinent information.

- All motions should have an attached proposed order.
- If the defense and prosecution agree, the order should be submitted as a proposed *stipulated* order.
- Be sure to include your phone number in case any more information is needed from you and so that we may call you back with a confirmation date for the hearing.

- The Judicial Assistant will call or e-mail you with the date that the motion will be on calendar after the Judge agrees to a hearing on the matter.
- The original motion must be filed with the Clerk's Office through the E-Portal.
- NOTE: The Clerk's Office has never provided Judges with copies of motions submitted through E-filing (even if they are on the notify list). E-Filing motions will sit in the clerk's office without a ruling because the Judge is not notified until you call the Judicial Assistant.
- If you do not have Zoom capability let the Judicial Assistant know in your initial email or phone call. Zoom hearings can be attended by phone but it is not preferable. Some motions may be able to be done by phone conference.
- Zoom meeting conferences can be accessed by downloading [Zoom Video](#) for **free**. A Zoom account is not required to attend a meeting and you can use your phone or desktop (using Windows or Mac) simply by entering the Zoom invite that you will receive from the Judicial Assistant's email. If you are having a problem, then call the Judicial Assistant for help. E-mail is faster and preferred.

Step 3 The Division Judge will screen all requests for hearings.

Once the opposing party (e.g. the Assistant State Attorney) has had an opportunity to review the motion or request for judicial action, the Judicial Assistant will send the information to the division Judge who will then review the motion to determine if the motion can be granted without a hearing. If so, the division Judge will sign the proposed order and ensure that the order is filed with the clerk (often within 2 business days). **However**, if the judge determines the case requires a hearing, then the Judicial Assistant will send an e-mail notification with the time and date and the Zoom invite information. The date of the hearing will be set per the division's preset dates.

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| <p>Judge Betsy Alvarez-Zane</p> <p>Zoom Meeting # 970 8731 8380</p> <p>Wednesday Thursday</p> | <p>Office: (305) 548-5400</p> <p>Judicial Assistant: Laurel King-Harrison LKing-harrison@Jud11.FLCourts.org</p> <p>Assistant State Attorney: Kelsey Shelton KelseyShelton@MiamiSAO.com</p> <p>Assistant Public Defender: Holly Hickman HHickman@pdmiami.com Edgar Sirenord ESirenord@pdmiami.com Abigail Becnel ABencel@pdmiami.com</p> | <p>Section M004= Central A</p> |
| <p>Judge Kristy Nunez</p> <p>Zoom Meeting # 997 2838 7704</p> <p>Monday Tuesday</p> | <p>Office: (305) 548-5122</p> <p>Judicial Assistant: Joyce Allen JAllen@Jud11.FLCourts.org</p> <p>Assistant State Attorney: Mary Corbin MaryCorbin@MiamiSAO.com</p> <p>Assistant Public Defender: Marissa Goldstein: MGoldstein@pdmiami.com Anthony Perez APerez@pdmiami.com</p> | <p>Section M005 = Central B</p> |

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| <p>Judge Julie Harris Nelson</p> <p>Zoom Meeting # 969 0490 3229</p> <p>Monday Tuesday</p> | <p>Office: (305) 548-5193</p> <p>Judicial Assistant: Evelyn Velasquez EVelasquez@Jud11.FLCourts.org</p> <p>Assistant State Attorney: Dominique Paul DominiquePaul@MiamiSAO.com</p> <p>Assistant Public Defender: Aaron Heria: aheria@pdmiami.com Miguel Fernandez: mfernandez@pdmiami.com</p> | <p>Section M008 = Central C</p> |
| <p>Judge Lizzet Martinez</p> <p>Zoom Meeting # 944 5729 2854</p> <p>Monday Tuesday</p> | <p>Office: (305) 548-5197</p> <p>Judicial Assistant: Diana Meneses DMeneses@Jud11.FLCourts.org</p> <p>Assistant State Attorney: Chloe Castro ChloeCastro@MiamiSAO.com</p> <p>Assistant Public Defender: Kelsey Brattin: kbrattin@pdmiami.com Chad Sickler: csinckler@pdmiami.com</p> | <p>Section M006 = Central D</p> |

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| <p>Judge Jacqueline Woodward</p> <p>Zoom Meeting # 994-2851-8271</p> <p>Wednesday Thursday</p> | <p>Office: (305) 548-5280</p> <p>Judicial Assistant: Carolyn Casola CCasola@Jud11.FLCourts.org</p> <p>Assistant State Attorney: Joshua R Paikowsky JoshuaRPaikowsky@MiamiSAO.com</p> <p>Assistant Public Defender: Rachel Heim: rheim@pdmiami.com Rachel Kessler: rkessler@pdmiami.com Jalyn Delancy: jdelancy@pdmiami.com</p> | <p>Section M007 = Central E</p> |
| <p>Judge Fred Seraphin</p> <p>Zoom Meeting # 990 7411 6548</p> <p>Wednesday Thursday</p> | <p>Office: (305) 548-5237</p> <p>Judicial Assistant: Marie Thompson MThompson@Jud11.FLCourts.org</p> <p>Assistant State Attorney: Christian Rojas ChristianRojas@MiamiSAO.com</p> <p>Assistant Public Defender: Devon Silverang: dsilverang@pdmiami.com Caroline Shifley: cshifley@pdmiami.com Tyler Wood: twood@pdmiami.com</p> | <p>Section M003 = Central G</p> |

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| <p>Judge Edward Newman</p> <p>Zoom Meeting # 990 7409 6294</p> <p>Monday Tuesday</p> | <p>Office: (305) 548-5397</p> <p>Judicial Assistant: Dayana Labrador DLabrador@Jud11.FLCourts.org</p> <p>Assistant State Attorney: Ashley Ramkishun AshleyRamkishun@MiamiSAO.com</p> <p>Assistant Public Defender: Carolina Andrade: candrade@pdmiami.com Simone Noonan: snoonan@pdmiami.com</p> | <p>Section M002 = Central H</p> |
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Branch Courts

Criminal Traffic cases for all Branch Courts

Assistant State Attorney: Karina Harduvel

KarinaHarduvel@MiamiSAO.com

Misdemeanor Crimes cases for all Branch Courts

Assistant State Attorney: Michael Monajemi

MichaelMonajemi@MiamiSAO.com

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| <p>Judge Betty Capote-Erben Joseph Caleb</p> <p>Zoom Meeting # 974 9886 0982</p> | <p>Office: (305) 548-5120</p> <p>Judicial Assistant: Caridad Rodriguez CRodriguez@Jud11.FLCourts.org</p> | <p>Section B201 = Caleb Center & South Dade</p> |
| <p>Judge Raul Cuervo</p> <p>Zoom Meeting # 937-1548-3929</p> <p>Wednesday Thursday</p> | <p>Office: (305) 354-8771</p> <p>Judicial Assistant: Florence Maxi FMaxi@Jud11.FLCourts.org</p> | <p>Section B231 = North Dade</p> |
| <p>Judge Stephanie Silver</p> <p>Zoom Meeting # 990 6964 3199</p> <p>Wednesday Thursday</p> | <p>Office: (305) 520-4220</p> <p>Judicial Assistant: Sydney Medina SMedina.temp@Jud11.FLCourts.org</p> | <p>Section B241 = Miami Beach</p> |

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| <p>Judge Luise Kreiger Martin</p> <p>Zoom Meeting # 917 6300 6814</p> <p>Monday Tuesday</p> | <p>Office: (305) 252-5858</p> <p>Judicial Assistant: Adriana Pracitto APracitto@Jud11.FLCourts.org</p> <p>Note: Judge Betty Capote-Erben is temporarily covering cases for South Dade. Please contact her JA, Cary Rodriguez, for assistance.</p> | <p>Section B263 = South Dade</p> |
| <p>Judge Victoria Ferrer</p> <p>Zoom Meeting # 973 6750 5638</p> <p>Monday</p> | <p>Office: (305) 520-4042</p> <p>Judicial Assistant: Carmen Hernandez CHernandez@Jud11.FLCourts.org</p> | <p>Section B211= Hialeah</p> |

Rules of Court for Remote Access Courtroom

The rules of court remain in effect and litigants/participants should govern themselves accordingly.

The presiding judge will open the zoom courtroom meeting at the assigned time. The zoom meeting is open to the public just as court is open to the public. Therefore, please make sure that your microphone is on mute until your case is called.

If the hearing requires the services of an interpreter, please notify the court in advance (in the requesting email) and one will be provided by the court and will appear on the video conference as well.

Only the assigned judge, her staff, the clerk and court reporter will be in the physical courtroom. At the end of the calendar, documents will be faxed/scanned/mailed to the parties, if necessary. If the information can be obtained online, no documents will be sent.

No attorneys or litigants will be present in the courtroom.

At least 48 hours prior to the hearing, all documents and/or evidence needs to be e-filed, and a copy scanned and sent directly to the e-mail of the Judicial assistant, and to the assistant state attorney or opposing party. If the evidence is not able to be scanned or e-mailed, then contact the judicial assistant with enough time to resolve the issue prior to the hearing.

- ❖ Counsel shall provide an electronic copy or image to the court and the assigned assistant state attorney of any item of evidence sought to be introduced into evidence forty-eight hours prior to the hearing.
- ❖ Self-represented parties are strongly encouraged to contact the judicial assistant if assistance is needed. Self-represented parties should provide an electronic copy by email to the judicial assistant of any physical evidence sought to be introduced at

the hearing (including documents or photo images) at least two (2) business days before the hearing. The judicial assistant will assist in sending the copies to the correct parties.

If you are unable to connect or having any other technical difficulties on the day of your hearing, please call the Judicial Assistant for your judge.