

## JUDGES INFORMATION AND PROCEDURES FOR WEBSITE

1. JUDGE'S NAME & EMAIL: **Cristina Miranda** ([cmmiranda@jud11.flcourts.org](mailto:cmmiranda@jud11.flcourts.org))
2. JUDICIAL ASSISTANT'S NAME & EMAIL: **Miosotiys M. Alba** ([malba@jud11.flcourts.org](mailto:malba@jud11.flcourts.org))
  - *If you write the Judge or the judicial assistant about a case, you **must** copy all counsel in the same email. Also provide a contact number.*
  - Do **NOT** put "SERVICE OF COURT DOCUMENTS" in the subject line of any email to the Court – if you do, our email system automatically rejects the email.
3. BAILIFF'S NAME: **Frank Valles**
4. CHAMBER'S INFORMATION
  - a. Address: 1351 N.W. 12th Street, Room 625, Miami, FL 33125
  - b. Phone #: (305) 548-5178
  - c. Fax #: (305) 548-5378
5. TIME CALENDAR BEGINS EACH DAY: **9:30 a.m.**
6. PROCEDURES FOR PLACING MOTIONS ON CALENDAR: **Send a copy of the motion to chambers by email, facsimile or hand-delivery. Then contact the JA to coordinate the date that the motion will be on calendar. The original motion must be filed with the clerk's office first. If the motion is stipulated or counsels have agreed on a date they may contact the J.A. for availability to place on calendar.**
7. METHOD OF PROVIDING COURTESY COPIES: **e-mail, fax or hand delivered**  
NOTE: The Clerk's Office does not provide Judge Cristina Miranda with copies of motions which Counsel submits.
8. POLICIES AND PROCEDURES FOR SPECIFIC MOTIONS:
  - a. **CONTINUANCES:** Motions for Continuance may be placed on calendar minimum three days prior to trial. If the continuance is requested on the trial date please advise opposing counsel in advance. Stipulated Motions for Continuance may be sent to chambers with a Stipulated Order.
  - b. **JAC MOTIONS:** Submit the Motion to have Defendant Declare Indigent for Costs along with supporting documentation, JAC's response, and a proposed order to Chambers. If JAC does not request a hearing, the Court may enter the proposed order without a hearing after reviewing the documents. If JAC requests a hearing or if Judge Cristina Miranda has concerns after reviewing the Motion and supporting documentation, the judicial assistant will set the Motion on calendar for hearing.

- c. **NEBBIA MOTIONS:** Defense Counsel should first present the documentary proof to the State and inquire whether the State will stipulate the defendant has satisfied the Nebbia requirements. If there is no stipulation, submit the documents to chambers and the judicial assistant will call the attorney's office with the date for the Nebbia hearing.
- d. **LIMINE MOTIONS:** File the original with the Clerk's office. For motions in limine, send a copy to chambers by facsimile or e-mail. These are special set motions therefore indicate how much time will be needed to address it and contact chambers for a special set date and time. For motions in limine that will be filed the day of the trial, counsel is strongly encouraged to send an advance copy to chambers by facsimile or e-mail.
- e. **SUPPRESSION MOTIONS:** File the original with the Clerk's office and send a copy to chambers. All motions must be filed well in advanced of trial and no later than **10 days** prior to trial. They will be heard the week of trial unless the Court indicates otherwise and sets a special set date. Filing of motions the date of trial will result in a continuance attributed to the filing party.
- f. **SEAL/EXPUNGE:** File the original with the Clerk's office and send a copy to chambers. Contact chambers to coordinate a date and time. Counsel does not have to be present at the hearing if all documents are in order. Provide a copy to the State. If there is an objection by the State it will be reset with notice to the attorney.
- g. **RETURN OF PROPERTY:** File the original with the Clerk's office and send a copy to chambers. Contact chambers to coordinate a date and time, these motion require a 10 business day notice of hearing to the police department. Defense Counsel must present proof that the motion was submitted to the law enforcement agency holding the property. This can be accomplished by;
  - 1. Sending the motion to the agency by Certified Mail, Return Receipt Requested and bringing the green return receipt post card to court;
  - 2. Faxing the motion to the agency and bringing a fax confirmation printout to court; or
  - 3. Obtaining a receipt from the agency verifying they were served with the Motion.
- h. **ARTHUR HEARINGS:** Defense Counsel must first speak with the assigned ASA to verify that the State will not agree to any pretrial release conditions. If the parties cannot reach agreement, Defense Counsel may call the judicial assistant to request that the case be placed on calendar for status regarding bond. At the status hearing, the Court will consult with the State and the Defense to specially set an Arthur Hearing. Although neither party is required to file a motion, Judge Miranda strongly encourages both sides to provide any videos, transcripts, evidence, etc., upon which the parties will rely at the

Arthur Hearing **at least** 24 hours prior to the Hearing. The more voluminous the materials, the earlier they should be provided to the Court.

- i. **INCREASE/REDUCE BOND:** File the original with the Clerk's office and send a copy to chambers. Counsel should, at a minimum, attach a copy of the A-form and defendant's prior criminal history, to the Motion, along with any other documents Counsel wants Judge Miranda to consider in increasing or reducing bond. Call the judicial assistant to coordinate a date to set motion will be on calendar. Provide the State with a copy of the motion. Judge Miranda does not accept motions for Early Termination of Probation from Probation Officers.

- j. **TERMINATE OR MODIFY PROBATION/CC:** Judge Miranda does not automatically grant termination or modifications of Probation or Community Control at the midway point, unless such a condition was specifically agreed to at sentencing by all parties. A Motion to Modify or Terminate should include the Probation Officer's, the State Attorney's, and – if applicable – the victim's position on the motion. If there is an objection, please include a copy of the original A-form and the defendant's criminal history. The Court will make a case-by-case determination. Depending on the severity of the original charges, a defendant is advised to demonstrate that s/he has done more to show rehabilitation than merely comply with the terms of probation; complying with the terms of probation is already a prerequisite to terminate probation upon its expiration. It will likely be insufficient to early terminate probation or modify community control.

#### 9. SOUNDINGS:

- a. DOES JUDGE HAVE SOUNDINGS? Judge Miranda has a Sounding calendar.
- b. Do Defendants have to attend? "YES", all defendants must be present for Sounding.
- c. Announcements by attorneys include: Ready for Trial, Not Ready for Trial or Plea. Definition of ready for Trial means just that. Definition of **ready** does not include ready subject to.....or additional discovery still pending.

#### 10. POLICIES REGARDING PLEAS:

Judge Miranda takes pleas every day. To put a case on calendar for plea, call Judge Miranda's judicial assistant and she will give you a calendar date.

#### 11. MISCELLANEOUS POLICIES AND PROCEDURES:

- a. If witnesses are not appearing for deposition, or the opposing party is not meeting its discovery obligations, it is Counsel's responsibility to bring the matter to the attention of the Court. The Court may deny continuances in these circumstances if counsel have not filed Motions to Compel.
- b. If you write it, the Court will read it. If you have case law, provide it before the hearing.

**PLEASE REMEMBER THAT YOU MUST CONTACT CHAMBERS AND FOLLOW-UP ON E-MAILS**

**Judge Cristina Miranda requires attorneys to 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 Administrative Order 2-14-01-A1.**