

Judge Sjostrom's Civil Division Preferences

Judge Sjostrom's preferences are intended to ensure compliance with the Rules of Civil Procedure. To the extent of any conflict, the Rules of Civil Procedure Control.

Communication with Judge Sjostrom's Office

Please communicate with Judge Sjostrom's office regarding pending matters only:

- 1) by brief email with copies to all parties (usually for scheduling, to provide courtesy copies of documents for hearing preparation, or to report that a case has or has not settled),
- 2) by served pleadings and filings, or
- 3) during noticed hearings.

Emails to Judge Sjostrom's Judicial Assistant, Ms. Gauss, should be for scheduling purposes, for assistance with filing and to forward courtesy copies of documents for hearing preparation.

All communications through Ms. Gauss should be brief, courteous and professional, even if reporting disagreement. Advocacy is for the judge in filings and hearings, not emails to Ms. Gauss. Please do not forward long email exchanges unless made part of the court record.

Communication with Opponent

Please speak with each other, preferably in person or by phone, in a good faith effort to resolve disputes before filing procedural and discovery motions.

Non-dispositive motions should indicate that the lawyers talked to attempt to resolve the dispute or report what effort the movant made to try to resolve the issue by agreement.

Of course, legally authorized ex parte hearings are not included.

Motions Decided Without a Hearing

Motions other than for summary judgment may be decided without oral argument. Motions should indicate the opponent's position so that Judge Sjostrom can consider whether a hearing or briefing schedule is necessary.

Memoranda and Authorities

Judge Sjostrom prefers to read legal documents in electronic format (on the computer rather than paper). Please submit memoranda or authorities at least three days before the scheduled hearing **by email** (gaussl@leoncountyfl.gov). There is often a delay between the time of e-filing and documents appearing in the electronic court file, so an email courtesy copy is appreciated. If submitting authorities such as appellate opinions, trial court orders, statutes or rules without a memorandum, please highlight the language relied upon if practicable and submit by email.

Supporting Materials

Judge Sjostrom prefers that supporting materials be sequentially numbered on each page ("Bates Numbered") for ease of reference during hearings. Judge Sjostrom prefers such materials be submitted electronically and in a text-searchable format if possible.

Request for Hearing Time and Notices of Hearing

Please contact Ms. Gauss **by email** (gaussl@leoncountyfl.gov) to request hearing time. When estimating the amount of time for the hearing, please anticipate that the parties are usually entitled to equal time. Include the case number, county and party names in the email.

Ms. Gauss will provide a list of dates and times and the parties will communicate with each other and reply with the date and time agreed. The individual parties are instructed not to reply to Ms. Gauss with their availability but to communicate with the movant who will then provide Ms. Gauss with the selected date and time. Should the parties reach an impasse on hearing dates, Judge Sjostrom will select a hearing date and likely set a case management conference.

Please include the name of the motion and date of filing in the email and especially in the notice of hearing. Files can get unruly and including the name of the motion and the date it was filed in the notice is a big help in preparation. Please include "Notice of Evidentiary Hearing" as

the title if presentation of evidence, especially disputed testimony, is anticipated.

Urgent and Emergency Hearings

Requests for emergency, expedited and urgent hearings should include the time-frame in which a hearing is sought. Generally, emergency hearings could be held almost immediately – even after regular business hours or on the weekend. Expedited or urgent hearings will generally be heard within 5 to 30 days.

An emergency, expedited or urgent motion should state prominently the time-frame of the hearing sought. The motion should also include a specific explanation of the nature of the emergency or urgency. Finally, unless a legally authorized ex parte motion, communication with the opponent is essential before requesting an urgent or emergency hearing.

Remote (Zoom) Hearings

All non-evidentiary hearings and oral arguments may be conducted remotely unless a party requests a hearing in-person. Judge Sjostrom's Zoom meeting ID and Passcode is listed on the main Manuals, Forms and Procedures page.

No motion for a Zoom hearing is required for non-evidentiary hearings and oral arguments. The party noticing the hearing should include the Zoom login information in the notice.

Proposed Orders

If the judge directs the prevailing party to prepare a proposed order, please circulate the proposed order to all parties before submitting to the judge. Allow at least three business days for the opponent to respond. Proposed orders should be emailed in Microsoft Word by email through Ms. Gauss (gaussl@leoncountyfl.gov) so that the order can be reviewed, edited, e-filed and served electronically. Please include copies and stamped, addressed envelopes for parties who cannot be served electronically.