

<p>ARI ABRAHAM PORTH CIRCUIT COURT JUDGE SEVENTEENTH JUDICIAL CIRCUIT OF FLORIDA</p>		<p>BROWARD COUNTY COURTHOUSE 201 SE 6TH STREET, ROOM 7790 FT. LAUDERDALE, FL 33301 (954)831-6905</p>
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DIVISION FZ

POLICIES & PROCEDURES

CIRCUIT/FELONY MENTAL HEALTH FZ COURT PROCEDURES

Judge: Ari Abraham

Porth

Judge's email:

JPorth@17th.FLCOURTS.org

Judicial Assistant (JA): Makila
Holmes

JA's email:

MHolmes@17th.FLCOURTS.org

Division email:

DIVFZ@17th.FLCOURTS.org

Chambers phone: 954-831-6905

Chambers:

NW7790

Courtroom:

NW7810

Zoom meeting ID:

652-374-798

BSO Deputy: Carlos
Periu

In Court Clerk:
Richie

Probation Officer: Youvee
Romelus

General Magistrate (GM) Lucy
Ramos Miller

JA: Elizabeth
Ranalli

GM's chambers:
954-831-0697

Zoom meeting ID:
595-222-547

Mental Health Probation status hearings shall be set and heard before General Magistrate Lucy Ramos Miller on Mondays at 9am and 1:30pm.

Felony Mental Health Diversion status hearings shall be set before General Magistrate Lucy Ramos Miller on Tuesdays at 9am or 1:30pm.

Interpreters

The Court Interpreter's Office provides in-house Spanish and French/Creole interpreting services to defendants and witnesses in court proceedings. The office also provides assistance with other languages, when needed. Requests for spoken language court interpreters, other than Spanish or French/Creole, must be received *at least 7 days* in advance of the scheduled proceeding. To request a spoken language Spanish or Haitian Creole court interpreter, contact the Court Interpreter's Office at: **(954) 831-7290**. For all other spoken language interpreters, email the Court Interpreter's Office at: **InterpreterRequest@17th.flcourts.org** or via fax to: **(954) 831-7279**.

Emailing or Calling the Court:

The Court cannot accept ex parte communications or provide you with legal advice. An ex parte communication occurs when a party to a case, or someone involved with a party, talks or writes to or otherwise communicates directly with the judge about the issues in the case without the other parties' knowledge. You must include all parties involved when communicating with the Court. If you need the contact information, please refer to www.BrowardClerk.org for specific case information.

Assistant State Attorneys assigned to Felony Mental Health: 954-831-6955
www.browardsao.org

Emma Lubin - elubin@sao17.state.fl.us
Richard O'Connor – roconnor@sao17.state.fl.us
Victim Advocate Unit 954-765-4133

Assistant Public Defenders assigned to Felony Mental Health: 954-831-8650
Browarddefender.org

Melinda Blostein – mblostein@browarddefender.org
Christopher Clayton-Burns-cclayton-burns@browarddefender.org Gena Cohen – gcohen@browarddefender.org
Rachel Constant-rconstant@browarddefender.org
Jenn Rowlee - jrowlee@browarddefender.org
Gina Neal-gNeal@browarddefender.org

Browardclerk.org

Court docket schedules:

The Court hears in custody cases at 8:15am each and every day Monday through Friday.

The Court hears out of custody cases at 9:30am each and every day Monday through Friday.

Longer evidentiary hearings shall be set Tuesday, Wednesday, Thursday and Friday afternoons at 2pm.

The Court hears in custody cases transferred in from other trial divisions where competency is contested each Monday at 2pm.

In the event of an emergency or Court holidays, the Court will adjust the dockets accordingly.

Hearing Requests:

Hearing requests shall be made via email to: divfz@17th.flcourts.org. In order to obtain a hearing date, an email shall be sent to the Judicial Assistant with courtesy copy to the opposing party. Please advise how long you will need for the hearing. Once a date is confirmed, a Notice of Hearing shall be completed, filed with the Clerk's office, and provided to the non-moving party by the moving party.

Next day add-on hearing cut off is 3:00 p.m.

Special Set Hearings (15 minutes or longer)

You MUST first file your motion with the Clerk of Court. This office does not accept ex parte communication. Please email the Judge's Judicial Assistant a copy of the written motion setting forth the requested relief, with proper service of copies to all parties. The moving party shall also notify the Judicial Assistant as to the estimated amount of time expected to be needed to complete the hearing and the number of witnesses for each side.

Once the motion has been reviewed, the Judicial Assistant will provide you with a hearing date and time. Upon confirming the availability of the non-moving party, the moving party shall prepare and serve the non-moving party, and email the Division/Judicial Assistant a copy of the notice of hearing on your motion. It is NOT the Judicial Assistant's responsibility to ensure or confirm that the non-moving party has received notice. The Notice shall include the date and time of the hearing and the length of time set aside for the hearing. Hearings WILL NOT be set without a Notice of Hearing from the parties. Hearings will take place in-person in Courtroom NW7810 at the Broward County Courthouse, Ft. Lauderdale, Florida.

Unopposed Motions:

All unopposed motions must contain a certification at the end of the motion.

The movant must: (i) certify that the movant has conferred with the opposing party AND (ii) state whether the parties agree on the resolution of all or part of the motion. **** UNOPPOSED Motions must contain the language “UNOPPOSED Motion” in the title of the motion. Motions for ROR or for Modification of Pretrial Release Conditions:** You MUST first file your written motion with the Clerk of Court. This office does not accept ex parte communication. Please email the Judge's Judicial Assistant with a copy of the written motion setting forth the requested relief, with proper service of copies to all parties.

Cancellations:

Attorneys and/or parties cannot cancel hearings without contacting the Judicial Assistant (divfz@17th.flcourts.org). If the parties have reached an agreement, an agreed order resolving the matter shall be submitted to the office prior to the hearing. If an agreed order is not submitted prior to the hearing or has not been signed by the judge, parties are expected to attend. If an agreed order has been entered, **please remember to contact the Judicial Assistant to cancel any hearing dates previously set.** This courtesy may then allow other matters to be scheduled.

ORDERS:

IF A HEARING TAKES PLACE AND THE JUDGE RENDERS AN ORAL RULING, HE WILL DESIGNATE A PARTY TO PREPARE THE ORDER. THE ORDER SHALL BE EMAILED TO THE JUDGE'S OFFICE IN BOTH WORD AND PDF FORMATS.

Agreed Orders: Proposed Agreed Orders shall be submitted with Agreed Motions and must contain the title “**Agreed Order on...**”.

Negotiated Pleas: The Court expects that ALL terms of the negotiation will be complete prior to the setting of a change of plea or the entry of a negotiated plea. These terms include, but are not limited to, credit for time served, fines, restitution, costs and condition of probation. **Defendant is required to appear In-Person at all change of plea hearings** unless authorized by court order to appear via Zoom, which shall only be permitted for good cause. If permitted to take place on Zoom, the Defendant must upload a fully executed and notarized plea form and an acceptable fingerprint card. These documents must be uploaded prior to the Zoom hearing on the change of plea.

Stipulations for Substitution for Counsel:

If not occurring *ore tenus* in open court with the defendant present, either counsel may submit the *signed* Stipulation, *signed* consent of defendant/client, and proposed order with the below referenced wording to the Division email address. New counsel shall include in the Stipulation a certification stating, “I have reviewed the Court docket in this file and have spoken with all counsel of record. I am aware of all pending hearings, depositions, and other deadlines that are set in this case.” A Notice of Appearance filed by new counsel is NOT sufficient to request a hearing if another attorney is already designated of record. Accordingly, new counsel must verify via Odyssey/through the Clerk’s Office that neither the PD or ORCC’s offices, nor a private attorney, has been previously appointed/designated as counsel of record. New counsel substituting in shall have first secured a stipulation for substitution of counsel. The Court will not grant a substitution of counsel without a hearing **unless the defendant’s/client’s written consent is obtained** and reflected on the stipulation for substitution of counsel.

Motions to Withdraw: must include a certificate of service to all other parties and the Notice of Hearing must include the same. The Court will not hear any motion to withdraw where the Defendant/other parties are not properly noticed.

Alternate Judges for Division FZ: Should Judge Porth be absent from the courthouse for and his docket suspended, Judges Andrew Siegel, Michael

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Usan, Thomas Coleman or Tim Bailey are alternates, each assigned to circuit criminal and all on the 7th floor. <https://www.17th.flcourts.org/judiciary>
Please refer to the Seventeenth Judicial Circuit Website for the latest updates and Administrative Orders to Courthouse procedures at: www.17th.flcourts.org.

Transportation of In-Custody Defendants:

In-custody defendants will be brought to the courtroom by BSO to appear in person. A limited number of in-custody Defendants will be brought up at a time pursuant to the safety procedures established by the Chief Judge, this Court and the Broward County Sheriff's Office.

ZOOM (procedures and decorum)

The Court welcomes appearances on zoom for out of custody clients who are in compliance with their conditions of release. Please note your camera should be on, your name should be listed and you should remain muted until your case is called...

Witnesses may appear by zoom upon the agreement of parties.

Should an evidentiary hearing be cancelled, please provide all parties adequate notice so that the time slot can be used for another case and not wasted.

Individuals appearing remotely shall have his or her name appear clearly posted on screen (Individuals appearing as Zoom user, iPhone, Galaxy or any other nickname will not be allowed into the hearing). Individuals appearing remotely shall have the camera on and appear on screen. Individuals disrupting the proceedings in any manner will not be allowed

to remain in the proceedings. Individuals not exhibiting the same decorum as if they were in person in a courtroom will not be allowed to remain in the proceedings.

[Plea Form](#)