

**IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT,
IN AND FOR OKALOOSA COUNTY, FLORIDA**

ADMINISTRATIVE DIRECTIVE NO: OCAD2021-10

(Vacates *OCAD2021-09*)

RE: E-DELIVERY

OCAD2021-10 is issued to amend the email address for submitting Emergency Matters to the Clerk of Court in OCAD2021-09.

WHEREAS the Supreme Court has mandated E-Service of pleadings and documents in all divisions; and

WHEREAS there exists a need to establish a process for the Clerk of Court to deliver court documents to and provide notice of filings to the assigned Judge in the absence of previously provided “hard copies”; and

WHEREAS the need exists to differentiate between the delivery by the Clerk of Court of those documents or notices to Judges and E-Service and E-Filing; and

WHEREAS to facilitate delivery of court documents and notices by the Clerk of Court to judges:

IT IS HEREBY ORDERED:

1. Delivery by the Clerk of Court of documents and notices to Judges shall hereinafter be known as and referred to as **E-DELIVERY**.
2. **Definitions:**

NOTIFICATION MATTERS

Notification Matters shall be defined as:

- Motions for Disqualification
- Notices for Jury Trial
- Notice for Non-Jury Trial
- Motion for New Trial
- Motion for Rehearing

EMERGENCY MATTERS

Emergency Matters shall be defined as:

Duty Judge: (see OCAD2021-07, Duty Judge assignment and responsibilities)

- Petitions for Protection Against Violence
- *Ex parte* Petitions under the *Baker Act*
- *Ex parte* Petitions under the *Marchman Act*

Assigned Judge:

- Emergency Child Pickup or Prevent Removal Petitions
- Motions to Stay Writs
- Answers to Complaints for Eviction
- Motions to Determine Rents and Claims of Exemptions and
- Requests for Hearing

3. The Clerk of Court (hereinafter referred to as “the Clerk”) will deliver NOTIFICATION MATTERS and EMERGENCY MATTERS to the assigned judge via electronic mail (e-mail).
4. Any email containing a Notification Matter or Emergency Matter will be sent by the Clerk to the e-mail address of both the assigned judge and the assigned judge’s judicial assistant.
5. For Notification Matters the subject line of the e-mail transmission must contain the following: NOTIFICATION MATTER followed by the case number, the style of the case and total pages of the document being delivered. (i.e., NOTIFICATION MATTER, 13-CA-123456, Name v. Company, 25P)
6. For Emergency Matters the subject line of the e-mail transmission must contain the following: EMERGENCY MATTER followed by the case number and the style of the case. (i.e., EMERGENCY MATTER, 13-CA-123456, Name v. Company)
7. Documents transmitted by E-Delivery shall be transmitted by 1) a copy of the document presented attached to the e-mail transmission in a “pdf” format; **or** 2) transmitted with a link to the document in the Clerk’s website cited in the content of the e-mail.

8. E-Delivery is deemed complete on the date the e-mail transmission is made/sent by the Clerk. However, if the Clerk is notified of a failure in the transmission due to a technical issue, the document shall, in the case of an Emergency Matter, be hand-delivered in hard copy form by the Clerk to the assigned judge and, in the case of a Notification Matter, forwarded in hard copy form by the Clerk via courier to the assigned judge.
9. E-Delivery, as herein provided, shall satisfy the Clerk's obligation under the rules for delivery of documents to the assigned judge.
10. **ALTERNATE ARRANGEMENTS:** If the assigned judge will be unavailable to receive Emergency Matters, it is the responsibility of the assigned judge or judicial assistant to provide the Clerk with advanced notice by e-mail of the identity of the alternate judge or judicial assistant to whom Emergency Matters should be delivered during the assigned judge's unavailability.

To promote efficiency and prevent any miscommunication, notice to the Clerk of arrangement for an alternate judge/judicial assistant to the Clerk shall include the alternates and will be made to the Clerk of Court via e-mail. Transmission to the Clerk must be to:

EmergencyOrders@OkaloosaClerk.com

Absent advanced notice to the above-referenced e-mail address that alternate arrangements have been made for Emergency Matters, the Clerk will E-Deliver Emergency Matters to the assigned judge and judicial assistant as provided herein.

11. **ACKNOWLEDGMENT:** The assigned judge/judicial assistant or the designated alternate judge/judicial assistant has the responsibility to immediately acknowledge receipt of any Emergency Matter received by E-Delivery by a REPLY ALL response.

12. Upon acknowledgment of an Emergency Matter, the assigned judge/judicial assistant or designated alternate must inform the Clerk before 5:00 p.m. on the business day of E-Delivery of the judge's intention to dispose of the Emergency Matter the same day. Absent notifications of disposal on the day of receipt by the judge/judicial assistant or alternate, the Clerk may conclude the judge will dispose of the Emergency Matter the next business day and the Clerk is not required to remain after 5:00 p.m. on the day of transmission in anticipation of a response.
13. **EMERGENCY ORDERS:** The assigned judge/judicial assistant or, when unavailable the alternate judge/judicial assistant, shall be responsible for immediate delivery of any executed order generated in response to any Emergency Matter to the Clerk by hand delivery or by E-File.
14. Delivery by the Clerk of Court of all applicable emergency orders shall be sent by E-Delivery to the appropriate law enforcement office as require for service.

DONE AND ORDERED in chambers, Fort Walton Beach, Okaloosa County, Florida, this 4th day of October 2021.

S/ WILLIAM F. STONE
WILLIAM F. STONE
ADMINISTRATIVE JUDGE

Conformed copies furnished to:
Honorable John L. Miller, Chief Judge
All Circuit and County Court Judges, Okaloosa County
Honorable J.D. Peacock II, Clerk of Circuit Court
Magistrate, Wanda Morgan
Mark Rubin, Hearing Officer
State Attorney's Office, Shalimar and Crestview
Public Defender's Office, Shalimar and Crestview
Robin Wright, Trial Court Administrator
Valerie Broxson, Court Operations Manager
Okaloosa-Walton Bar Association
Okaloosa County Sheriff's Office