

Procedure for Setting Motion Hearings in Indian River County Court Criminal Cases

Motions in criminal cases should be filed with the Clerk of Court with a copy sent by email to the presiding judge at IRCJudge@Circuit19.org or hand delivery to the judge's office. If sent by email, the subject line of the email shall include the name of the judge assigned to the case. For motions where no hearing is needed or anticipated, a proposed order may be submitted in Word format. After the motion is received by the judge and reviewed for legal sufficiency, the motion will be set for hearing upon the movant or opposing party contacting the Court's Judicial Assistant by phone or email or by the Court.

The parties are on notice that motions to continue, like any other motion, must include adequate grounds for relief. Indicating that the case has never been continued is not a basis to continue. Further, indicating that the opposing party does not object to a continuance is not determinative. Finally, the failure to set a motion for hearing is not grounds for a continuance.

After hearing, if the Court directs a party to prepare an order, the order should first be approved by the opposing party and then emailed to the Court in Word format.