

JUDGE EDWARD NICHOLAS (COURT #04)
CIRCUIT CIVIL DIVISION D

ANSWERS TO FREQUENTLY ASKED QUESTIONS

MAILING ADDRESS: Manatee County Courthouse, P. O. Box 3000, Bradenton, FL, 34206

PHYSICAL ADDRESS: Manatee County Judicial Center, 1051 Manatee Avenue West, Bradenton, FL, 34205. Currently the Judge is assigned to Courtroom 5E.

SUMMARY JUDGMENT FORECLOSURES: All Summary Judgment Foreclosures must be set on Tuesdays and Thursdays from 9:00 to 11:00 a.m. in available 5-minute time slots. Hearings set at any other time will be automatically cancelled by the Court unless approved for special setting. The attorney is not required to attend a hearing unless it is contested. If the hearing is contested, the Judge will call the Attorney's office provided the Court has been previously provided a toll free number or number which can be called collect, AND the attorney must be available to accept the call. If an attorney is not available at the appropriate time, the hearing will be cancelled and the attorney will have to reset same. If an attorney or firm continually fails to be available at the appropriate time or continually sends incorrect packets, then said attorney or firm will be required to attend hearings in person. Foreclosure packets MUST be received in the Judges' office seven (7) days in advance of the scheduled hearing OR the hearing will be cancelled.

NOTICE OF HEARING: Please provide a copy of your notice and motion to the judicial assistant at least one (1) week prior to hearing. Files are pulled by the assistant for the hearings, therefore, all original motions and notices are to be filed with the Clerk. Provide a copy of any supporting documents to be reviewed at the hearing to the judicial assistant only if the originals have not been filed prior to the hearing.

UNIFORM MOTION CALENDAR: 9:00-9:30 a.m. Friday mornings, except holidays. These hearings are not set with the judicial assistant or on the automated calendaring system. Telephone appearances are not allowed. Motions must be non-evidentiary, and five (5) minutes or less in length. No court files will be available. Counsel will comply with Florida Rules of Civil Procedure and applicable case law in terms of motions and notices, and will bring copies of these pleadings to the hearing for the judge. Attorneys will sign up as they arrive, and judges will take the hearings in the order of sign up.

LOCAL RULES: Local Rules for the 12th Circuit are available on the 12th Judicial Website (12circuit.state.fl.us). **PLEASE NOTE:** Local Rules 5a and 5B regarding discovery motions are strictly enforced. Any motion not in full compliance will be stricken and the hearings will be cancelled.

TELEPHONE APPEARANCES: Allowed on hearings 15 mins. or less in length, and non-evidentiary in nature. The Court will place the phone call unless a conference call is required. Please provide the telephone number that your attorney will be available at the time of the hearing. If a conference call is required the attorney's office initiating the conference will be responsible for placing the call to the judge's office/judicial assistant.

MOTIONS FOR REHEARING, RECONSIDERATION, NEW TRIAL: These motions are to be submitted directly to the judge, along with a cover letter, prior to scheduling a hearing. The motion should be detailed. The judge will first review the motion to determine whether a hearing is required.

EMERGENCY HEARINGS: All motions requesting emergency hearing time shall be faxed or delivered directly to the assigned judge, along with a cover letter. The motion should be detailed. The Judge will review the motion to determine whether a hearing is required.

FAX NO.: 941-749-3685. Faxes will only be accepted for Motions and Orders Canceling Foreclosure Sales. All other pleadings, memorandums of law, case law, etc. must be mailed or hand delivered. DO NOT fax any documents over 10 pages without the judge's permission.

REVISED: 6/3/08