

CARLOS S. REBOLLO
CIRCUIT COURT JUDGE
SEVENTEENTH JUDICIAL CIRCUIT OF
FLORIDA



BROWARD COUNTY COURTHOUSE
201 SE 6TH STREET, ROOM 4850
FORT LAUDERDALE, FL 33301
(954) 831-7708

DIVISION JD

UPDATES JUDICIAL POLICIES, PRACTICES & PROCEDURES (July 22, 2024)

Courtroom: NW-4840

Chambers: NW-4850

Division Email: divjd@17th.flcourts.org

Office Phone Number: 954-831-7708

DIVISION JD POLICIES AND PROCEDURES

Circuit Judge Carlos S. Rebollo

Judicial Assistant: Elizabeth Viera –eviera@17th.flcourts.org

SCHEDULING HEARINGS – LAWYERS MAY APPEAR BY ZOOM ONLY FOR NON-EVIDENTIARY HEARINGS. JD ZOOM LINK IS 125-331-275

FOR EVERYONE ELSE ALL HEARING ARE IN PERSON.

The Child and his/her mother, father or guardian MUST appear in person. Please note that under Florida Rule 8.100 of the Rules of Juvenile Procedure mandates that the child be present unless the court finds that the child's mental or physical condition is such that a court appearance is not in the child's best interest.

Physical Locations:

All hearings are in-person for Division JD and are held in Courtroom No. NW-4840, located on the fourth floor of the North Wing of the Broward County Central Courthouse in downtown Ft. Lauderdale.

The drop-off mailbox for Judge Rebollo's chambers, No. NW-4850, is located in the common reception area, behind the elevator back on the 4th floor of the North Wing.

Please note the following commonly requested contact information:

Judicial Assistant:	Elizabeth Viera
Division Electronic mail address:	divjd@17th.flcourts.org
Division Telephone Number:	954-831-7708
In-Court Clerk:	Maria Balbontin
In-Court Probation Officer:	Alina Hegedus
Clerk of Court Juvenile Division telephone:	954-831-6492 (for attorneys only)
Clerk of Court Website:	https://www.browardclerk.org
Department of Juvenile Justice	https://www.djj.state.florida.us
Juvenile Assessment Center	https://www.sheriff.org
Juvenile Detention Center	https://www.djj.state.florida.us
Office of the State Attorney telephone:	954-831-6955
Office of the State Attorney website:	https://www.browardsao.org
Office of the Public Defender telephone:	954-831-8650
Office of the Public Defender website:	https://www.browarddefender.org
Broward County Sheriff's Office:	954-764-4357

Motion Calendar ("MC") – MondayThru Friday at 9:30 a.m.

Judge Rebollo is conducting Motion Calendar hearings Monday through Friday, commencing at 9:30 a.m. These hearings should generally be limited to matters which can be heard within five – ten (5-10) minutes. Attorneys may set MC hearings by calling the judicial assistant. You must send the JA a copy of the moving parties filed motion and notice of hearing.

MC matters will be heard on a first-come-first-served basis.

The Moving party must coordinate with the opposing counsel/side prior to setting the hearing. Parties must prepare and email the Judge a copy of the notice of hearing

regarding your motion. The notice of hearing shall certify that the other party has received notice via email. Please provide the Court with a copy of the motion as well. Hearings WILL NOT be set without a notice of hearing from the parties. Hearings will take place in-person in Courtroom NW-4840 at the North Wing of the Broward County Courthouse, Ft. Lauderdale, Florida.

Parties wishing to set matters that require in excess of ten (10) minutes should request a special set hearing from the Judicial Assistant. *(See Special Set Hearings section below)*

Since the number of hearings is limited and the Court attempts to review written materials in advance, please timely cancel any hearings by contacting the Judicial Assistant directly, if and when a matter is resolved prior to your scheduled hearing time. This courtesy may then allow other matters to be scheduled. *(See below CANCELLATIONS)* This office does not accept ex-parte communication.

Special Set Hearings (15 minutes or longer) – Monday through Friday, 9:30 a.m. to 5:30 p.m.; Hearing must be set with the Judicial Assistant

You MUST first file your motion with the Clerk of Court. 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 entitled to receive copies. 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 pleadings have been reviewed, the Judicial Assistant will provide you with a hearing date and time. If the moving party fails to furnish a copy of the notice of hearing containing the foregoing to the Judicial Assistant within two (2) business days after the hearing time is first offered by the Judicial Assistant, the hearing time set aside shall be subjected to cancellation. This office does not accept ex-parte communication.

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 and a copy of the MOTION. Hearings will take place in-person in Courtroom #4840 at the North Wing of the Broward County Courthouse, Ft. Lauderdale, Florida.

Calendar Call & Trial – Every other Thursday at 9:30 a.m.

Trials will generally be set by the Court during the Thursday afternoon Calendar Call. Parties announcing ready-for-trial will be set for trial and given a date and time in court.

Motions in Limine, Notices of Intent, and Stipulations

The Court encourages use of stipulations and motions in limine to narrow the scope of issues and limit unnecessary or cumulative testimony at trial. Notice of intent to rely on certifications in lieu of live testimony or to present voluminous records in summary form, are also encouraged, where parties think appropriate. Adverse parties are likewise encouraged to move to strike any notice of intent they believe defective or otherwise legally

insufficient. In order to preserve available remedies for all parties and the efficient use of trial time, the Court encourages all the above to be set on motion calendar or special-set well in advance of trial.

Conduct of Trial

Use of Exhibits

Attorneys should employ the actual exhibits admitted in evidence, rather than additional copies, when examining witnesses about said exhibits. Attorneys should attempt to refer to the exhibits by their assigned letter for identification prior to admission in evidence. When, and if, evidence is admitted, the Clerk will then assign a number to the exhibit. This ensures the parties, the Clerk, the Court, and the record speak to precisely the same items.

Proposed Jury Instructions

Where practicable, Attorneys should attempt to confer regarding proposed instructions prior to conclusion of closing arguments or earlier.

Arraignments

Arraignments will take place every morning at 9:30 a.m. They will be set by the Clerk. The Clerk will notify the parties of the date and time of the hearing/arraignment. The Notice will indicate “Mandatory Appearance.”

*****NOTE FOR ARRAIGNMENTS:*** Unlike adult felony court, attorneys, the child and their guardian **MUST** appear for arraignment. The Rules of Juvenile Procedure do not allow waiver.

Cancellations

Attorneys and/or parties cannot cancel hearings without contacting the Judicial Assistant (divjd@17th.flcourts.org). If the parties have reached an agreement, an agreed order resolving the matter shall be submitted to the office prior to, or at the time of the hearing. If an agreed order is not submitted prior to the hearing, 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.

Interpreters

The Court will provide an interpreter for all Juvenile Delinquency Hearings. Please notify the Judicial Assistant at the telephone number above or via email to: divjd@17th.flcourts.org, at least three (3) days prior to your hearing if you require the services of an interpreter. For a language other than Spanish or Haitian Creole, please contact the Judicial Assistant at least seven (7) days prior to your hearing. You may also contact the court interpreter’s office at interpreterrequest@17th.flcourts.org. Please make sure to include the Judicial Assistant on all emails for requests for an interpreter.

ZOOM Hearings

Division JD is conducting hearings IN PERSON. Attorneys may appear by Zoom only on matters that are non-evidentiary.

DIVISION JD SCHEDULE

MOTION CALENDAR: Monday, Tuesday, Wednesday, Thursdays and Friday at 9:30 a.m.

ARRAIGNMENTS: Every day at 9:30 a.m. No Additional Or Add-On Hearings Are Permitted At Arraignment.

CALENDAR CALL: Every other Thursday 9:30 a.m. No additional or add-on hearings are permitted at Calendar Call

Afternoons are reserved for trials and special-set hearings

Motions for Continuance must be submitted to the Court with an attached order on or before the Thursday PRIOR to Calendar Call. Only emergency written motions will be addressed thereafter. This applies to both Defense Counsel and State Attorney Requests. If a written continuance is granted, it is the filing attorney's responsibility to notice the opposing counsel. If a written continuance is denied, the parties must appear at calendar call.

Motions to Withdraw must include a certificate of service to the Juvenile and the Notice of Hearing must include the same. The Court will not hear any motion to withdraw where the Juvenile is not present and no proper notice was given.

Agreed Motions must contain a statement indicating the agreement. Agreed motions do not need to be scheduled for hearing unless the Court deems it necessary. Agreed Motions must contain the language, "Agreed Motion" in the title.

Agreed Orders: submitted with Agreed Motions must contain the language "Agreed Order" in the heading.

Speedy Trial: all requests for Speedy trial may be set through the judicial assistant on the Motion Calendar (five minute motion) once coordinated with the opposing party. It is the responsibility of the moving party to provide the Court with a copy of the filed motion and NOH.

Negotiated Pleas may be set on any UMC docket. 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, whether there is an adjudication or a withholding of adjudication, the period of probation, or type of program,

conditions of probation, no contact no return orders, restitution if any, mandatory court costs, fines, any forfeiture of weapon, and whether prints and or DNA will be given.

1. Judicial Assistant shall be provided ALL documents from the State Attorney Office for a Negotiated Pleas for EACH case.
2. All case names and numbers requesting a Negotiated Plea must be listed on the Notice Hearing in the header section.
3. ALL terms must be listed on the Notice of Hearing for EACH case. There shall be nothing left open for interpretation.
4. The Notice of Hearing shall NOT be e-filed until it is approved by Division FC.

Open Pleas should be scheduled amongst the parties accommodating all witnesses and in accordance with the scheduling procedures.

Instructions for Setting a Global Plea Hearing

5. Judicial Assistant shall be provided ALL documents from the State Attorney Office for a Global Plea for EACH case.
6. All case names and numbers requesting a Global Plea must be listed on the Notice Hearing in the header section.
7. ALL terms must be listed on the Notice of Hearing for EACH case. There shall be nothing left open for interpretation.

IF THE JUDICIAL ASSISTANT DOES NOT RECEIVE ALL DOCUMENTS NECESSARY TO THE GLOBAL PLEA HEARING PRIOR TO THE HEARING DATE REQUESTED IN A TIMELY MANNER, THE HEARING WILL BE CANCELED.

Motion Practice

Attorneys should be fully prepared for their scheduled motions. If the motion needs to be reset or canceled, the setting attorney has an obligation to contact the court to give as much advance notice as possible. If the motion is to be canceled, then a Notice of Cancellation of the hearing must be filed with proper notice to all interested parties. If the case is to plea at the scheduled hearing time, the setting attorney should advise the Court as soon as possible.

Professionalism

The Florida Bar has emphasized professionalism in its Oath of Admission and in the Rules of Professional Conduct. The Court demands that counsel act in accord with each and every applicable rule. Furthermore, the Court has the highest expectation that matters which do not need court intervention will be addressed between the parties and will not require the Court's time to address matters which should reasonably be resolved outside the courtroom.

Use of Technical Equipment in Courtroom

The Court allows the use of technology and technological equipment in its courtroom. Attorneys should be sure to have the proper training to utilize these devices.

Questions and Concerns

Any questions or concerns about these policies or procedures should be made in writing to the Judicial Assistant.

Attached below are PDF forms for Change Of Plea and Violation of Probation forms for Division FC (English, Spanish and Creole).

Submission of Orders

The court may ask a prevailing party to submit an order. The losing party will be allowed to state all objections to the order prior to the court signing the order. The court may delete, add or change any submitted order as it deems appropriate consistent with law.

Communication with the Judge's Office

Ex-parte communications are strictly prohibited. Any communications regarding anything substantive about any case is strictly prohibited. The attorneys and all parties must abide by this. Failure to do so can have consequences including contempt of court.

Attorney communication with the judicial assistant or the judge can only be regarding scheduling and procedural matters only.

Courtesy Copies

Courtesy copies by email to chambers and opposing parties are permitted.

Emergency and other Urgent Matters

Emergency matters will be heard by the court as soon as possible. Attorneys should insure that such matters are in fact an emergency as defined by law. If the judge is unavailable emergency matters may be brought before any other Juvenile Delinquency judge. If necessary, truly an emergency and none of the foregoing can be found the duty judge may be asked to hear the matter.

Preferred Division Forms

Attached is the division form for guilty or no contest pleas:

[Plea Form](#)