

PROCEDURES FOR DIVISION 6, COUNTY CIVIL JUDGE THOMAS J. BROWN

Submitted 10/9/22

As of July 1, 2022, this division will be conducting in-person and Microsoft TEAMS hearings. Judge Brown has one permanent single virtual courtroom link at:

<https://fl18.org/tbrown>

Or call in (audio only)

+ 1 386-310—1754,,934861383# United State, Daytona Beach

Phone Conference ID: 934 861 383#

No individual invitations will be sent out to attendees of the TEAMS link. The parties can copy the link to either Google Chrome or Microsoft Edge browser and join the virtual courtroom with Judge Brown for the schedule court event.

Nancy Hickman is Judge Brown's Judicial Assistant. **Email** is the most effective way to communicate with the Judicial Assistant:

nancy.hickman@flcourts18.org

PROCEDURES FOR SCHEDULING HEARINGS ON JACS:

Please follow the instructions below for requesting hearing time:

- 1) All motions must be e-filed and docketed prior to coordinating a hearing.
- 2) Go to www.flcourts18.org to view Judge Brown's JACS calendar to search for available time slots. Judge Brown allows web scheduling on JACS. If time slots need to be adjusted for the hearing being scheduled, please contact the Judicial Assistant via email.

Attorney JACS Instructions – Search Time Slot:

Go to www.flcourts18.org/ Click on “Attorney & Citizen Resources” / Under “Attorney Resources”, click on the 2nd option titled “Available Hearing Times (JACS)”/ Select the “Calendar”/ If you want to view all available time, leave minimum and maximum blank / Click “Retrieve”/ Available date and times will appear on the top frame of the window

- 3) You must coordinate the date and time with opposing counsel, or opposing party, if Pro Se.
- 4) Microsoft Teams or Telephone Appearances are allowed if non-evidentiary.
- 7) All **evidentiary hearings** scheduled must be **in-person and indicated on the Notice of Hearing**.

TELEPHONIC OR MICROSOFT TEAMS HEARINGS:

Judge Brown only allows Microsoft Teams appearances at hearings if there will be **no evidence presented** by that witness, unless approved by the Court due to extraordinary circumstances. A motion to appear by Microsoft Teams is **not** required.

CANCELLING HEARINGS:

If you are cancelling a hearing, you **MUST** immediately contact the JA via email to cancel the hearing on JACS and then immediately file a notice of cancellation.

If you are cancelling a hearing within 5 days from the date of the hearing, please contact the JA because dockets will already be printed and worked up for the Judge.

HEARINGS MAY BE CANCELLED BY THE COURT IF INSTRUCTIONS ARE NOT FOLLOWED.

If you have any questions about scheduling your hearing, please contact Judge Brown's Judicial Assistant at: Nancy.hickman@flcourts18.org

EVIDENTIARY HEARINGS:

The parties must exchange exhibits and confer about the admissibility of each exhibit at least seventy-two (72) hours before the hearing; this time is seven (7) days for non-jury trials. The parties are encouraged to reach an agreement as to the admissibility of all evidence. Exhibits shall be delivered to the Court at least three (3) business days before the scheduled commencement date of the hearing. The format for all exhibits submitted to the Court and the opposing party, is set forth below in paragraph 2.

Format of Exhibits:

a. Each party shall provide the Court with hard-copy, printed exhibits. If an exhibit consists of a video or audio recording, it shall be submitted to the Court on a compact disk or digital video disk. The face of the disk shall bear the case number and exhibit label as described below. The Court will no longer accept exhibits in digital or electronic format

b. A label shall appear in the lower right-hand corner (or as close thereto as is possible without interfering with the text or substance of the document).

. Each label shall state "Petitioner's Exhibit *" or "Respondent's Exhibit *" with "*" being each letter of the alphabet beginning with the letter "A." When/If you get to "Z" on your exhibits, you will continue with "AA," etc. d. Each label shall state the case number and date of the hearing. e. All submissions shall include an index of the exhibits. All of the exhibits shall be Bates stamped for easier identification. The index shall identify the exhibit, with the corresponding exhibit letter and the Bates stamped number series for each such exhibit. (Example: Petitioner's Exhibit A – Petitioner's Financial Affidavit – 1 – 13).

d. Identification of witnesses and the administration of an oath shall be governed by AOSC20-16 or any successive administrative order.

e. In lieu of witness testimony, the parties may stipulate to the facts to be considered by the Court by emailing a signed stipulation with said facts set forth therein to the Court.

Notice of Hearings

If opposing is pro se, and no email address is provided, please include the following on the notice:

**“UPON RECEIPT OF THIS NOTICE, YOU MUST CONTACT THE JUDICIAL ASISTANT AT:
Nancy.Hickman@flcourts18.org TO SUMIT YOUR EMAIL ADDRESS AND PHONE NUMBER AND RECEIVE
INFORMATION ON APPEARING VIRTUALLY”**

Note: A party scheduling the hearing shall provide notice to the other party even if a default has been entered by the Court.

Case Law Submission

Please provide case law and exhibits by email to the Judicial Assistant at least **5 days prior** to the hearing.

Special Set Hearings

The only **Special Set Hearings** are **Evictions** and **Uncontested Dissolution of Marriage**. You may contact the Judicial Assistant for hearing time by email regarding these case types. All parties much be included in the correspondence to the Judicial Assistant. All documents must be filed in the case upon requesting the hearing. The party requesting the hearing will be required to file a Notice of Hearing with the Clerk's Office. For Pro Se parties representing themselves, forms can be found at: <http://www.brevardclerk.us>

On Uncontested Dissolution of Marriage hearing requests, Judge Brown requires parties to contact the Pro Se Coordinator at the Clerk's office to review and confirm you have all the needed documents and paperwork required to go forward on the hearing several days prior to the hearing date. The Pro Se Coordination can be reached at: prosecoordinator@brevardclerk.us

PREPARATION OF ORDERS:

The moving party shall be responsible for preparation of any orders following the hearing. All such orders shall be submitted for review to the opposing party prior to submitting same to the Court.

If the parties agree to the language of an order, it may be submitted to the Court.

When submitting the order to Judge Brown, please follow the instructions in the below link regarding the new CODES now State mandated and must be used. The order can't be signed without them.

Brevard e-portal filings require DJMCA codes on proposed orders. Refer to below announcement link for more information.

http://www.brevardclerk.us/?a=Files.Serve&File_id=023197ba-807c-4908-876a-246bd18da343

All other proposed orders must be e-filed through the Proposed Documents section of the portal in the jurisdictional map; choose Brevard County from the drop-down menu and select Viewer/Judicial.

Failure to follow the below guidelines may result in your filing being Rejected.

FILING REQUIREMENTS • Each filing must contain a Cover Letter and at least one proposed order. • Filer must select himself/herself in the e-service list. • COVER LETTER o PDF format • PROPOSED ORDER Word document (.docx extension). No additional formatting – text boxes, macros, headers, footers, etc.

Use the phrase “**Done and Ordered**” as the last portion of the order for the Judge’s signature and **date codes**. The Date and Signature codes must be on their own line and all in Capital letters with all four letters in each field. The Signature code, JJJJ, must be aligned left or center or right.

Example: There can be no characters or verbiage or use of the tab key or space bar before or after the codes.

There can be attachments to the proposed order.

The case style must reference to the **Eighteenth Judicial Circuit, i.e., IN THE CIRCUIT COURT OF THE 18TH JUDICIAL CIRCUIT IN AND FOR BREVARD COUNTY.**

Please DO NOT submit proposed order until after your documents have been accepted by the clerk’s office.

Please DO NOT add the Certificate of Service codes to the proposed order for this division. E-Service will be provided to those selected by the Filer.

MATTERS REQUIRING A HEARING OR THAT NEED TO BE SET FOR A HEARING DUE TO URGENCY

Paper Orders are to be brought to the hearing.

Please include the “Done and Ordered” verbiage as well as the judge’s signature line.

These Orders are to be submitted through the portal and will be reviewed in the order they are received. Please follow the portal instructions for e-filing proposed orders. If you do not want to wait for the order to be reviewed/signed without a hearing, you may request a hearing, but not until the Order has been e-filed for a minimum of 3 weeks.

ORDERS RESULTING FROM A HEARING

If you are submitting an Order resulting from a ruling made at a hearing, please submit the Order to Judge Brown through the e-portal.

REQUESTS FOR CONTINUANCE: In addition to complying with the applicable rules of procedure, a party seeking a continuance shall certify in writing that the party has conferred with opposing counsel/party concerning the request and that the opposing party/counsel agrees or objects. Absent a showing of extraordinary good cause, failure to comply with this requirement shall be deemed adequate grounds to summarily deny the request.

Any questions regarding these procedures may be submitted for the Court's review to:
Nancy.Hickman@flcourts18.org

MATTERS NOT REQUIRING A HEARING

The following matters need to be set for a hearing and may be submitted through the portal.

Stipulated Orders/Final Judgments: The Stipulation, signed by both parties, should be e-filed with the clerk prior to Submitting the Proposed Document.

Motion for substitution of counsel (signed by both the party and counsel)

Contested Motion (Client must consent) to withdraw as counsel

SMALL CLAIMS – PRETRIAL CONFERENCE

The proceedings are held in-person or via the Virtual Courtroom link:

<https://fl18.org/tbrown>

Or call in (audio only)

+ 1 386-310—1754,,934861383# United State, Daytona Beach

Phone Conference ID: 934 861 383#

Judge Brown will address in-person cases first and next will address parties on TEAMS.

You must contact the Clerk by email or in-person to obtain the docket number for the case(es) that you are appearing on. The Court will ask for the docket # when addressing your case. The Clerk can be contacted at: VieraCivilClerks@brevardclerk.us

If the case is involved in Mediation, you can contact: BrevardMediation@flcourts18.org

Should a case be referred to **On-line Dispute Resolution**, if you need more information on this program, please go to: flcourts18.org/court-programs/odr

NOTICE FOR TRIAL

Before a case proceeds to trial, each party shall attend a mediation session.

Brevard Mediation can be reached at phone (321) 635-5065

When e-filing a notice for trial, specify the amount of time required; the trial is on the original action or a subsequent proceeding.

CASE MANAGEMENT CONFERENCE

Once a case is noticed as ready for trial, the case shall be set for a case management/pretrial conference pursuant to pretrial order. All parties are expected to appear before the Court in-person or by virtual appearance to discuss the issues at which time the case shall be set for trial.

EXHIBITS AND CASE LAW

Prior to the commencement of the trial, all case law and exhibits shall be submitted no later than 5 days prior. All exhibits shall be pre-marked for identification using the designation such as Plaintiff's or Defendant's exhibit "A" through "Z", and if additional exhibits need to be marked, said exhibits shall be labeled "AA" through "ZZ" and so on. A copy of the exhibit list shall describe each marked exhibit. The exhibit list shall be provided to the Court and the opposing party prior to the commencement of the trial.

CONTINUING A TRIAL

In the event a party is seeking to continue a trial, said party shall, prior to the actual trial date contact the opposing party regarding the request. If no objection is being raised, a proposed order shall be submitted to the Court by the moving party. In the event an objection is raised, the motion to continue shall be set before the Court.