

## **PROCEDURES FOR DIVISION 5, COUNTY CIVIL JUDGE DAVID C. KOENIG**

Updated and Submitted January 8, 2024

As of July 1, 2023, this division will be conducting in-person and Microsoft TEAMS hearings. Judge Koenig has one permanent single virtual courtroom link at:

<https://fl18.org/judgekoenig>

Or call in (audio only)

+1 386-310-1754

Phone Conference ID: 928 477 319#

No individual invitations will be sent to attendees of the TEAMS link.

Allana Edwards is the Judicial Assistant for Judge David C. Koenig. **Email** is the most effective way to communicate with the Judicial Assistant:

[allana.edwards@flcourts18.org](mailto:allana.edwards@flcourts18.org)

### **PROCEDURES FOR SCHEDULING HEARINGS:**

Please email the Judicial Assistant, Allana Edwards, to request a hearing.

Include: Opposing Counsel (if applicable)

Case Number and Party Names

Motion(s) requesting to be heard

Amount of time requested

For purposes of time management, this Court schedules Motions to Dismiss for a minimum of 30 minutes. All Final Eviction Hearings are scheduled for one hour.

Once a date and time is agreed upon by all parties, confirm with the Judicial Assistant that this date is still available. Once it is confirmed, please email a copy of the Notice of Hearing to Allana Edwards at [allana.edwards@flcourts18.org](mailto:allana.edwards@flcourts18.org).

### **MICROSOFT TEAMS HEARINGS:**

Judge Koenig allows parties to attend all hearings by Microsoft TEAMS. In the event that an in person is being requested please let the Judicial Assistant know when requesting hearing time as an available courtroom would need to be reserved.

**CANCELLING HEARINGS:**

If you are cancelling a hearing, you MUST immediately contact the Judicial Assistant via email to cancel the hearing and file a notice of cancellation.

**Case Law Submission**

If parties are appearing remotely, please provide either emailed or hard copies of case law and exhibits by mail or hand delivery to the Judicial Assistant a week prior to the hearing.

**Uncontested Divorce Hearings**

For Pro Se parties representing themselves, forms can be found at <http://www.brevardclerk.us>.

Judge Koenig will sign a Final Judgment for an Uncontested Dissolution of Marriage, without a hearing, providing the checklist below is complete. If a name change is being requested, a hearing is needed. Please submit a proposed Final Judgment via email to the Judicial Assistant. Otherwise, please contact the Judicial Assistant to schedule this for a hearing.

**UNCONTESTED DISSOLUTION OF MARRIAGE-CHECKLIST**

- \_\_\_\_\_ PROPOSED FINAL JUDGMENT
- \_\_\_\_\_ FINANCIAL AFFIDAVIT FOR WIFE
- \_\_\_\_\_ FINANCIAL AFFIDAVIT FOR HUSBAND
- \_\_\_\_\_ SETTLEMENT AGREEMENT
- \_\_\_\_\_ ANSWER & WAIVER BY RESPONDENT
- \_\_\_\_\_ AFFIDAVIT OF CORROBORATING WITNESS RE:  
RESIDENCY OR BRING A WITNESS OR DRIVER’S LICENSE ISSUED MORE THAN 6 MONTHS PRIOR  
TO FILING.
- \_\_\_\_\_ WIFE RESTORES TO PRIOR NAME **\*HEARING IS NEEDED\***
- \_\_\_\_\_ ATTESTATION CERTIFICATE FOR WIFE
- \_\_\_\_\_ ATTESTATION CERTIFICATE FOR HUSBAND
- \_\_\_\_\_ NOTICE OF SOCIAL SECURITY FOR WIFE
- \_\_\_\_\_ NOTICE OF SOCIAL SECURITY FOR HUSBAND
- \_\_\_\_\_ NOTICE OF RELATED CASES
- IF CHILDREN:
  - \_\_\_\_\_ COPE CLASS CERTIFICATE FOR WIFE
  - \_\_\_\_\_ COPE CLASS CERTIFICATE FOR HUSBAND
  - \_\_\_\_\_ AFFIDAVIT OF UCCJEA/DEPENDENCY ACTION
  - \_\_\_\_\_ CHILD SUPPORT GUIDELINE CALCULATIONS
  - \_\_\_\_\_ AFFIDAVIT REGARDING JUVENILE DEPENDENCY
  - \_\_\_\_\_ NOTICE OF SOCIAL SECURITY FOR CHILD(REN)

\_\_\_\_\_ PARENTING PLAN

**PROPOSED ORDERS:**

All orders should be submitted through the eportal for Judge Koenig to review. If an order is rejected, there will be an explanation as to why.

**When submitting the order to Judge Koenig, 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](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 or 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.

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.

***If*** you are unable to successfully submit your proposed order to Judge Koenig via the portal, you can email the proposed order in word format with a signature line and date line to the Judicial Assistant.

### **SMALL CLAIMS—PRETRIAL CONFERENCE**

The proceedings are held in-person or via Judge Koenig's Virtual Courtroom link:

<https://fl18.org/judgekoenig>

Or call in (audio only)

+1 386-310-1754

Conference ID: 928 477 319#

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

If the case is involved in Mediation, you can contact: [BrevardMediation@flcourts18.org](mailto: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](http://flcourts18.org/court-programs/odr) or email [brevardodr@flcourts18.org](mailto:brevardodr@flcourts18.org). You ***must*** fill out the Non-Attorney Designation of Email Address form to participate in On-line Dispute Resolution.

### **NOTICE FOR TRIAL**

When e-filing a notice for trial, please specify if you are requesting a non-jury trial or a jury trial, and specify the amount of time required.

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. For Non-Jury Trials, all parties can appear before the Court in-person or by virtual appearance. For Jury Trials, all parties are expected to appear before the Court in-person for the entire duration of the Jury Trial.