

HONORABLE GEORGE T. PAULK

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CASE MANAGEMENT PLANS AND ORDERS:

Please see website for instructions: <https://flcourts18.org/brevard-county-procedures-for-case-management-plan-order-and-setting-trials/> An OTSC hearing will be set for non-compliance. Once an OTSC is set, counsel has five business days from issuance of the OTSC to resolve by filing a CMP/CMO. Once approved by Civil Case Managers, you will receive an email for counsel to send to the JA an order cancelling OTSC. If your CMP is filed after the five-days, plan on attending the OTSC. The CMP will not be reviewed on an expedited basis and the hearing will not be cancelled.

Setting CIVIL Hearings:

Format:

15 minute hearings- VIA PHONE. All parties must be on the same line prior to calling the Court.

In Person or Teams. Teams must be less than an hour.

One hour and over and Evidentiary hearings: In Person Only.

Scheduling Conferences: In Person Only.

Pre-Trial Conferences: In Person Only.

CMC Hearings: In Person Only.

****If Orders to Appear state in person only, please do not call the JA asking if counsel can appear by phone or Teams.**

Judge Paulk utilizes the JACS (Judicial Automated Calendaring System) for setting hearings on www.flcourts18.org under Citizen and Attorney Resources. Detailed instructions below. You will need to log in and your attorney must be in the list. If they are not, please contact me to add. Pro se parties are listed as "Pro Se" in the attorney list, bar no. 9999999.

All motions must be e-filed and accepted by the Clerk's office. JACS will require the document id number, NOT e-filing submission number. The motion must be docketed to the Clerk's register of actions.

Hearing time is in 15 min increments. Please coordinate hearing dates and times with opposing before setting the hearing. If you need more time, please locate consecutive 15-minute hearing time for the total time needed. Contact the JA before setting to block those times so you do not have to set multiple time slots.

Please provide complete information for all fields. You must include email addresses of all counsel appearing via TEAMS and separated by a " ; The movant Atty will be responsible for creating and distributing the TEAMS information and using the judicial assistants email address for the court.

Cancelling Hearings !

Please notify the JA immediately of cancellations. A Notice of Cancellation must be efiled with the Clerk AND emailed to the JA.

Emergency Hearings

The motion should be emailed for the Judge to review and instructions on how to set.

ORDER SUBMISSION

All Orders should be mailed, couriered, hand delivered or Fedex to chambers for review and signature. DO NOT EMAIL.

- ***Substitutions of Counsel must have the client's consent attached as well.***

PLEADINGS – It is assumed that every document efiled with the Clerk's Office for our division runs through this office and we see it. We do not. We do not know what is filed and when, unless counsel/party tell us. All pleadings filed are simply that, FILED. This office does not get notification of filings. If there is a pleading you need the Court to review, please contact the JA with the information after the pleading is filed for further instructions.

Courtesy Copies for Hearings

Courtesy copies of motions, case law, exhibits, etc. should be provided 2 weeks before the hearing via mail, courier, hand delivery or FedEx. DO NOT EMAIL. Last minute filings should be couriered over or hand delivered.

Trial Dockets

Cases called up for trial should be ready to go to trial. All pretrial motions must be heard prior to the first day of trial. The order of trial issued is not indicative of the order in which the case will be called up for trial. The cases may be called up random. Keep in touch with the cases above your case for a status, because the court is sometimes the last to find out if a case has settled.

Notices of Hearing

Please file within 24 hours for the Clerk's to process and timely docket. The doc. id. number from the Clerk's register of actions, for the motion(s) being heard, should be on the NOH.

Discovery Motions/Objections

Counsel is to mail/courier the efiled motion, served on all parties/counsel, to the court with a proposed order. Please do not title the pleading "ex parte." The Court will review and may enter without hearing. If a hearing is required, the JA will contact counsel to set.

Summary Judgment

The new rules dictate when this hearing can be set. Judge Paulk would like these heard as soon after the timeline passes. You can set on JACS and/or contact the JA for cancellations. Once the hearing is set, please send courtesy copies along with the notice of hearing, via MAIL/COURIER, not email.

Motions to Dismiss

Set for hearing as soon as possible after filing. You can set on JACS. Please contact the JA for cancellations. Once the hearing is set, please send courtesy copies along with the notice of hearing, via MAIL/COURIER, not email.

Motions in Limine/Deposition Designations

Must be heard prior to trial and not on the first day of trial. Counsel is to meet and confer prior to hearing and present those MILs/Designations which counsel cannot agree.

Rehearing/Reconsideration/New Trial

MAIL or COURIER, not email, a copy of the filed motion. The Court will review and determine if a hearing is required. Counsel may not set a hearing without approval from the court.

Stipulations for Dismissal/Orders of Dismissal

Unless a Motion to Dismiss is granted, where an Order of Dismissal is appropriate and submitted as instructed above, stipulations for dismissal and final orders of dismissal ARE NOT REQUIRED to be signed. R.Civ.Pro. 1.420(a)1(B) allows the court to dismiss an action without an order. The Clerk can close the file. An order is not necessary and will not be signed. This may seem de minimis for one case, but in the aggregate of all cases, is substantial, especially for the clerk.

Defaults / Final Judgments

All motions for court default in all cases, must be set for hearing.

Final Judgment on Default hearing is not required *except in Foreclosure matters, which a hearing must be set.*

Once a Default is entered, a Motion for Final Judgment on Default with supporting affidavits and a proposed Final Judgment should be mailed or couriered to the Court for execution. Please provide copies for conforming and SASE for those parties not on the eservice list.

Motions for Attorney's Fees

Must include a statement of billable hours and hourly rate. Counsel should ensure enough time is set for the fee hearing itself.

Pre-Trial Scheduling Orders/Scheduling Conference Orders/Case Management Orders/ Order of Trials

IMPORTANT: Please read ALL these Orders in their entirety. Each has specific instructions and requirements on appearance and contact.

Failure to comply with Pre-Trial Scheduling Orders regarding time frames for conferring on pre-trial motions, including motions in limine, deposition designations and objections, and submitting matters to be heard by the Court, timely prior to trial, often results in avoidable and unreasonable delay.

PreTrial Stipulations/Joint PreTrial Stipulations and Jury Instructions

These should be filed 3 business days before the pre-trial conference hearing and courtesy copies mailed, courier, hand delivered or FedEx 3 days prior to the pre-trial conference hearing directly to Judge.

Residential Foreclosure Cases

A General Magistrate has been appointed to hear residential foreclosure matters. In most circumstances, a hearing may be available sooner than what is available with the Judge. You can ask the case be referred to the GM, Suzie McQuagge. The GM can hear virtually everything except Non Jury Trials. Once the referral is done and objection period has passed, a hearing can be set on her JACS calendar.

Substitution of Parties/Counsel must be reviewed by the Judge and may not require a hearing. Please send motion and proposed order via MAIL or Courier only. Substitution of Counsel must have client's consent.

Motions for Court Default must be set for hearing.

Final Judgment on Default in *Foreclosure matters* must be set for hearing.

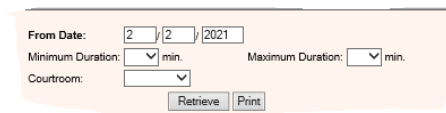
Self-Addressed Stamped Envelopes – do not allow machine to seal when placing postage on them. They will be discarded and conformed copies will not be sent.

Attorney Ad Litem Appointments – do not require a hearing. Submit motion and complete, proposed order to Judge via mail/courier. Do not email. The order must include all attorney ad litem's duties including the filing reports on the diligent search, etc. Incomplete orders will not be signed and will be returned.

Rescheduling Sale Dates (Foreclosures) – does not require a hearing. Send motion and proposed order via mail/courier. State in your motion when you are asking the Court to reset, if such a request is made.

HOW TO SET A HEARING ON JACs – Honorable George Paulk

1. Go to www.flcourts18.org
2. Select Attorney & Citizen Resources
3. Click on “Go to Attorney Resources”
4. Click on JACs Docketing and Calendar
5. Select under “JACs” Schedule an in Person Hearing – Requires Login (You will have the option to change to Teams rather than in person.)
6. Login. If you do not have one select “How to sign up for JACs Account”
7. Type in your login/password and from the drop-down menu select “Civil Div. M – Judge Paulk click on login.
8. Here you can select “Display a list of available hearing dates.” The screen will split to top and bottom and the following will appear. Do not change anything. We do not have courtroom assignment and we only have hearings in 15-minute increments. Click on Retrieve. The top of the screen will show all available hearing time.



The screenshot shows a web form for scheduling a hearing. It includes the following fields and controls:

- From Date:** A date picker set to 2/2/2021.
- Minimum Duration:** A dropdown menu with a downward arrow.
- Maximum Duration:** A dropdown menu with a downward arrow.
- Courtroom:** A dropdown menu with a downward arrow.
- Buttons:** Two buttons labeled "Retrieve" and "Print" are located at the bottom of the form.

9. Once coordinated, on the bottom of the split screen, select “Schedule an In-Person Hearing.” You will have the option later to select in person or TEAMS.
10. Follow the prompts to set the hearing. Please fill out everything completely. The movant Atty will be responsible for creating and distributing Teams information.. Thank you.

Any issues with JACS, please go to: <https://fl18.org/jacsrequest>