

# Brevard County Procedures for Setting Circuit Civil Trials

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## Case Management Plan and proposed Case Management Order as required in AO NO: 21-24, 2<sup>nd</sup> Amended:

1. Using the suggested guidelines in the sample Case Management Plan, the parties are to agree to cut-off deadlines and a projected month and year the case will be ready to be tried. **Indicate in the appropriate box the expected number of days that will be needed to try the case and if the trial shall be a jury or a non-jury trial.** All pro se parties and/or counsel must sign the plan to acknowledge agreement. These documents can be obtained at [flcourts18.org/case-management/](http://flcourts18.org/case-management/)

**The deadlines in the Brevard Case Management Plan SHALL NOT be in exact date format. Agreed upon cut-off deadlines shall be in the same format as the examples in the guidelines. Do not use *ranges of days* prior to trial as deadlines.**

**Brevard County judges will not accept unilateral Case Management Plans** unless the parties have been defaulted. If no agreement is reached or if the case management plan and order are not filed and submitted following these instructions, an Order to Show Cause will be issued pursuant to AO 21-24 2<sup>nd</sup> Amended, paragraph 16.

If the parties fail to comply with AO 21-24 2<sup>nd</sup> Amended an Order to Show Cause for non-compliance will be issued. The parties will have ten (10) days to remedy the deficiency from the date of entry. If not completed by the due date, **all trial counsel, not coverage counsel**, and/or pro se parties are to appear before the Court **in person only** to explain to the Court why the Case Management Plan and Case Management Order were not completed timely as ordered both in AO 21-24 2<sup>nd</sup> Amended, and by the order to appear and show cause. Show cause hearings will **not** be cancelled if the documents are filed/received and CMO is entered if done after the due date ordered in the Order to Appear and Show Cause.

2. The proposed Case Management Order **shall be filled in** to match the agreed upon cut-off deadlines and projected trial month and year that have been agreed upon in the Case Management Plan.
3. The Case Management Plan is to be E-filed. **DO NOT E-FILE THE PROPOSED CASE MANAGEMENT ORDER OR FILE IT AS ATTACHED TO THE CASE MANAGEMENT PLAN.**
4. A courtesy copy of the e-filed Case Management Plan along with the proposed Case Management Order are to be sent to [joanna.linkous@flcourts18.org](mailto:joanna.linkous@flcourts18.org) and [jennie.buono@flcourts18.org](mailto:jennie.buono@flcourts18.org). The proposed Case Management Order is to be provided as a separate Word document.

#### **Notice for Trial:**

1. A Notice for Trial shall be filed when the case is at issue for trial, however, pursuant to paragraph 17 of AO 21-24, 2<sup>nd</sup> Amended, the court may, on its own set the trial date as agreed to in the case management plan.
2. Include Joanna Linkous, [Joanna.Linkous@flcourts18.org](mailto:Joanna.Linkous@flcourts18.org), and Jennie Buono, [jennie.buono@flcourts18.org](mailto:jennie.buono@flcourts18.org) on the E-Service list when filing the Notice on the E-Filing Portal, <https://www.myflcourtaccess.com>.
3. Cases are reviewed within thirty (30) days of filing Notice.
4. The Notice for Trial shall contain the number of days needed for the entire case to be presented (including jury selection, opening, presentation of plaintiff and defense cases, closing, and jury deliberation) and whether jury or non-jury is requested.
5. If opposing counsel or Pro se (self-represented) party desire more time for trial, they shall immediately file a response to the Notice for Trial.
6. Do not send hard copies of the Notice or stamped envelopes to the judge or trial coordinators.

#### **Jury trials and Non-jury trials (including Residential Foreclosure):**

1. Trials will be set in accordance with the projected date of trial indicated in the Case Management Order filed in each case pursuant to Administrative Order 21-24: In Re: Civil Case Management.
2. The parties will receive a Trial Order with a firm trial date once the case is at issue in accordance with FL.R.Civ.P 1.440.

#### **Order of Trials:**

1. Entered approximately four to six (4-6) weeks prior to the trial docket.
2. Will notify how the cases are called up and contact information needed prior to trial docket.

**Pre-Trial Conferences:**

1. Date will be set and included in the Trial Order.
2. Pre-Trial Stipulations are required.

For more information on trial procedures, please review the [Florida Rules of Civil Procedure](#) on The [Florida Bar website](#).

For assistance with the setting of Civil Trials in Brevard County, please contact:

Joanna Linkous, 321-633-2128, [Joanna.linkous@flcourts18.org](mailto:Joanna.linkous@flcourts18.org) or  
Jennie Buono, 321-637-5303, [jennie.buono@flcourts18.org](mailto:jennie.buono@flcourts18.org)