

IN THE CIRCUIT COURT OF THE
EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR BREVARD COUNTY,
FLORIDA

ADMINISTRATIVE ORDER NO.:
21-20-B
SUPERSEDES 20-01-B

**IN RE: COUNTY COURT - SMALL CLAIMS PRE-TRIAL CONFERENCE IN PIP CAUSES OF
ACTION OR ACTIONS WHEREIN AN INSURANCE CARRIER IS NAMED AS A
DEFENDANT**

Whereas, in the effort to effectively and expeditiously address cases in the Small Claims Division of the Brevard County Civil Court;

Whereas, in the effort to more effectively utilize the resources of the County Mediation Department, and assist the Clerk of Court with respect to continuances, rescheduling, or cancellation of pending Small Claims actions wherein each side is represented by counsel in a “PIP” action or in actions wherein an insurance carrier is a named defendant;

Whereas, Clerk of Court’s exercise of the aforesaid authority and discretion would greatly assist in reducing the County Court’s Small Claims dockets, and demands upon the County Court Judges and their judicial assistants for decisions on routine matters;

WHEREAS the ongoing public health emergency requires efforts be made to reduce the number of persons appearing, in person and at the same time, for Small Claims Pretrial Conferences; and,

WHEREAS limiting the number of such cases, staggering their commencement times, and notifying parties and counsel of the option to appear by videoconference will tend to promote the public health and the orderly administration of justice in Small Claims Pretrial Conferences.

Therefore, it is hereby **ORDERED**;

1. That the Clerk of Court shall cancel the Small Claims pre-trial conference when:
 - a. The Plaintiff is represented by counsel;
 - b. The Defendant insurance carrier and the Insured are also represented by counsel;
and,
 - c. Counsel for each respective party has filed a “Notice of Appearance” with the Clerk of the Court through Florida’s E-filing portal at least five (5) business days before the scheduled pre-trial conference.

2. That the Clerk of Court shall then remove case from the Small Claims docket with the progress docket reflecting that the Pre-Trial Conference has been cancelled pursuant to this Administrative Order. The Florida's Rules of Civil Procedure shall be invoked with the case to be noticed for trial by either party once ready.
 3. In consultation with the Presiding Judge, the Clerk shall limit the number of cases set for Small Claims Pretrial Conferences.
 4. The times for commencement of Small Claims Pretrial Conferences shall be staggered and the summonses shall reflect the staggered times.
 5. The summonses issued in Small Claims cases shall include the following language:
The parties and counsel may appear for Small Claims Pretrial Conference either:
 - a. In person, provided they comply with the applicable public health requirements;
or,
 - b. By videoconference as arranged in advance by email with the Judicial Assistant to the Presiding Judge.”
 6. The Presiding Judge shall facilitate videoconference attendance at Small Claims Pretrial Conferences, in accordance with the foregoing.
- DONE AND ORDERED this 23rd day of March, 2021.

LISA DAVIDSON
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CHIEF JUDGE

Distribution:

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