

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

ADMINISTRATIVE ORDER NO.:
20-26-B

**IN RE: COUNTY COURT – SMALL CLAIMS MANDATORY ONLINE DISPUTE RESOLUTION
PROTOCOL**

Whereas the Administrative Orders from the Florida Supreme Court and the Chief Judge of the 18th Judicial Circuit have authorized changes to court procedures due to the current public health emergency;

Whereas, consistent with the said Administrative Orders, precautions are required with respect to large volume proceedings such as small claims pretrial conferences;

Whereas Online Dispute Resolution (ODR) may be employed to reduce the number of persons assembling for small claims pretrial conferences and, thereby, and promote public health; and,

Whereas Brevard County has initiated a pilot program of ODR which is currently operated free of charge.

Therefore, it is **ORDERED** that,

Effective with Small Claims filings in Brevard County on or after May 15, 2020, except for “PIP” actions or lawsuits involving an insurance carrier:

1. In each Small Claims case where the Plaintiff is represented by counsel and the Defendant is not represented by counsel, the parties shall participate in ODR prior to the Pretrial Conference date, as set forth in the language attached to the summons;
2. Small Claims Pretrial Conferences may be continued to facilitate participation in ODR; and,
3. Small Claims summonses issued by the Clerk of Court shall attach a blank Non-Attorney Designation of Email Address form and a separate page, to be served with the summons, containing the following language:

ONLINE DISPUTE RESOLUTION

Within 10 days of service of the summons, complete a Non-Attorney Designation of Email Address form and file it with the Clerk of Court. The form may be found at

<http://www.brevardclerk.us/index.cfm/small-claims-forms> and may be filed using the application at <https://www.myflcourtaccess.com>.

You will then receive notice of hearings by email be able to participate in Online Dispute Resolution (ODR).

All parties and attorneys are required to use Online Dispute Resolution (ODR) to attempt to resolve their dispute before the Pretrial Conference. Parties may request the assistance of a mediator during ODR.

There is no charge to either party.

Parties and attorneys may participate in ODR using their smartphone, computer, or tablet at any time prior to the Pretrial Conference, including evenings and weekends. If the parties reach an agreement using ODR, and the agreement is filed with the Clerk of Court, the parties will not have to appear in court on the Pretrial Conference date.

If you have not reached a settlement agreement before the Pretrial Conference date, you are required to attend the Pretrial Conference as indicated on the summons. Failure to attend the proceedings, when required, may result in the entry of a default judgment against you.

Questions and other communication concerning ODR should be directed to: BrevardODR@flcourts18.org.

DONE and ORDRED this 18th day of May, 2020

LISA DAVIDSON
LISA DAVIDSON
CHIEF JUDGE

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