

PROPOSED ORDERS – BREVARD COUNTY

Brevard County judges accepting proposed orders through the portal are listed below. For information related to each judge's requirements, please select the link for the applicable judge. Failure to comply with the instructions for the applicable judge may result in your filing being moved to the Pending Queue for correction.

Judge Lisa Davidson – No longer accepting proposed orders

Judge David Silverman – [PROPOSED ORDERS – JUDGE DAVID SILVERMAN](#)

Judge Rhonda Babb – [PROPOSED ORDERS – JUDGE RHONDA BABB](#)

Judge Tonya Rainwater – [PROPOSED ORDERS – JUDGE TONYA RAINWATER](#)

Judge Christina Serrano – [PROPOSED ORDERS – JUDGE CHRISTINA SERRANO \(email only\)](#)

Judge Charles Crawford – [PROPOSED ORDERS – JUDGE CHARLES CRAWFORD](#)

Judge Kenneth Friedland – [PROPOSED ORDERS – JUDGE KENNETH FRIEDLAND](#)

Judge Benjamin Garagozlo – [PROPOSED ORDERS - JUDGE BENJAMIN GARAGOZLO](#)

Judge David Dugan – [PROPOSED ORDERS – JUDGE DAVID DUGAN](#)

Judge Michelle Baker – [PROPOSED ORDERS – JUDGE MICHELLE BAKER](#)

*****The proposed order functionality inserts the judge's signature and a Certificate of Service on all electronically signed orders. The inserted information may create additional pages from the originally submitted document. Be aware of the possibility of additional pages when ordering copies and determining recording fees. To confirm the number of pages of a completed document, view the attachment to the applicable Service of Court Document email that you received for the filing.*****

PROPOSED ORDERS – JUDGE DAVID SILVERMAN

Effective Tuesday, September 6, 2016, Judge David Silverman will accept proposed orders through the portal for all divisions. However, he will **NOT** accept proposed Writs of Possession, Writs of Continuing Garnishment, and Writs of Replevin. Failure to follow the below guidelines may result in your filing being returned to the Correction Queue by the judge. You may wish to visit Judge Silverman’s website for more information regarding procedures related to cases assigned to him (www.davidsilverman.com).

FILING REQUIREMENTS

- Each filing must contain a Cover Letter and at least one proposed order. A preferred Cover Letter is included. The Cover Letter must be in pdf format.
- The Filer must select himself/herself in the e-service list and all other listed recipients.
- Use the phrase “Done and Ordered” only as part of the judge’s signature block. **The sign and file process strips all text after the word “Ordered” and inserts the judge’s signature and a Certificate of Service.** Suggested to use “it is therefore Adjudged....” in the body of a proposed order instead of “it is therefore Ordered and Adjudged...”
- There cannot be any attachments to the proposed order (such as a Fact Information Sheet).

PROPOSED ORDER REQUIREMENTS

- Must be a Word document (.docx extension).
- No additional formatting – text boxes, macros, headers, footers, etc.
- Each order must be submitted as a separate document.
- Each order must contain the following statement:

It is further ORDERED and ADJUDGED that within 5 days from the date of eservice of this Order/Judgment the Plaintiff shall:

1. Furnish a copy of this Order/Judgment to each self-represented party by U.S. Mail, first class, postage paid; and,
2. File a certificate signed by Plaintiff’s counsel that delivery of this Order/Judgment as been made as set forth herein.

FINAL JUDGMENTS OF EVICTION

TO REQUEST A FINAL JUDGMENT OF EVICTION BE SIGNED BY JUDGE DAVID E. SILVERMAN

1. **AFTER** a Clerk’s Default or Notice that the Clerk will not be Issuing a Default has been issued;
2. Please submit the proposed “Final Judgment of Eviction” form via the e-portal.

Please note: The proposed “Final Judgment of Eviction” form can be found at davidsilverman.com/filings

UNCONTESTED DISSOLUTIONS OF MARRIAGE (UDOM)

TO SCHEDULE A FINAL HEARING before Judge David E. Silverman:

1. Please visit davidsilverman.com/calendar/UDOM; then
2. Email Jessica.Silva@flcourts18.org with case number and requested hearing date and time.

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3. The morning of the scheduled final hearing, please upload the proposed “Final Judgment for Dissolution of Marriage” via the portal.

PROPOSED ORDERS – JUDGE RHONDA BABB

Effective Thursday, May 3, 2018, Judge Rhonda Babb requires that all proposed orders be submitted through the portal in County Criminal, Criminal Traffic, and Civil Traffic cases. When e-filing a proposed order, please contact the Judicial Assistant by email at Henrietta.frazier@flcourts18.org and provide the case number/style and the submission number for the proposed order. Failure to follow the below guidelines may result in your filing being returned to the Correction Queue by the judge.

FILING REQUIREMENTS

- Each filing must contain a Cover Letter and at least one proposed order. A preferred Cover Letter is included. The Cover Letter must be in pdf format.
- The Filer must select himself/herself in the e-service list and all other listed recipients.
- Use the phrase “Done and Ordered” only as part of the judge’s signature block. **The sign and file process strips all text after the word “Ordered” and inserts the judge’s signature and a Certificate of Service.** Suggested to use “it is therefore Adjudged....” in the body of a proposed order instead of “it is therefore Ordered and Adjudged...”
- There cannot be any attachments to the proposed order.

PROPOSED ORDER REQUIREMENTS

- Must be a Word document (.docs extension).
- No additional formatting – text boxes, macros, headers, footers, etc.
- Each order must be submitted as a separate document.
- Each order must contain the following statement:

It is further ORDERED and ADJUDGED that within 5 days from the date of eservice of this Order/Judgment the Plaintiff shall:

3. Furnish a copy of this Order/Judgment to each self-represented party by U.S. Mail, first class, postage paid; and,
4. File a certificate signed by Plaintiff’s counsel that delivery of this Order/Judgment as been made as set forth herein.

Date of submission

Dear Judge Babb:

This letter accompanies a proposed Order or Judgment that is being submitted through the E-Portal for entry in the following case: Case Name: **Name of case**; Case Number: **Case number**. This proposed Order or Judgment is titled **Title of Order** and it comprises **Number of pages** pages.

This proposed Order or Judgment is submitted for entry after hearing on **Date of hearing** without hearing.

The opposing party has has not been furnished a copy of this proposed Order or Judgment. If furnished to the opposing party, it was furnished by **Email, U.S. Mail or other**

service on Date of service. If furnished to the opposing party, the opposing party has has not objected to the proposed Order or Judgment.

The attorney or party submitting this proposed Order or Judgment is as follows: Name of attorney or, if unrepresented, name of party; If attorney, Florida Bar Number; Email address; Mailing address; and, Telephone number. The attorney or party is or represents the Plaintiff or Defendant.

Sincerely,

Name, title, email address and Florida Bar Number, if applicable, of person signing letter

PROPOSED ORDERS – JUDGE TONYA RAINWATER

Probate and Guardianship cases ONLY.

Effective January 1, 2019, ALL guardianship orders must be filed through the portal including proposed orders resulting from a hearing in which Judge Rainwater made a ruling. When e-filing a proposed order that resulted from a ruling made by Judge Rainwater, please contact the Judicial Assistant by email at megan.taylor@flcourts18.org and provide the case number/style, if there is opposing counsel please state whether or not they have any objections to the proposed order (and include them on the email), date of the hearing and the submission number for the proposed order.

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
 - pdf format

- PROPOSED ORDER (samples attached)
 - Word document (.docx extension)
 - No additional formatting – text boxes, macros, etc.
 - Each order must be submitted as a separate document.
 - Do not leave the bond amount blank in the appropriate order appointing personal representative in a formal administration (intestate or testate). Please insert “\$0” or “waived” as the amount of the bond.
 - The judge cannot enter any data into the proposed orders (granted/denied, names, attorney fee amounts, etc.).
 - Use the phrase “Done and Ordered” only as part of the judge’s signature block. **The sign and file process strips all text after the word “Ordered” and inserts the judge’s signature and a Certificate of Service.** Suggested to use “it is therefore Adjudged....” in the body of a proposed order instead of “it is therefore Ordered and Adjudged...”
 - There cannot be any attachments to the proposed order.

IN THE CIRCUIT COURT IN AND
FOR BREVARD COUNTY, FLORIDA
PROBATE DIVISION

CASE NO: 05-2015-CP-012345-XXXX-XX

IN RE: ESTATE OF JANE DOE

ORDER APPOINTING PERSONAL REPRESENTATIVE

(Intestate)

On the Petition of MARY DOE for administration of the estate of JANE DOE, deceased, the court finding that the decedent died on January 1, 2016, and that MARY DOE is entitled to appointment as personal representative by reason of being the wife of the deceased and a devisee, it is

ADJUDGED that MARY DOE is appointed Personal Representative of the Estate of the Decedent, and that upon taking the prescribed oath, filing designation of resident agent and acceptance, and entering into bond in the sum of \$WAIVED, Letters of Administration shall be issued.

IN THE CIRCUIT COURT IN AND
FOR BREVARD COUNTY, FLORIDA
PROBATE DIVISION

CASE NO: 05-2015-CP-012345-XXXX-XX

IN RE: ESTATE OF JANE DOE

LETTERS OF ADMINISTRATION

TO ALL WHOM IT MAY CONCERN

WHEREAS, JANE DOE, a resident of Brevard County, FL, died on January 1, 2016, owning assets in the State of Florida, and

WHEREAS, MARY DOE, has been appointed personal representative of the estate of the Decedent and has performed all acts prerequisite to issuance of Letters of Administration in the Estate,

NOW, THEREFORE, I, the undersigned Circuit Judge, declare MARY DOE to be duly qualified under the laws of the State of Florida to act as personal representative of the estate of JANE DOE, deceased, with full power to administer the estate according to law; to ask, demand, sue for, recover and receive the property of the decedent; to pay the debts of the Decedent as far as the assets of the estate will permit and the law directs; and to make distribution of the estate according to law.

PROPOSED ORDERS – JUDGE CHRISTINA SERRANO

Email ONLY

Effective February 23, 2017, Proposed Orders may be submitted by **email** to carmen.reyes@flcourts18.org. Emailed document(s) should be submitted in Word Format and should not be encrypted. The party submitting the Proposed Order shall be directed to mail a copy to any self-represented party and file a certificate of mailing that they have done so. Proposed Orders must include the following language:

It is further ORDERED and ADJUDGED that within 5 days from the date of service of this Order/Judgment the Petitioner/Respondent shall:

1. Furnish a copy of this Order/Judgment to each self-represented party by U.S. postal mail, first class, postage paid;

and

2. File a Certificate of Mailing signed by counsel that delivery of this Order/Judgment has been made as set forth hereto.

PROPOSED ORDERS – JUDGE CHARLES CRAWFORD

Effective Wednesday, November 15, 2017, **ALL** proposed orders submitted to Judge Charles Crawford **MUST** be submitted through the portal in the Dependency Division. Failure to follow the below guidelines may result in your filing being returned to the Correction Queue by the judge.

FILING REQUIREMENTS

- Each filing must contain a Cover Letter and at least one proposed order. The Cover Letter must be in pdf format.
- The Filer must select himself/herself in the e-service list and all other listed recipients.
- Use the phrase “Done and Ordered” only as part of the judge’s signature block. **The sign and file process strips all text after the word “Ordered” and inserts the judge’s signature and a Certificate of Service.** Suggested to use “it is therefore Adjudged....” in the body of a proposed order instead of “it is therefore Ordered and Adjudged...”
- There cannot be any attachments to the proposed order.

PROPOSED ORDER REQUIREMENTS

- Must be a Word document (.docx format).
- No additional formatting – text boxes, macros, headers, footers, etc.
- Each order must be submitted as a separate document.
- Each order must contain the following statement:

It is further ORDERED and ADJUDGED that, if there are self-represented parties, within 5 days from the date of eservice of this Order/Judgment the (Department, Program, Mother’s Attorney, etc., as applicable) shall:

1. Furnish a copy of this Order/Judgment to each self-represented party by U.S. Mail, first class, postage paid; and,
2. File a certificate signed by the (Department’s, Program’s Mother’s, etc. as applicable) counsel that delivery of this Order/Judgment as been made as set forth herein.

PROPOSED ORDERS – JUDGE KENNETH FRIEDLAND

Effective January 1, 2019, Judge Friedland will no longer be accepting proposed orders through the portal.

PROPOSED ORDERS - JUDGE BENJAMIN GARAGOZLO

Effective Monday, April 9, 2018, Judge Benjamin Garagozlo will accept proposed orders and judgments through the Portal in Civil and Small Claims Actions – **Only**.

All other proposed orders and proposed judgments to be filed with the Court via U.S. Mail, courier service, overnight/express mail, hand delivery unless as otherwise authorized by the Judge's Judicial Assistant in advance.

At present the following proposed orders may be filed through the Portal:

I. **Civil/Small Claims Cases – excluding Eviction cases**

- (i) Default Final Judgment;
- (ii) Consent Final Judgment;
- (iii) Stipulated Order.

Eviction Cases

- (i) Default Final Judgment for Eviction after entry of Default by Clerk. However, Court will not receive a proposed Writ of Possession.

Note: If a Default cannot be entered by Clerk as a matter of law, promptly contact the Judicial Assistant to set matter for hearing.

Dissolution of Marriage cases

*Please bring the Original Final Judgment and Orders with you to court on the date of your scheduled hearing with self-addressed envelopes for the opposing side.

FILING REQUIREMENTS

- Each filing must contain one (1) cover letter and at one (1) proposed Order/Judgment.
- The Filer must select himself/herself in the e-service.
- **Cover Letter**
 - Must be in pdf format and contain an immediate contact telephone number and/or email address for the e-filer
- **Proposed Order**
 - Must be in Word format (.docx extension);
 - No additional formatting – text boxes, macros, etc.;
 - There cannot be any attachments to the proposed Order;
 - Judge cannot enter data into the proposed Order (i.e. granted/denied; attorney's fees; costs), otherwise please see mailing instructions set out below;
 - Body of Order : suggested language:
 - "it is therefore Adjudged ..." in the body of the proposed Order in lieu of "it is therefore Ordered and adjudged ..."
 - Judge's signature block: use the phrase "**Done and Ordered**" only as part of the Judge's signature block;
 - Certificate of Service directive: each Order shall contain language reflecting the following:

“within five (5) days from the date of e-service of this Order/Judgment, Plaintiff shall furnish a copy of this Order/Judgment to each self-represented party by U.S. Mail, First Class, postage paid together with a certificate signed by Plaintiff’s counsel that delivery of this Order/Judgment has been made.”.

II. PROBATE CASES

Effective January 1, 2019, Judge Garagozlo will be accepting probate orders through the portal for the following proposed orders *only*:

- (i) Proposed orders for an ex parte matter that is uncontested wherein all interested parties have been served/notice of the document(s) to be addressed;
- (ii) Proposed orders after a ruling issued by Judge Garagozlo.

FILING REQUIREMENTS

- Each filing must contain one (1) cover letter and at one (1) proposed Order/Judgment.
- The Filer must select himself/herself in the e-service.
- **Cover Letter**
 - Must be in pdf format and contain an immediate contact telephone number and/or email address for the e-filer
 - * Letter should state whether or not if there is any objections to the proposed order; date of the hearing; and the submission number for the proposed order.
- **Proposed Order**
 - Must be in Word format (.docx extension);
 - No additional formatting – text boxes, macros, etc.;
 - There cannot be any attachments to the proposed Order;
 - Judge cannot enter data into the proposed Order (i.e. granted/denied; attorney’s fees; costs), otherwise please see mailing instructions set out below;
 - Body of Order : suggested language:
 - “it is therefore Adjudged ...” in the body of the proposed Order in lieu of “it is therefore Ordered and adjudged ...”
 - Judge’s signature block: use the phrase “**Done and Ordered**” only as part of the Judge’s signature block;
 - Certificate of Service directive: each Order shall contain language reflecting the following:

“within five (5) days from the date of e-service of this Order/Judgment, Plaintiff shall furnish a copy of this Order/Judgment to each self-represented party by U.S. Mail, First Class, postage paid together with a certificate signed by Plaintiff’s counsel that delivery of this Order/Judgment has been made.”.
- There cannot be any attachments to the proposed order.

SUBMISSION OF ALL OTHER ORDERS/JUDGMENTS

Unless as authorized herein, all other orders shall be submitted via U.S. Mail; courier service; overnight/express mail; or hand deliver unless as authorized by the Judge’s Judicial Assistant in advance.

SCHEDULING HEARINGS BEFORE JUDGE GARAGOZLO

Either set up the hearing on JACS; or

Contact the Judge's Judicial Assistant at (321) 617-7266 between the hours of 8:00 a.m. and 4:00 p.m. M-F except from 11:45 a.m. until 1:00 p.m. as the office closed for lunch.

In person by going to the Judge's chamber located on the third floor of the Moore Justice Center adjacent to courtroom 3-E.

IN THE CIRCUIT COURT IN AND
FOR BREVARD COUNTY, FLORIDA
PROBATE DIVISION

CASE NO: 05-2015-CP-012345-XXXX-XX

IN RE: ESTATE OF JANE DOE

ORDER APPOINTING PERSONAL REPRESENTATIVE

(Intestate)

On the Petition of MARY DOE for administration of the estate of JANE DOE, deceased, the court finding that the decedent died on January 1, 2016, and that MARY DOE is entitled to appointment as personal representative by reason of being the wife of the deceased and a devisee, it is

ADJUDGED that MARY DOE is appointed Personal Representative of the Estate of the Decedent, and that upon taking the prescribed oath, filing designation of resident agent and acceptance, and entering into bond in the sum of \$WAIVED, Letters of Administration shall be issued.

IN THE CIRCUIT COURT IN AND
FOR BREVARD COUNTY, FLORIDA
PROBATE DIVISION

CASE NO: 05-2015-CP-012345-XXXX-XX

IN RE: ESTATE OF JANE DOE

LETTERS OF ADMINISTRATION

TO ALL WHOM IT MAY CONCERN

WHEREAS, JANE DOE, a resident of Brevard County, FL, died on January 1, 2016, owning assets in the State of Florida, and

WHEREAS, MARY DOE, has been appointed personal representative of the estate of the Decedent and has performed all acts prerequisite to issuance of Letters of Administration in the Estate,

NOW, THEREFORE, I, the undersigned Circuit Judge, declare MARY DOE to be duly qualified under the laws of the State of Florida to act as personal representative of the estate of JANE DOE, deceased, with full power to administer the estate according to law; to ask, demand, sue for, recover and receive the property of the decedent; to pay the debts of the Decedent as far as the assets of the estate will permit and the law directs; and to make distribution of the estate according to law.

PROPOSED ORDERS – JUDGE DAVID DUGAN

Effective January 1, 2019, all proposed civil orders must be efiled to Judge Dugan's queue through the Proposed Orders section of the portal. Then you must email the Judicial Assistant at monica.gabbard@flcourts18.org, and provide the case number/style, date of the hearing, the submission number of the proposed order, and state whether or not the opposing side has any objections to the proposed order (and include them in the email to the JA).

ALL CIVIL ORDERS MUST CONTAIN THE FOLLOWING STATEMENT:

It is further ADJUDGED that within five days from the date of eservice of this Order/Judgment, the Petitioner shall:

1. Furnish a copy of this Order/Judgment to each self-represented party by U.S. Mail, first class, postage paid; and
2. File a certificate signed by Petitioner's counsel that delivery of this Order/Judgment has been made as set forth herein.

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
 - pdf format
- PROPOSED ORDER
 - Word document (.docx extension)
 - No additional formatting – text boxes, macros, etc.
 - Each order must be submitted as a separate document.
 - Do not leave the bond amount blank in the appropriate order appointing personal representative in a formal administration (intestate or testate). Please insert "\$0" or "waived" as the amount of the bond.
 - The judge cannot enter any data into the proposed orders (granted/denied, names, attorney fee amounts, etc.).
 - Use the phrase "Done and Ordered" only as part of the judge's signature block. **The sign and file process strips all text after the word "Ordered" and inserts the judge's signature and a Certificate of Service.** Suggested to use "it is therefore Adjudged...." in the body of a proposed order instead of "it is therefore Ordered and Adjudged..."
 - There cannot be any attachments to the proposed order.
 - Proposed Orders from rulings made in a hearing must be efiled, and then you must email the Judicial Assistant (monica.gabbard@flcourts18.org) with the filing reference number of the Proposed Order.

PROPOSED ORDERS – JUDGE MICHELLE BAKER

Effective January 1, 2019, Judge Michelle Baker will accept proposed orders through the portal in the County Civil, Domestic Relations, and Probate divisions. However, she will **NOT** accept proposed Writs of Possession. Failure to follow the below guidelines may result in your filing being returned to the Correction Queue by the judge. All orders must be filed through the portal including proposed orders resulting from a hearing in which Judge Baker made a ruling. When e-filing a proposed order that resulted from a ruling made by Judge Baker, please contact the Judicial Assistant by email at lisa.walters@flcourts18.org and provide the case number/style, if there is opposing counsel please state whether or not they have any objections to the proposed order (and include them on the email), date of the hearing and the submission number for the proposed order.

FILING REQUIREMENTS

- Each filing must contain a Cover Letter and at least one proposed order. A preferred Cover Letter is included. The Cover Letter must be in pdf format.
- The Filer must select himself/herself in the e-service list and all other listed recipients.
- Use the phrase “Done and Ordered” only as part of the judge’s signature block. **The sign and file process strips all text after the word “Ordered” and inserts the judge’s signature and a Certificate of Service.** Suggested to use “it is therefore Adjudged....” in the body of a proposed order instead of “it is therefore Ordered and Adjudged...”
- There cannot be any attachments to the proposed order (such as a Fact Information Sheet).
- For Probate orders, do not leave the bond amount blank in the appropriate order appointing personal representative in a formal administration (intestate or testate). Please insert “\$0” or “waived” as the amount of the bond.
- The judge cannot enter any data into the proposed orders (granted/denied, names, attorney fee amounts, etc.).

PROPOSED ORDER REQUIREMENTS

- Must be a Word document (.docx extension)
- No additional formatting – text boxes, macros, headers, footers, etc.
- Each order must be submitted as a separate document.
- Each order must contain the following statement:

It is further ORDERED and ADJUDGED that within 5 days from the date of eservice of this Order/Judgment the Plaintiff shall:

5. Furnish a copy of this Order/Judgment to each self-represented party by U.S. Mail, first class, postage paid; and,
6. File a certificate signed by Plaintiff’s counsel that delivery of this Order/Judgment as been made as set forth herein.

FINAL JUDGMENTS OF EVICTION

TO REQUEST A FINAL JUDGMENT OF EVICTION BE SIGNED BY JUDGE MICHELLE BAKER

3. **AFTER** a Clerk’s Default or Notice that the Clerk will not be Issuing a Default has been issued;
4. Please submit the proposed “Final Judgment of Eviction” form via the e-portal.

UNCONTESTED DISSOLUTIONS OF MARRIAGE (UDOM)

TO SCHEDULE A FINAL HEARING before Judge Michelle Baker

1. Contact Judge Baker's Judicial Assistant to schedule a hearing (321) 264-6996.
2. Bring the proposed Final Judgment and sufficient copies for conforming with you to the hearing.

Date of submission

Dear Judge Baker:

This letter accompanies a proposed Order or Judgment that is being submitted through the E-Portal for entry in the following case: Case Name: **Name of case**; Case Number: **Case number**. This proposed Order or Judgment is titled **Title of Order** and it comprises **Number of pages** pages.

This proposed Order or Judgment is submitted for entry after hearing on **Date of hearing** without hearing.

The opposing party has has not been furnished a copy of this proposed Order or Judgment. If furnished to the opposing party, it was furnished by **Email, U.S. Mail or other service** on **Date of service**. If furnished to the opposing party, the opposing party has has not objected to the proposed Order or Judgment.

The attorney or party submitting this proposed Order or Judgment is as follows: **Name of attorney or, if unrepresented, name of party**; **If attorney, Florida Bar Number**; **Email address**; **Mailing address**; and, **Telephone number**. The attorney or party is or represents the **Plaintiff or Defendant**.

Sincerely,

Name, title, email address and Florida Bar Number, if applicable, of person signing letter