

BREVARD COUNTY E-FILING FAQS, HELPFUL HINTS & CONTACTS

A How-To Guide to e-Filing Through the Statewide ePortal



Brevard County Clerk of the Circuit Court
Rachel M. Sadoff, CFCC

www.brevardclerk.us

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Photos courtesy State Archives of Florida,
Florida Memory Project

LETTER FROM THE CLERK

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Greetings,

E-filing by attorneys in Florida's civil divisions became mandatory April 1, 2013, and the criminal and juvenile dependency divisions followed on February 3, 2014. Since that time, the Florida Supreme Court has expanded the types of filers allowed to take advantage of this technology, adding self-represented parties, mediators, court reporters, process servers, mental health providers, and law enforcement to the statewide Florida Courts e-filing Portal.

To help answer your questions, our office has developed this "how-to" guide based on inquiries we've received since the implementation of e-filing. As a compliment to this how-to guide, we've also developed our suite of E-filing Assistants (see page 19). Filers with questions regarding specific divisions or topics not discussed in this how-to guide are encouraged to email these individualized help groups to obtain answers to your inquiries.

As of 2020, the majority of the documents filed with the Clerk's Office are filed electronically. The Clerk's Office will still accept paper filings from filers who are not mandated by the Supreme Court Order. We sincerely hope this manual will better clarify some of the options available with electronically filing documents. We thank you for your cooperation.

If we can be of service, please do not hesitate to contact us.

Sincerely,

Rachel M. Sadoff
Brevard County Clerk of the Circuit Court
& Comptroller

DEFINITION OF TERMS

Abandoned Filings Queue – The Abandoned Filings Queue is where documents are sent after they have been sent to the Correction Queue but have not been edited and returned for resubmission to a particular Clerk for filing. Items in the queue cannot be edited by the filer once a filing has been sent there, but the filer may petition the Court to review any document moved to the queue for the Court’s opinion on whether or not it meets with the requirements for filing pursuant to [AOSC11-399](#) statewide or [AO 17-15](#) locally.

Additional Fee Options – The Additional Fee Options table is a place where filers may add additional fees that are required when filing a new case or subsequent filings. The Additional Fee Options box includes fee options for recording, indexing fees for recording, and fees for additional defendants (over 5), writ of replevin, lis pendens, summons issuance fee, contraband forfeiture, and the ability to add a reopen fee to any filing.

CMS – A CMS is an individual Clerk’s case management system. As there is not one standardized, statewide case management system, Clerks across Florida use several different CMSs from several vendors. Brevard County’s CMS is called FACTS. Brevard County will be converting their CMS to Benchmark at a future date.

E-Filing – e-Filing is the method by which users of the court system can now file their pleadings through a statewide ePortal for docketing in all of Florida’s trial courts. E-Filing takes the place of standard paper filing and provides enhanced filing options and reduced costs to the filer.

e-Filing Assistants – The e-Filing Assistants are a series of e-mail groups that the Clerk has created to assist filers with basic and advanced questions that are not readily answered by our FAQ document or information available through the ePortal itself. Filers can e-mail an e-Filing Assistant and should expect to receive an answer to their question within the same business day. E-Filing Assistants are available for the following topics: Civil, Criminal & Traffic, Family, Probate, Juvenile, Appeals, Pro Se, and Technical. Non-case inquiries only to the Technical e-Filing Assistant, please.

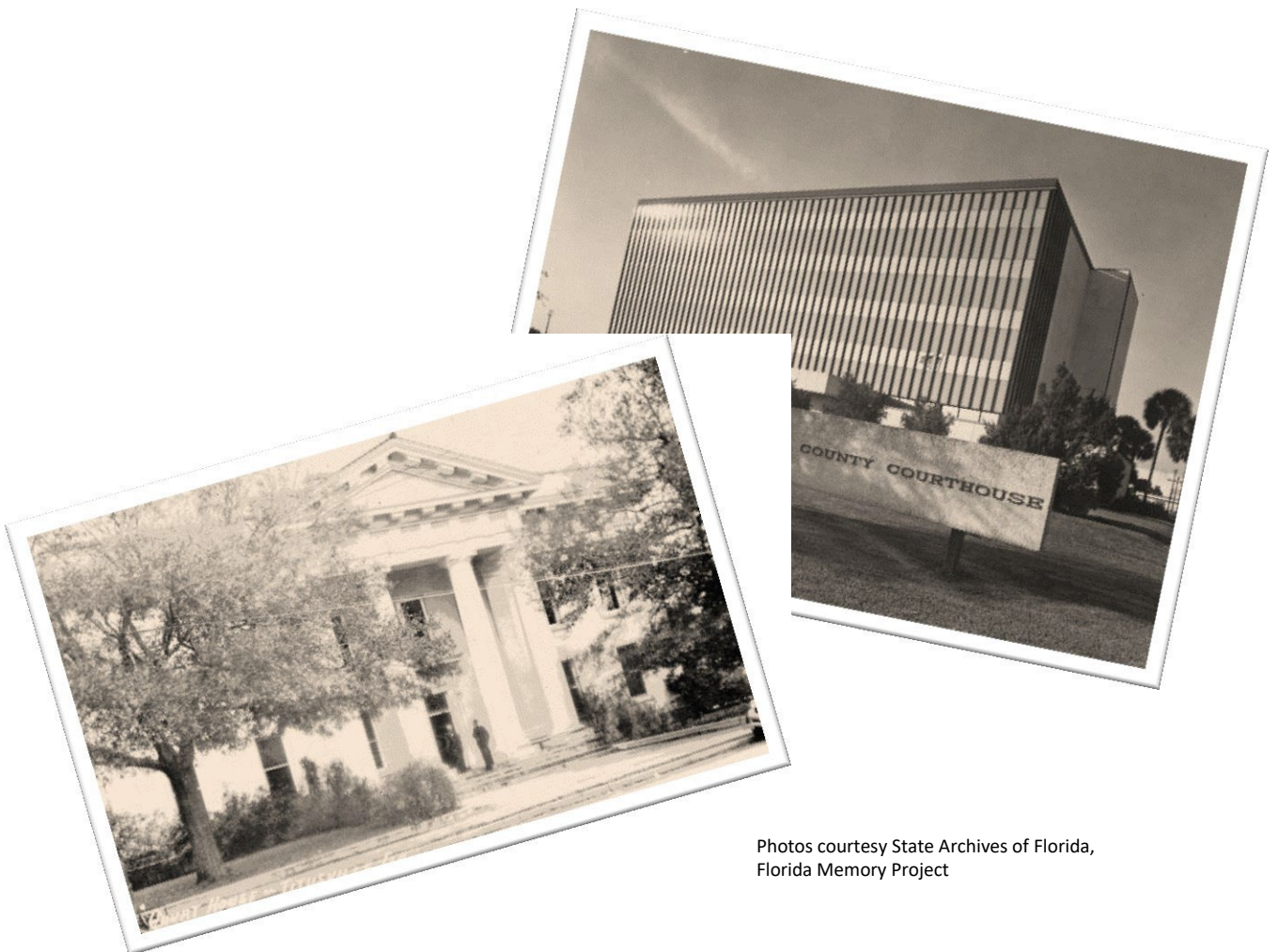
EPortal – The ePortal is the statewide e-filing portal through which all pleadings submitted for e-filing in Florida’s trial courts are received, processed, and accepted. The ePortal itself is governed by the Florida Courts e-Filing Authority and is maintained by the FCCC. The ePortal is available 24 hours a day at www.myflcourtagency.com.

FCCC – The FCCC is the acronym for the association of Florida’s Court Clerks and Comptrollers. The FCCC represents the interests of Florida’s Clerks and Comptrollers before the Legislature and aids the Clerks and Comptrollers in providing superior customer service throughout our state for our citizens through workshops, conferences, and support classes.

Florida Courts e-Filing Authority – The Florida Courts e-Filing Authority is the body that oversees the development, implementation and operation of the statewide ePortal designed to process the filing of court documents in all of Florida’s trial courts.

Correction Queue – The Correction Queue is a queue inside the ePortal where documents that have errors or require correction are sent by the Clerk. Filers are able to review these filings by searching through their “My Filings” option to see why a specific filing was rejected by the Clerk. Filers are then able to correct the indicated error and resubmit the filing back to the Clerk for processing.

Pro Se – Pro se is a Latin term for “one self, on one’s own behalf.” The term is most commonly used to describe a self-represented litigant who represents themselves without legal counsel in a legal proceeding before a court or other quasi-judicial body.



Photos courtesy State Archives of Florida, Florida Memory Project

FREQUENTLY ASKED QUESTIONS

- ✓ Can I pay filing fees, recording fees and reopen fees through the ePortal?
- ✓ Can I file proposed Summons through the ePortal for issuance by the Clerk?
- ✓ How and when will I receive my case number and the Summons that are signed and sealed by the Clerk?
- ✓ Can I submit proposed orders, defaults, or writs of possession through the ePortal?
- ✓ What if I get a message that a case number cannot be verified through the ePortal but I have verified through BECA (Brevard Electronic Court Application) that the case number I am entering is correct?
- ✓ What original documents should be filed with the Clerk?
- ✓ What is the “Correction Queue” and why did the Clerk send my filing there?
- ✓ What if I have a document that cannot be filed through the ePortal?
- ✓ What if I have been determined indigent or am eligible for fee waiver but the document type I selected for a filing generates a fee?
- ✓ Will the Clerk forward my document(s) for recording if I pay the required recording fee at the time of filing of the document(s)?
- ✓ The case type says “DO NOT USE FOR EFILING.” Should I be concerned?
- ✓ When do I select a document type ending with suffix “Fee Due” versus “No Fee?”

[Additional FAQs may be accessed on the ePortal’s website.](#)

Can I pay filing fees, recording fees and reopen fees through the ePortal?

Currently, the Clerk accepts most documents that require filing, recording, reopen, and indexing fees.

Our office does not currently accept certain proposed writs of possession, proposed notices of action, proposed orders and general correspondence through the ePortal with their fees. For specific instances, contact the appropriate [e-Filing Assistant](#) for direction.

Filers paying for filings with fees through the ePortal with credit cards will be charged a 3.5% convenience charge on the entire amount of their filing. Filers using the electronic check feature will incur a \$5 convenience charge for their filing.

The ePortal currently accepts Mastercard, Discover, Visa, and American Express.

NOTE: The Clerk has no discretion with regard to the convenience fee charged by the ePortal. Your credit card or bank account will be debited/charged the amount due when the associated filing is accepted and filed by the Clerk. The portal charges different fees for different methods of payment. Please refer to the portal for those fees.

Can I file proposed Summons through the ePortal for issuance by the Clerk?

You may file proposed Summons through the ePortal for issuance by the Clerk.

To add a Summons to your filing for issuance, please select “Service Documents” as your document category and “Proposed Summons to be Issued by Clerk” as your document type. To complete adding this document to your filing, please upload a proposed Summons.

Please repeat these steps for as many Summons as may be required to be issued (i.e. you would add four “Proposed Summons to be Issued by Clerk” if you had four defendants that required the issuance of Summons).

You may also file proposed Summons Notice to Appear through the ePortal. In order to have a Summons Notice to Appear issued, please select “Service Documents” as your document category and “Proposed Summons to be Issued by Clerk” as your document type.

Please upload a proposed Summons Notice to Appear with the pertinent information that the Clerk will need in order to schedule a hearing on the same (i.e. name of defendant to be served, address, etc.). Once the Clerk receives the proposed Summons Notice to Appear, the Clerk will issue a complete document with hearing information and return the same to the filer for service.

For eviction cases where posting of a summons becomes necessary, the landlord is required to provide the Clerk with two additional copies of the complaint and two defendant-addressed, postage-paid envelopes for the Clerk to mail the same. *See* § 83.22(2), Fla. Stat. These items must be hand delivered or provided via U.S. Mail to the Clerk.

You will be charged \$10 for each Summons submitted through the ePortal for issuance.

How and when will I receive my case number and the Summons that are signed and sealed by the Clerk?

Once a new case is filed through the ePortal, the documents are then reviewed in the order in which they were received. They are then accepted and written over to the Clerk's CMS.

At that point in time, a case number is associated to this new case and an e-mail is generated and sent to the filer indicating the case number for the filing in question.

Summons are usually returned to filers within three to five business days. If you notice that your summons were not sent to you within five business days, please contact the respective [e-Filing Assistant](#) group with your case number or ePortal reference number so that our office may forward your summons.

Before e-mailing the e-Filing Assistant, please make sure the e-mail addresses associated with your ePortal account are correct as these are the addresses the Clerk will send issued summons to. Please also ensure you check your email spam folder as email providers place email from the Clerk in these folders. To ensure e-mails from the clerk does not go to your spam folder, add processnotice@brevardclerk.us to your email contact or email address book.

Can I submit proposed orders, defaults, or writs of possession through the ePortal?

At this time, the Clerk only accepts proposed writs of garnishment and motions for default through the ePortal. Proposed writs of possession should be sent with the appropriate fees for the Brevard County Sheriff via U.S. Mail to the Clerk's office for issuance. Proposed defaults are not necessary, as the Clerk's office will prepare a default if such is appropriate upon motion.

All judges accept proposed orders through the ePortal at www.myflcourtaaccess.com. please visit our [see the attached Court Administration procedures on filing proposed order](#) for more information.

What if I get a message that a case number cannot be verified through the ePortal but I have verified through BECA that the case number I am entering is correct?

In order for your case number to properly validate in Brevard County, please ensure that you are entering the proper format of the case number. For the purposes of demonstration, we've broken out how the case number 2013-CA-039095-XXXX-XX would need to be entered in the required fields to validate for filing:

Year: 2013
Sequence #: 039095
Court Type: CA
Party Identifier: XXXX
Branch Location: XX

The screenshot shows a web form for case filing. At the top, there are three input fields: '* Year' containing '2013', '* Sequence #' containing '039095', and '* Court Type' containing 'CA'. Below these is a 'Court Type Selection' dropdown menu with 'Circuit Civil (CA)' selected. Further down are 'Party Identifier' (XXXX) and 'Branch Location' (XX) fields. At the bottom right are 'Search' and 'Clear' buttons.

The party identifier for criminal cases is AXXX if an originating criminal case. BXXX, CXXX, etc. for codefendant cases case, if any.

All filers should ensure six characters are submitted in the Sequence # field for proper validation. This may require the filer to add preceding zeros to the sequence to ensure six characters total are submitted.

What original documents should be filed with the Clerk?

Please do not file paper copies or originally-signed pleadings after e-filing unless such pleadings or documents are required to be deposited with the Clerk in their original form by statute, court rule, or [AOSC11-399](#), as amended.

For those documents required to be kept in original form by the Clerk after e-filing, the Clerk suggests including a coversheet (an example attached) with all original documents required to be deposited. Including a coversheet helps to eliminate duplicate docketing of pleadings on the Court's docket and provides for quicker processing and verifying of mail items coming through our mail room.

In lieu of a coversheet, filers may stamp "E-FILED" on documents or otherwise identify on the face of the document the fact that the document has already been efiled when depositing the original document with the Clerk.

What is the "Correction Queue" and why did the Clerk send my filing there?

The Correction Queue is where the Clerk sends filings that have errors or problems.

For example, a document that has several documents scanned as one may be sent to the Correction Queue (i.e. a Request to Produce, a Notice of Service of Interrogatories, and a Notice of Taking Deposition scanned as one document).

As well, documents that have improper case numbers, wrong case styles, were submitted for the wrong case or county, or other items such as proposed orders attached to motions will be sent to the Correction Queue for the filer to correct and resubmit.

Filers may correct and resubmit their documents sent to the Correction Queue within five days of the filing being sent to the Correction Queue to maintain the original filing date.

If a filer "deletes" a document instead of "editing" the document, the ePortal will assign a new filing date to that particular document in the filing while the remainder of the documents in the filing will retain the original filing date.

The Clerk is bound by local [AO 17-15, as amended](#) regarding the Correction Queue.

What if I have a document that cannot be filed through the ePortal?

[AOSC11-399](#), as amended, provides for exemptions from mandatory filing through the ePortal in the following instances:

1. When the Clerk does not have the ability to accept and retain documents by electronic filing;
2. When the filer of the document is a self-represented party or a self-represented nonparty, including a nonparty governmental or public agency (or an agency, partnership, corporation, or business entity acting on behalf of any governmental or public agency);
3. When the filer is an attorney excused from e-mail service;
4. When submitting evidentiary exhibits or filing non-documentary materials;
5. When the filing or any document exceeds 50MB in size;
6. When the document is filed in open court;
7. When a Court determines that justice so requires.

If a document within a filing is larger than 50MB, the Clerk recommends filing the documents in two (or as many necessary) separate filings so that each filing is smaller than the allowed 50MB.

If any one document is larger than the 50MB allowed in its own right, the Supreme Court has provided instruction that a filer should place these documents or items on an electronic storage medium (such as a CD or a flash drive) and provide the medium to the Clerk.

All documents submitted to the Clerk on an electronic storage medium should be sent to the following address (or hand delivered to any Clerk branch):

Mailing Address

Brevard County Clerk of the Circuit Court
P.O. Box 219
Titusville, Florida 32781-0219

These documents will be extracted from the storage medium and will then be docketed to their specific case, whereby they then become a permanent part of the Court's docket. If a filer wishes to have their storage medium returned, please include a self-addressed, postage-paid envelope.

The storage size of the document is not directly related to the number of pages within the document. Resolution and image quality may also be a factor. The ePortal shows the size of the document next to the documents name for the filer's reference and determination as to whether the filer should separate into two separate documents or submit according to the Supreme Court's alternate filing guidelines or documents exceeding 50MB.

What if I have been determined indigent or am eligible for fee waiver but the document type I selected for a filing generates a fee?

Filers who wish to be determined indigent (a “fee-exempt filer”) must provide a completed Indigent Fee Waiver Form along with their initial filing to be considered for fee-exemption through the ePortal.

Fee-exempt filers must select “Option Two: Request Filing Fee Waiver.” The Waiver Reason should be “Indigent.” An Indigent Fee Waiver Form must also be uploaded before a fee-exempt filer submits their filing through the ePortal.

For each filing submitted through the ePortal with a document that generates a filing or service fee, an additional Indigent Fee Waiver Form **must** be uploaded before submitting the filing through the ePortal.

The screenshot shows a web form titled "Payments" with a blue header. Below the header, it says "Select One to Continue" and has two radio button options: "Option One: Provide Payment Information" (unselected) and "Option Two: Request Filing Fee Waiver" (selected). Below the options is a form for the waiver. It has a "Waiver Reason:" label and a dropdown menu with "Indigent" selected. Below that is a label "Attach completed Indigent Fee Waiver form:" followed by a text input field and a "Browse..." button. A blue link "Click Here to download Indigent Fee Waiver Form" is positioned below the input field. At the bottom of the form are two blue buttons: "Back" and "Next".

The ePortal will not allow filers who are fee exempt to submit a filing attaching an Indigent Fee Waiver Form, even when previously determined fee-exempt. There is a fee-exempt “Proposed summons to be issued by Clerk – Indigent” option, for a summons; however, other fees are only waived through the fee waiver process.

A previously determine fee-exempt filer must upload the court order or Clerk determination regarding fee exempt status with each package requiring fees.

The Florida Courts e-Filing Authority is currently reviewing additional document options and selections for those filers who have previously been determined to be fee-exempt. Please check the Clerk’s [e-Filing page](#) for updates to this policy as they occur.

Will the Clerk forward my document(s) for recording if I pay the required recording fee at the time of filing of the document(s)?

For those documents required or authorized to be recorded, filers may add additional information so that the Clerk may eRecord the document(s) being submitted through the ePortal, saving the filer time and trouble in filing multiple versions of the same document for the purposes of docketing and recording.

For instance, the filer will be asked to indicate how many pages the document for recording is in length and how many names are to be considered for indexing. Based upon the information entered, the appropriate recording fee will populate for the filer to pay in addition to any other applicable filing fees that may be required by statute.

Once received by the Clerk and accepted, the document(s) will be sent to the Clerk's Recording Department for recording.

Specific documents required to be recorded by Florida law without payment of a fee will be automatically submitted for recording. For those documents required to be recorded but with a recording fee, the filer will have an option to indicate the appropriate page count to generate the appropriate recording fee for the entire document.

The case type says "DO NOT USE FOR EFILING." Should I be concerned?

This is an indication that the case in question was filed at a time when the Clerk was using an older case category system; since the point in time when the case populating this message was filed and current day, new statewide standard case categories have been established.

This message does not affect your ability to e-file in an existing case; instead, when filing a new case you would use one of the newer descriptions that doesn't have "DO NOT USE FOR EFILING" behind the numeric code.

When do I select a document type ending with suffix “Fee Due” versus “No Fee?”

When filing in an existing administrative case in the Probate division (Caveat, Will for Safekeeping, and Notice of Trust), a full filing fee is due. For these instances, you will need to select the appropriate document type with “fee due” as the suffix.

If a filer is filing in an existing Summary Administration proceeding and upgrading the case to a Formal Administration, the fee charged will be the difference between the Summary Administration and the full filing fee for a Formal Administration.

For example, for a Summary Administration case that is less than \$1,000.00, the filing fee is \$235.00. The full filing fee of a Formal Administration would be \$400.00. Therefore, the difference between them would be \$165.00.

The ePortal will charge the appropriate fee differential based on the type of case and based on a filer selecting a specific document type.

When filing a new case in the ePortal, however, filing fees will now be associated to the case type instead of by document as was Brevard’s previous policy. When choosing a document type, please make sure to select the appropriate document with a “No Fee” suffix to insure you are charged the appropriate filing fee for a new case.

It is extremely important that filers differentiate the difference between filing an original action in the Probate division and “upgrading” a case. If a filer selects the wrong document suffix (i.e. “No Fee” when a fee is due or “Fee Due”) when no additional fee is due, the Clerk may send your filing to the Correction Queue for correction.

IMPORTANT LINKS

Below is a list of helpful links to statewide e-filing information as well as to Brevard County specific e-filing information.

Statewide e-Filing Information

- ✓ [Florida Courts ePortal](#)
- ✓ [Florida Courts ePortal FAQs](#)
- ✓ [Florida Courts ePortal Training Manuals & Materials](#)
- ✓ [Florida Courts ePortal Training Videos](#)
- ✓ [Florida Courts ePortal Support E-Mail](#)
- ✓ [Florida Supreme Court e-Filing Information Page](#)
- ✓ [AOSC11-399, as amended – Amendments to the Florida Rules of Civil Procedure](#)
- ✓ [Florida Courts e-Filing Authority Board](#)
- ✓ [Florida Supreme Court Standards for Electronic Access to the Courts](#)
- ✓ [AOSC13-48 Corrected – Electronic Filing of Criminal Cases in the Trial Courts of Florida via the Florida Courts e-Filing Portal](#)
- ✓ [AOSC13-49 – Electronic Service via the Florida Courts e-Filing Portal](#)

Brevard County Clerk of the Circuit Court e-Filing Information

- ✓ [Brevard County Clerk of the Circuit Court e-Filing Webpage](#)
- ✓ [Administrative Order 17-15 – Clerk of Court – Electronic Filing Clerk’s Authority](#)

HELPFUL HINTS

- ✓ The Clerk suggests using electronic signatures when signing documents for e-filing or, in the event a “wet ink” signature is used, that it be in black ink to obtain a crisp, dark image. Blue and other colored inks are discouraged. *Rule 2.515, Fla.R.Jud.Admin.*
- ✓ Documents signed with an electronic signature by an attorney as provided in *Rule 2.515, Fla.R.Jud.Admin.*, MUST meet the minimum requirements when filed pursuant to the Florida Supreme Court Standards for Electronic Access to the Courts:

Attorney Example

S/ John Doe

John Doe, Esq.

Bar Number 12345

123 South Street

City, FL 12345

Telephone: (123) 123-4567

- ✓ The ePortal works best with the latest versions of Google Chrome or Edge.
- ✓ All documents submitted to the ePortal for filing should be in Microsoft Word, Word Perfect, or .PDF formats. Please do not mark your documents as password protected. (The Clerk suggests submitting .PDF documents to avoid any errors with your submission.)
- ✓ All documents should be 8 ½” x 11” in size. *Rule 2.520(a), Fla.R.Jud.Admin.*
- ✓ All documents submitted through the ePortal that require recordation shall include a 3” x 3” margin at the top right corner of the first page and a 1” x 3” margin at the top right corner of each subsequent page. *Rule 2.520(c), Fla.R.Jud.Admin.*
- ✓ All documents scanned for filing through the ePortal should meet the Supreme Court’s minimum document image standards of 300 DPI.
- ✓ Please use the Uniform Case Number for indicating a pleading’s correct case number (i.e. 5-2014-CF-012345-AXXX-XX). Please make sure to include specific party identifier code (i.e. BXXX, CXXX) for co-defendants in criminal actions. Items without a party identifier may be sent to the Correction Queue.

- ✓ In order to avoid having your filing returned for correction, please make sure you are cognizant of the following:
 - Your case number is correct (including party identifiers for co-defendants);
 - Your case caption/parties are correct;
 - Your document was scanned so that it appears correct when viewed vertically;
 - You have not attached unnecessary items (i.e. proposed orders, extra copies) to your documents;
 - Any blanks in your proposed forms are completely filled (i.e. dates on Notices of Sale);
 - Blank pages that are intentionally left blank should reflect the same on the document (i.e. “the remainder of this page intentionally left blank” or something substantially similar).

- ✓ The Clerk suggests indicating one case number per pleading. Filers wishing to file a specific pleading into multiple cases should submit the document as a filing for each of the several case numbers desired.

- ✓ If your document exceeds 50MB in size, you may file the document on an electronic storage medium (i.e. flash drive or CD) with the Clerk. Please include a cover letter indicating why you are filing the document on an electronic storage medium instead of filing the item through the ePortal.

- ✓ Filers are not required to submit follow-up filings once a document has been filed through the ePortal with the exception of those documents otherwise required to be deposited with the Clerk in their original form by applicable court rule, statute, or [AOSC11-399](#), as amended. Please ensure you submit original documents required to be deposited with the Clerk along with a cover letter indicating the document has previously been e-filed through the ePortal.

- ✓ EPortal Support can be contacted via e-mail at support@myflcourtagency.com or by phone at (850) 577-4609.

E-FILING ASSISTANTS

The Clerk has developed six individual e-Filing Assistant e-mail groups to help assist filers with their division- and topic-specific questions related to e-filing through the statewide ePortal.

If you have any questions that are not covered by this e-Filing Guide, please feel free to contact our e-Filing Assistants today for an answer to your inquiry:

- ✓ **Civil e-Filing Assistant**
✉ civilefilingassistant@brevardclerk.us

- ✓ **Criminal & Traffic e-Filing Assistant**
✉ criminaltrafficefilingassistant@brevardclerk.us

- ✓ **Family e-Filing Assistant**
✉ familyefilingassistant@brevardclerk.us

- ✓ **Probate e-Filing Assistant**
✉ probateefilingassistant@brevardclerk.us


- ✓ **Juvenile e-Filing Assistant**
✉ juvenileefilingassistant@brevardclerk.us

- ✓ **Appeals e-Filing Assistant**
✉ appealsefilingassistant@brevardclerk.us

- ✓ **Pro Se e-Filing Assistant**
✉ proseefilingassistant@brevardclerk.us

- ✓ **Technical e-Filing Assistant (Non-Case Related Inquiries Only)**
✉ technicalefilingassistant@brevardclerk.us

CONTACT THE CLERK - Rachel M. Sadoff, CFCC

 P.O. Box 219, Titusville, Florida

32781-0219  (321) 637-5413

 www.brevardclerk.us

Titusville Branches

[North Brevard Government Complex](#)
[400 South Street, Second Floor](#)
[Titusville, Florida 32780](#)

[Official Records](#)
[700 S. Park Avenue, Building B](#)
[Titusville, Florida 32780](#)

Merritt Island Branch

[Merritt Island Service Complex](#)
[2575 N. Courtenay Parkway, Room 129](#)
[Merritt Island, Florida 32953](#)

Viera Branch

[Harry T. & Harriette V. Moore Justice Center](#)
[2825 Judge Fran Jamieson Way, First Floor](#)
[Viera, Florida 32940](#)

Melbourne Branch

[Melbourne Courthouse](#)
[51 S. Nieman Avenue](#)
[Melbourne, Florida 32901](#)

Palm Bay Branch

[Palm Bay Service Complex](#)
[450 Cogan Drive S.E.](#)
[Palm Bay, Florida 32909](#)