

# **SEVENTEENTH JUDICIAL CIRCUIT UNIFIED FAMILY COURT**

## **SECTION 1:**

### **CREATION OF FAMILY DIVISION**

A Family Division in the Seventeenth Judicial Circuit, Broward County Florida, has been established pursuant to general rule. A comprehensive plan was implemented by Administrative Order, II-94-F-1. The provisions following replace said Administrative Order.

These administrative policies and procedures shall apply to the Unified Family Court Division of the Circuit and County Courts for Broward County, Florida, in addition to any other Administrative Orders applicable to the Circuit Court generally. If this plan is in conflict with the Florida Statutes, the Florida Rules of Civil Procedure, the Florida Rules of Family Law Procedure, Florida Rules of Juvenile Procedure, or Florida Case Law, the latter shall govern. These policies and procedures shall take effect March 1, 2005 and shall supersede all conflicting provisions in any prior comprehensive plan adopted in this Circuit.

## **SECTION 2:**

### **GENERAL PURPOSES, GOALS AND OBJECTIVES**

The general purpose of the Unified Family Court Division (hereinafter UFC) is to integrate the various court divisions charged with adjudicating each of the numerous problems that arise within functional and dysfunctional families into a single court division that will:

- a. Result in a more humane, accessible and efficient Court response.
- b. Promote the amicable settlement of disputes and the best interests of the children.
- c. Mitigate the damages caused by dysfunctional families and other relationships and/or legal Dissolution of Marriage actions before the court.

## **SECTION 3:**

### **IDENTIFICATION OF JURISDICTION**

The jurisdiction of the UFC Division shall include the following:

Simplified Dissolution of Marriage  
Dissolution of Marriage

Child Support/IV-D\*  
Child Support Dependency/IV-D\*  
URESAs Petition/IV-D\*  
Child Custody/IV-D\*  
Paternity/IV-D\*  
Enforcement of Foreign Judgment/IV-D  
Other/IV-D  
Adoption  
Amend Marriage Certificate  
Annulment  
Change of Name  
Child Custody\*  
Other Domestic Relations\*  
Partition/Domestic  
Paternity\*  
Separate Maintenance  
Enforcement of Foreign Judgments (Support)  
Florida Judgment Modification  
Termination of Parental Rights  
Petition To Enforce Foreign Custody Order  
Petition for Temporary Custody by Extended Family\*  
Domestic Violence  
Temporary/Permanent Injunction (Domestic)\*  
Habeas Corpus Family\*  
Repeat Violence  
Dating Violence  
Sexual Violence  
Juvenile Dependency  
Juvenile Delinquency  
CINS/FINS  
Chapter 39 Termination of Parental Rights

#### **SECTION 4:**

##### **IDENTIFICATION OF THE NUMBER OF JUDGES**

The number of judges assigned to the UFC Division will change from time to time dependent upon need, and at the discretion of the Chief Judge. In addition, general magistrates are presently assigned to assist Domestic Relations and Dependency judges.

#### **SECTION 5:**

## **ADMINISTRATIVE JUDGE**

An administrative Judge has been appointed in the UFC Division to assist the Chief Judge in the administration and supervision of the UFC Division. This Administrative Judge shall be responsible to the Chief Judge, shall have the power and duty to carry out the responsibilities assigned by the Chief Judge and shall serve at the pleasure of the Chief Judge. An additional Associate Administrative Judge has been appointed for the administration of the Juvenile Delinquency cases of the UFC Division.

### **SECTION 6:**

#### **MANNER OF SELECTION OF JUDGES TERMS AND ROTATION**

Judges will be assigned at the discretion of the Chief Judge. Rotation will be in effect with each rotation lasting two years. Any judge desiring to remain in the UFC Division longer than his/her two year term, may request to extend said term by notifying the Chief Judge.

### **SECTION 7:**

#### **EDUCATION AND TRAINING**

Judges assigned to the UFC Division may be required to participate in special training, including but not limited to, domestic relations, domestic violence, dependency, and delinquency law courses, mediation, sensitivity and problem-solving as prescribed by the Supreme Court of Florida.

### **SECTION 8:**

#### **TIME STANDARDS**

Time standards as set forth by statute or the Supreme Court shall be strictly adhered to in all domestic relations, dependency, injunction for protection against violence, delinquency, and CINS/FINS cases to the extent possible.

### **SECTION 9:**

## **ASSIGNMENTS AND DUTIES OF NON-JUDICIAL HEARING OFFICERS**

### **General Magistrate/Special Magistrate/Hearing Officers Hearings:**

At the discretion of the assigned judge, all motions for temporary child support, and all post judgment motions for support enforcement may be heard by the hearing officer.

The hearing officer shall conduct a weekly calendar for child support matters. The main purpose of this calendar is to expedient orders of temporary child support. Hearings will be scheduled within 14 days of filing a motion, to the extent possible.

General magistrates/hearing officers shall schedule a motion calendar at least one time per week to resolve scheduling issues and other procedural matters requiring a short hearing.

The hearing officers may hear all child support establishment and enforcement cases (Support Enforcement Division, DOR, and private), and modification of child support cases. One full time hearing officer and one part-time hearing officer are designated to hear DOR cases.

In addition, the general magistrate/hearing officer may hear all matters properly referred in accordance with Rules 12.490 and 12.491 Fla. Fam. L. R. P. One magistrate shall, where possible, hear all the temporary matters in the case, and hear any contempt or other post-judgment issues except as indicated above.

Court reporters may be provided by the parties at hearing officer/general magistrate hearings. If a court reporter is not present, then the hearing will be electronically recorded pursuant to Fla. Fam. L.R.P. 12.490, 12.492.

In order to avoid unnecessary appearances before the general magistrate, any objection to the general magistrate's jurisdiction or hearing must be filed in accordance with and pursuant to Rule 12.490, Fla. Fam. L.R.P, with a copy provided to the assigned judge together with a copy of the motion referred, amount of time needed, and self addressed stamped envelopes.

General magistrates may be assigned to hear dependency matters properly referred pursuant to Rule 8.257, Fla. R. Juv. P.

If an objection is filed less than 10 days prior to the hearing, then the parties must appear at the scheduled hearing time before the general magistrate.

Upon the consent of the parties, domestic relations cases may be referred to a special magistrate in accordance with Rule 12.492 Fla. Fam. L. R. P.

### **SECTION 10:**

## **IDENTIFICATION OF ADMINISTRATIVE SUPPORT UNITS, PERSONNEL ETC.**

The following programs and resources are provided by either the Office of the Court Administrator or the Clerk of Court:

### **A. PRO SE SELF HELP UNIT, OFFICE OF THE CLERK OF COURT**

Provides forms pursuant to rule 12.750, Fla. Fam. L.R.P.

### **B. DOMESTIC VIOLENCE INTAKE UNIT, OFFICE OF THE CLERK OF COURT**

Provides forms and technical assistance to victims of Domestic/Repeat/Dating/Sexual Violence who are seeking Injunctions for Protection Against Violence.

### **C. CASE MANAGEMENT UNIT, OFFICE OF THE COURT ADMINISTRATOR**

#### **Domestic Violence Case Management:**

Case managers provide victims of Domestic/Repeat/Dating/Sexual violence with services including: referrals to appropriate social service agencies and resources, financial assistance referrals. Case managers assist the Court with: appropriate referrals, tracking compliance with provisions of Injunctions for Protection Against Domestic/Repeat/Dating/Sexual Violence, in court information on status of service of process and arrests, identifying and reassigning related or crossover domestic relations, dependency, delinquency cases. In addition, case managers provide the court with information on criminal cases involving the parties to the injunction.

#### **Domestic Relations Case Management:**

Case managers respond to procedural inquiries from self-represented litigants. Case managers provide information to facilitate early referrals to community resources, mediation and necessary evaluations. Case managers check for related and crossover cases, review files electronically and manually to assist the court in determining readiness for final hearing, or for dismissal due to lack of service or prosecution. Case managers assist the court with case management conferences and monitor services ordered by the court.

#### **Dependency Case Management:**

Case managers review case flow reports, case files and databases to assist with the progress of each case. Case managers attend hearings and provide information to the court and participants. Case managers monitor court orders and track cases, and follow-up on cases requiring activity completion by a date certain. Case managers respond to inquiries from parties and participants. When crossover cases are identified, case managers prepare a memorandum of the status of the cases and disseminate to all parties involved in the crossover proceedings. Case managers track the status of dependent children who are eligible to be adopted, including any delays to adoption and report the status of the children to the court.

#### **Delinquency Case Management:**

Case managers review weekly case flow reports, pending cases and databases to assist the court in: identifying and removing cases with jurisdictional issues, monitoring juveniles within one year of age 19, hearing matters within the statutory and rule based time frames. Case managers monitor, receive and disseminate to the court and parties monthly progress reports and evaluations from community based providers. Case managers respond to inquiries from parties and community based providers. Case managers link with Broward County Schools, DCF, ChildNet, DJJ, SAO, and the PD to assure that respective representatives are noticed of proceedings, and update child address information to reduce the number of reset/reserve cases. Case managers prepare and provide various case flow reports to the court.

#### **Unified Family Court Case Management:**

Case Manager reviews daily and weekly reports identifying cross over cases, and prepares case status memoranda which is distributed to the parties, monitors, tracks and coordinates case scheduling to ensure that crossover matters are set at the same time or in succession before the presiding judge, and are heard within respective time frames. Case manager provides community based referral information to the court and parties, and acts as a liaison between the court and the parties. Case manager maintains statistics and prepares case flow reports for crossover cases.

### **D. PARENTING EDUCATION AND FAMILY STABILIZATION COURSE**

Pursuant to and in accordance with section 61.21, Florida Statutes, “all parties to a dissolution of marriage proceeding with minor children or a paternity action which involves issues of parental responsibility shall be required to complete the Parent Education and Family Stabilization Course prior to the entry by the court of a final judgment. The court may excuse a party from attending the parenting course for good cause.”

In the 17th Judicial Circuit, there are a number of Parent Education and Stabilization courses which have been certified by the Department of Children and Families. The Clerk of Court provides a copy of the Administrative Order which requires the parties to attend the course, and a list of the certified course providers to litigants and counsel in accordance with section 61.21, Florida Statutes.

#### **E. MEDIATION**

It is the policy of the Court to make maximum use of mediation in family matters and issues as authorized by Fla. Statute 44.102, 39.4075 and Fla. Fam. L.R.P. 12.740, 12.741 and Fla. R. Juv. P. 8.290.

Family matters and issues means issues in marriage dissolution, post dissolution proceedings, domestic proceedings between unmarried parents, dependency, and custody/visitation issues unless excepted by Statute or Court rule (Fla. Fam. L.R.P. 12.740, 12.741 and Fla. R. Juv. P. 8.290).

The purpose of the 17th Judicial Circuit's Court Mediation and Arbitration Program is to provide parties with the opportunity to resolve issues in domestic relations or dependency proceedings in a positive productive manner. Through the guidance and direction of a Certified Mediator, parties are given the opportunity to cooperatively arrive at decisions about their own present and future needs and the best interests of the children.

Parties who income qualify may be referred to Court Mediation and Arbitration Program for mediation, or may be referred to a private certified mediator.

#### **F. GUARDIAN AD LITEM**

Guardians Ad Litem will be appointed for children pursuant to and in accordance with Florida Statute 61.401 through 61.405 and Chapter 39. In any domestic relations case in which a Guardian Ad Litem is appointed, the appointment must be for a private Guardian Ad Litem. The Guardian Ad Litem Program is available for appointments in chapter 39 cases. In addition, the court may appoint an attorney for the child, or an attorney to represent the Guardian Ad Litem for the child.

#### **G. CUSTODY EVALUATION/PSYCHOLOGICAL EVALUATION**

Upon the entry of a court order requiring an evaluation, the Case Management Unit, Office of the Court Administrator is responsible for referring cases dependency, domestic violence and domestic relations cases for custody and psychological evaluations to

licensed Masters or Ph.D. level mental health professionals who conduct court ordered custody or psychological evaluations, including clinical interviews of the parties, interviews of children, observation of parent child interactions, background investigations of parties, evaluation of information, appropriate psychometric testing and interpretation, and report and recommendations to the Court. Upon entry of a court order requiring an evaluation, the Mental Health Case Management Unit refers cases for expert evaluations in delinquency cases.

#### **H. SUPERVISED VISITATION CENTER**

OUR House and KIDS In Distress, Inc., are the court approved supervised visitation centers in the Seventeenth Judicial Circuit. Parties may access the services of OUR House or KIDS In Distress, Inc. through a court ordered referral. Services include on-site therapeutic visitation, supervised visitation, monitored and supervised exchange, and reports to the court.

#### **I. BROWARD COUNTY SUPPORT ENFORCEMENT DIVISION (SED), AND DEPARTMENT OF REVENUE (DOR)**

Services SED provides are in cases where payment of child support and/or alimony has been ordered by the Broward County Circuit Court and one or both of the parties resides in Broward County and the other party resides in Florida.

SED services include in some cases collecting and recording payment, monitoring of payment accounts for correct amount and frequency of payments, and when voluntary compliance cannot be obtained, referral of non-complying payors to the court and prosecution of contempt or other appropriate enforcement actions. SED will collect on alimony only cases provided the conditions in the above paragraph are met.

The Department of Revenue, (DOR), files and prosecutes child support actions. Payments are made to the FLA. State Depository Unit. This circuit has designated one and one-half hearing officer positions to exclusively preside over DOR cases.

#### **Written Calculation of Arrearage**

Whenever enforcement of delinquent child support, alimony or other money payment arrearage is sought, moving counsel or self-represented party must provide opposing counsel or self-represented party, at least five days prior to the hearing, a certified copy of the most recent Support Enforcement Division of Broward County or D.O.R. print out, showing the payment history and arrearage, together with a list of any direct payments received and not previously reported to the depository. If payments were not made through S.E.D. or D.O.R., then the moving party shall provide a written summary

showing the payments due, payments made, and method for calculation of interest at least five days prior to the hearing. If interest on the arrearage is requested, the amount and method of computation must likewise be shown on the written calculation sheet.

**SECTION 11:**

**MANNER OF ASSIGNMENT OF NEW AND EXISTING CASES  
HANDLING OF POST JUDGMENT MATTERS**

Except for new pro se cases, assignment of domestic relations cases are handled through a blind rotation, with an equal number of cases assigned monthly to each judge by Division with a simultaneous blind assignment of a general magistrate. Dependency cases are equally distributed and assigned through a blind rotation to each judge and a general magistrate associated with each judge in the Dependency Division, except the TPR Trial Division.

Post judgment matters in domestic relations cases, injunction for protection against violence cases or dependency cases return to the original division and may be referred to the general magistrates in accordance with the Family Law Rules of Procedure, or the Juvenile Rules of Procedure. If the original domestic relations division predates October, 1992, then the case will be reassigned to a UFC Domestic Relations Division.

**SECTION 12:**

**MODIFICATIONS**

All modifications of a Final Judgment must be served pursuant to Fla. R. Civ. Proc. 1.070, Fla. Fam. L.R.P. 12.070, on opposing party as a Supplemental Petition For Modification. This Supplemental Petition is filed with the Clerk of the Court along with the appropriate service fee and the Clerk is directed to file the Supplemental Petition For Modification within the same court file as the Final Judgment being modified, and under the same case number. This case and subsequent modifications shall then be assigned to the original UFC Domestic Relations Division where the Final Judgment was obtained. If the Final Judgment was not obtained in a UFC Domestic Relations Division, then the original case and subsequent modifications shall then be reassigned to a UFC Domestic Relations Division.

**SECTION 13:**

**PROCEDURES FOR ASSOCIATED AND CROSSOVER CASES**

Crossover cases are defined as open domestic relations, domestic violence, dependency and delinquency cases involving the same parties and/or their children. At the time of filing, the Clerk of Court searches for crossover cases and assigns cases involving one family to one judge according to the procedures set out below. In addition, the Clerk's computer systems are

checked weekly to verify direct assignment of crossover cases involving one family to one judge, and to identify and facilitate reassignment of existing crossover or related cases.

**Domestic Relations Cases:**

Crossover or related domestic relations cases are filed in the UFC Domestic Relations Division in which the most recent prior case involving the same parties was filed.

**Domestic Relations and Domestic Violence Cases:**

Crossover domestic violence cases are filed in the UFC Domestic Violence Division (58) assigned to the UFC Domestic Relations Division judge in which there is an open custody or paternity case. If a custody or paternity case is filed subsequent to the filing of a domestic violence case and before the 15 day return hearing, then the domestic violence case will be reassigned to the UFC Domestic Violence Division assigned to the UFC Domestic Relations Division judge presiding over the custody or paternity case, at the 15 day return hearing. When there is a subsequent domestic relations case filed after the final hearing in the domestic violence case, the domestic violence case may be reassigned to the UFC Domestic Violence Division assigned to the UFC Domestic Relations judge upon further action in the domestic violence case.

**Domestic Relations and Delinquency Cases:**

Crossover domestic relations and delinquency cases are coordinated by case managers, and the presiding judges are provided with case status information.

**Domestic Relations and Dependency Cases:**

At filing, if the Clerk of Court determines that there is a crossover dependency case, then the domestic relations case is filed in the UFC Domestic Relations Division presided over by the judge presiding over the UFC Dependency Division in which the crossover dependency case is filed. Separate UFC Domestic Relations Division numbers have been created for the crossover domestic relations cases assigned to the judge presiding over the dependency case. If the domestic relations case predates the dependency case, then the judges will confer about the UFC Domestic Relations Division judge in which the older domestic relations case is filed, hearing the dependency case to eliminate judge shopping. If there is no agreement, then the UFC Dependency Division judge will hear the domestic relations case. Similarly, if there is also a crossover delinquency case assigned to the UFC Dependency Division judge, then the crossover domestic relations case will also be filed in the UFC Domestic Relations Division presided

over by the judge presiding over the UFC Dependency Division in which the dependency and delinquency cases are filed.

**Dependency and Delinquency Cases:**

At filing crossover delinquency cases are assigned to the UFC Dependency Division in which the dependency case is filed. If a dependency case is filed subsequent to a delinquency case but prior to adjudication in the delinquency case, then the delinquency case may be reassigned to the UFC Dependency Division in which the dependency case is filed. In accordance with s. Florida Statutes, delinquency cases pending sentencing are not reassigned to the UFC Dependency Division in which the crossover dependency case is filed.

**Dependency and Domestic Violence Cases:**

Crossover domestic violence cases are filed in the UFC Domestic Violence Division (58)(31 - 34) associated with the UFC Dependency Division in which the dependency cases is filed, or reassigned to that UFC Domestic Violence Division at the 15 day return hearing. When the dependency case is filed after the final hearing in the domestic violence case, the domestic violence case may be reassigned as above upon further activity in the domestic violence case.

**Domestic Violence and Delinquency Cases:**

Crossover domestic violence and delinquency cases are coordinated by case managers, and the presiding judges are provided with case status information.

**SECTION 14:**

**SPECIAL CALENDARING REQUIREMENTS**

**A. Uniform Motion Calendar/Ex-parte Calendar**

A uniform motion calendar pursuant to Local Rule 10A will be held by each Judge four days a week (Monday - Thursday) from 8:45 AM to 9:30 AM. (See Local Rule 10A for details). General magistrates and hearing officers shall set a motion calendar at least one time per week in accordance with Local Rule 10A.

**B. Uncontested Matters / Simplified Dissolutions**

Final hearings on uncontested dissolutions of marriage, adoptions, and name changes will be held during uniform motion calendar unless otherwise designated by the assigned judge.

**C. Emergency Motions**

Each judge shall reserve no less than one hour per week for special set urgent matters. Priority shall be given to children's issues, and to hearings in which there has been an objection to referral to general magistrate. The determination of what constitutes an emergency shall be made in accordance with applicable Administrative Orders.

**D. Case Management Conference**

Pursuant to Fla. Fam. L.R.P. 12.200, a case management conference may be ordered by the Court at any time.

A mandatory case management conference shall be held no later than 150 days after filing for all contested cases which have not been set for trial unless otherwise extended by the court. Alternatively, the case may be set for trial in accordance with applicable rules of procedure.

**E. Non-Motion Calendar Hearings/Evidentiary Hearings**

Unless otherwise ordered by the court, all hearings for temporary attorney's fees and suit money shall be limited to thirty (30) minutes, with each side allocated fifteen (15) minutes thereof. Prior to requesting and setting a hearing on temporary relief, financial affidavits, and Uniform Child Custody Jurisdiction Enforcement Act Affidavits must be filed. Further discovery as permitted by the Fla. Fam. L.R.P. may be required prior to setting a hearing on temporary relief.

**F. Trials of contested matters**

Upon receipt of notice that the cause is at issue, an order shall be entered setting the case for trial and for calendar call not later than the 48 hours before the commencement of the trial docket. The order shall be served by mail on attorneys of record and unrepresented parties. Every notice that the case is at issue must be accompanied by stamped envelopes addressed to all Counsel of record and unrepresented parties. At the calendar call, the trial shall be scheduled. Counsel and unrepresented parties shall bring their calendars with them so that trials will be set to avoid conflicts. Motions for continuance and any other motions must be disposed of prior to the calendar call. When a trial date is set at calendar call, no further notice of trial will be provided by the court. Counsel or

unrepresented party must include in the notice of trial the matter that is being set for trial. If the matter involves post-judgment proceedings, then the nature of the issues in the modification shall be included. The Circuit will adopt a uniform trial order for domestic relations cases. Any variations from the uniform trial order shall be clearly identified.

**G. Continuation of Hearings/Notice of Settlements**

When it becomes necessary to request a continuance or cancellation of a scheduled hearing, except for motion calendar, the requesting party shall promptly file a motion and place said motion on motion calendar. Fla. R. Jud. Admin. 2.085(c) requires that any motion for continuance be in writing signed by the party making it as well as by the Attorney. No hearings will be canceled without court approval, except for motion calendar.

If a matter is settled, it is incumbent upon counsel or the self-represented parties to so inform the court immediately, and expeditiously submit an agreement and order or set the matter on the court's uncontested calendar.

In those cases where the non-evidentiary hearing has been canceled or continued more than once, or in other circumstances as determined necessary by the court, the court may waive oral argument on the motion and make its determination based upon the pleadings and affidavits of record.

**H. Cross-Noticing Motions**

There will be no cross-noticing motions or "piggybacking" of one or more motions upon a previously scheduled motion unless Counsel or unrepresented party first contacts the judge's judicial assistant to confirm that the calendar will accommodate the hearing and obtain court approval to hear such additional matters at the scheduled time.

**SECTION 15:**

**ASSIGNMENT OF EMERGENCY/DUTY JUDGES**

**A. Duty Judge (after 5 PM, weekends and holidays)**

Each week, on a rotating basis, a judge from the Civil/UFC Division(s) shall be assigned as a "Duty Judge." It shall be the responsibility of the Duty Judge to hear "emergency matters," after normal business hours and on weekends and holidays.

**B. Temporary Injunction/Restraining Order Judge**

During normal business hours in the Central Courthouse, temporary injunctions not filed in a pending domestic relations case, or as a related or crossover case shall be heard by the Domestic Violence Court Judges.

All other emergency matters and temporary injunctions in domestic relations cases, domestic violence cases, dependency cases, delinquency cases, or cases related thereto shall be heard by the UFC judge assigned to said related case. In the event that the presiding judge is not physically present in the Courthouse and not expected to return that business day, the emergency shall be reviewed by a judge presiding in the same Division, or by a UFC judge randomly assigned by the Court Administrator's Office.

**SECTION 16:**

**GENERAL REQUIREMENTS/PROCEDURES FOR FAMILY MEDIATION**

**Court Mediation and Arbitration Program Family Mediation Unit**

- A.** Parties may only access Court Mediation and Arbitration Program (CMAP) Family Mediation post filing, through court ordered referral, for the purpose of effecting an amicable settlement of the issues or controversy.
- B.** Pursuant to Fla. Statute 44.102 (b), the court on its own motion may refer any dispute to CMAP Family Mediation or to a Private Certified Mediator as the court deems appropriate.
- C.** All pending domestic post-judgment matters involving custody or visitation may prior to scheduling any hearing before the judge to whom the matter is assigned be referred by Court Order to CMAP Family Mediation if the parties are indigent.
- D.** In any proceedings before a hearing officer for child support or in front of a general magistrate for temporary support, custody, visitation or post judgment proceedings, the hearing officer/general magistrate, on his or her own motion or on motion of either party, may recommend referral of the case to CMAP Family Mediation pursuant to the provisions hereof.
- E.** Upon determining that a case should be referred, the court will enter an standard order of referral and serve copies on counsel, parties and CMAP Family Mediation. Fees which may be charged are pursuant to s. 44.108 Florida Statutes.
- F.** The staff designee of CMAP Family Mediation shall fix a reasonable time for the mediation conference on the matters in controversy. Said conference shall be held within

ten (10) days of the order of referral unless the parties or court agree to an extension of time. Notice of the time and place of the mediation conference is to be provided to the parties and counsel.

- G.** In cases which have been referred to CMAP Family Mediation by the court, the mediator, upon completion of mediation shall report back to the Court in accordance with Fla. Fam. L.R.P. 12.740 and 12.741.
- H.** Parties may elect to use a private mediator, certified in Family Law, at their own expense.
- I.** When a mediated agreement is reached, it shall be reduced to writing and signed by both parties in the presence of the mediator and transmitted to the Court in accordance with Fla. Fam. L.R.P. 12.740.

#### **SECTION 17:**

##### **RECORDS MANAGEMENT AND INFORMATION SYSTEMS**

- \* Identification of subdivisions of the UFC Division
- \* Changes in case numbering practices
- \* Clerical assignment/reassignment of cases
- \* Identification of procedures for identifying newly filed cases or pending cases and involving members of the same family (crossover cases).

\*\*\*Through the issuance of several Administrative Orders, the Clerk of the Court was directed to comply with new case assignment practices, renumber Civil Divisions to Family Divisions, search for all previous domestic cases related to any newly filed domestic case and reference case numbers, and reassign cases from general Civil to Family Court. From time to time, said administrative orders will be amended to reflect current practices and additional administrative orders may be entered as the need arises for the administration of the Unified Family Court Division.

#### **SECTION 18:**

##### **RECORDS MANAGEMENT AND INFORMATION SYSTEMS**

Packages of Florida Supreme Court approved forms for use in the UFC Domestic Relations Division have been developed and are available at the Clerk of Court's office. Said forms may be amended from time to time as necessary.

**SECTION 19:**

**PROVISIONS FOR REPEAL OF PREVIOUS ADMINISTRATIVE ORDERS**

The Unified Family Court Plan is implemented by administrative order and will supersede all conflicting provisions in any prior Administrative Order adopted in the Circuit. The Unified Family Court Plan may be amended from time to time as necessary by administrative order.

**SECTION 20:**

**JUDGMENTS AND ORDERS**

**Form of the Proposed Order of Judgment, Copies and Envelopes**

The title of every order submitted shall contain the subject matter ruled upon and if it is a final order, a designation that it is final. All orders and judgments submitted shall not contain the Attorney's letterhead, or the paralegal's prepared by information. The Attorney or unrepresented party preparing the proposed order or judgment shall furnish the Court with sufficient number of copies and stamped, addressed envelopes for this purpose.

**SECTION 21:**

**DOMESTIC REPEAT/DATING/SEXUAL VIOLENCE INJUNCTIONS**

- A.** Petitioners for temporary injunctions against domestic/repeat/dating/sexual violence shall present themselves to the Clerk of Court Domestic Violence Intake Unit to receive appropriate forms and petitions. They shall then be provided with necessary technical assistance and instruction pursuant to Administrative Order and applicable sections of chapter 741 and 784, Florida Statutes.
- B.** If a violation of a temporary or permanent domestic/repeat/dating/sexual violence injunction is alleged to have occurred, and the aggrieved party desires an appropriate legal remedy, he or she may contact the Clerk of Court Domestic Violence Intake Unit. In accordance with chapter 741 or 784, Florida Statutes, Affidavits of Violation of a domestic violence restraining order are filed with the Clerk of Court and forwarded to the assigned judge, State Attorney's Office, and local law enforcement agency for investigation, filing of criminal charges or contempt proceedings. Motions for contempt for violations of domestic/repeat/dating/sexual violence restraining orders are filed with the Clerk of Court and heard by the assigned judge.

If the party filing the Affidavit of Violation or Motion for Contempt is not provided with criminal case filing information within 60 days of filing, he or she may contact the Clerk of Court Domestic Violence Intake Unit for further assistance.

## **SECTION 22:**

### **INTERPRETERS AND TRANSLATORS OF DOCUMENTS**

- A.** In domestic relations cases it shall be the responsibility of the party offering a non-English speaking witness to provide a disinterested, qualified interpreter at the hearing or trial. The offering party shall bear the initial expense of the interpreter and prepay the fee if required by the interpreter, subject to that fee being taxed as costs. Interpreters in domestic violence, dependency and delinquency proceedings are provided by the court.
- B.** Any documents in a language other than English which are to be submitted to the court shall be accompanied by a correct verbatim English translation prepared by a disinterested third party who provides an affidavit attesting that the verbatim English translation is true and correct.
- C.** In the event an interpreter is needed for a hearing on a domestic/repeat/dating/sexual violence injunction, counsel for the party, or if unrepresented the Domestic Violence case manager shall request an appropriate language interpreter from the Court Interpreters office. In dependency and delinquency cases the in-court clerk requests the interpreter from the Court Interpreters office.

## **SECTION 23:**

### **PROFESSIONAL COURTESY**

In order to preclude unnecessary motions for continuance and protective orders, and to prevent unnecessary clogging of the Court's calendar because of attorney or parties schedule conflicts, it is recommended that all hearing dates and deposition dates be cleared with opposing Counsel or party prior to notices being filed. This fact should be shown on the face of the notice itself by inserting the following at the very bottom of the notice after the certification of service: "The above hearing/deposition was cleared with opposing Counsel's or parties calendar on (date)"; or, in the alternative "The above hearing/deposition date has not been cleared with opposing Counsel's calendar because...".

All aspects of Local Rule 10A must be complied with when setting and noticing motions and depositions.

**SECTION 24:**

**PRESENCE OF CHILDREN AT  
HEARINGS OR TRIALS**

Presence of children at court proceedings should be limited to only those event at which the presence of the child is required by law, or the child is a party to the proceeding and her/his presence is in the best interest of the child. Any party wishing to have a child testify in camera must obtain prior approval from the judge. In the latter instance, their appearance should be timed so that they spend as little time as possible waiting, and such children should be accompanied by a responsible nonparty to supervise them while they are in the Courthouse.

**SECTION 25:**

**NOTICE TO THE BAR: COMPLIANCE**

A copy of these Amended Policies and Procedures will be published in the Broward Review, and posted in the lobby of the Broward County Courthouse.

**SECTION 26:**

**AMENDMENTS**

The Unified Family Court Plan may be amended from time-to-time as necessary through administrative order.

The administrative orders including, but not limited to topics described above may be reviewed at the 17th Judicial Circuit web site: [www.17th.flcourts.org](http://www.17th.flcourts.org), or are available from the Daily Broward Business Review.