

IN THE CIRCUIT COURT OF THE SEVENTEENTH  
JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA

*Administrative Order 2019-48-UFC*

**ADMINISTRATIVE ORDER GOVERNING  
BATTERERS' INTERVENTION PROGRAM PROVIDERS**

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(a) Pursuant to Article V, section 2(d) of the Florida Constitution, and section 43.26, Florida Statutes, the chief judge of each judicial circuit is charged with the authority and the power to do everything necessary to promote the prompt and efficient administration of justice.

(b) Florida Rule of Judicial Administration 2.215(b)(3) states the chief judge “shall, considering available resources, ensure the efficient and proper administration of all courts within [this] circuit.”

(c) Pursuant to section 741.32, Florida Statutes, the Legislature has found that the incidence of domestic violence in this state is disturbingly high and that, despite the efforts of many to curb this violence, one person dies at the hands of a spouse, ex-spouse, or cohabitant approximately every three days. Further, a child who witnesses the perpetration of this violence becomes a victim as he or she hears or sees it occurring. This child is at high risk of also being the victim of physical abuse by the parent who is perpetrating the violence and, to a lesser extent, by the parent who is the victim. These children are also at a high risk of perpetrating violent crimes as juveniles and, later, becoming perpetrators of the same violence they witnessed as children. Additionally, the Legislature has found that there should be standardized programming available to the justice system to protect victims and their children and to hold the perpetrators of domestic violence accountable for their acts. Finally, the Legislature recognizes that in order for batterers' intervention programs to be successful in protecting victims and their children, all participants in the justice system as well as social service agencies and local and state governments must coordinate their efforts at the community level.

(d) Historically, the Department of Children and Families has been responsible for the statewide domestic violence program, which provides supervision, direction, coordination, and administration of activities related to domestic violence prevention and intervention services. However, effective July 1, 2012, the Legislature amended section 741.32, Florida Statutes, and other related statutes, terminating the

Department of Children and Family's monitoring of batterers' intervention programs with no further specification as to certification and oversight of such programs.

(e) Batterers' intervention programs are an integral component to a comprehensive approach to domestic violence. Strong communication between providers of such programs and the justice system is paramount to ensuring perpetrators of domestic violence are held accountable and a change in behavior is attainable. As such, the court has an obligation to ensure that batterers' intervention programs to which individuals are referred as a condition of an injunction or other court order have the necessary credentials, experience and hands-on knowledge to ensure program effectiveness and offender compliance with a focus on victim safety.

(f) Pursuant to section 741.30(6)(a)5., Florida Statutes, when the court orders the respondent to participate in a batterers' intervention program, the court, or any entity designated by the court, must provide the respondent with a list of batterers' intervention programs from which the respondent must choose a program in which to participate.

(g) Establishing an approved list of batterers' intervention programs for the Seventeenth Judicial Circuit would serve the interest of justice and judicial economy, preserve judicial resources, assist the local bar in discharging its duties and obligations to clients, and benefit the citizens of Broward County, Florida.

(h) Consistent with the above, it is necessary to establish an administrative process for review, approval, certification, renewal and regulation of program providers meeting the necessary requirements to be certified as batterers' intervention program providers within the Seventeenth Judicial Circuit.

(i) In accordance with the authority vested in the chief judge by Article V, section 2(d) of the Florida Constitution, section 43.26, Florida Statutes, and Florida Rule of Judicial Administration 2.215, it is hereby **ORDERED, effective immediately**:

(1) The Office of the Trial Court Administrator will create and maintain a registry of approved batterers' intervention programs satisfying the requirements of Florida Statutes and this Administrative Order. The registry shall include the contact information for each batterers' intervention program, business address, email address, and telephone and fax numbers. The approved list may be amended at any time and the most current list shall be distributed to all Judges for use when ordering an individual to a batterers' intervention program.

(2) Any batterers' intervention program seeking certification as an approved batterers' intervention program within the Seventeenth Judicial Circuit must meet the requirements of section 741.325, Florida Statutes, and this Administrative Order. Pursuant to section 741.325, Florida Statutes, a BIP program must meet the following requirements:

- a. The primary purpose of the program shall be victim safety and safety of children, if present.
- b. The batterer shall be held accountable for acts of domestic violence.
- c. The program shall be at least 29 weeks in length and include 24 weekly sessions, plus appropriate intake, assessment, and orientation programming.
- d. The program content shall be based on a psychoeducational model that addresses tactics of power and control by one person over another.
- e. The program shall be funded by user fees paid by the batterers who attend the program, which allows them to take responsibility for their acts of violence. An exception shall be made for local, state, or federal programs that fund batterers' intervention programs in whole or in part.

(3) To be added to the approved list of BIP providers in the Seventeenth Judicial Circuit, a program must submit an application to the following address:

Office of the Trial Court Administrator  
Attention: General Counsel  
Broward County Courthouse  
201 S.E. 6th Street, Suite 20170  
Fort Lauderdale, Florida 33301

The application is attached hereto as Attachment "A." As part of the application, the applicant must agree to submit to a background investigation. The applicant must also submit an Affidavit of Compliance, attached hereto as Attachment "C", certifying compliance that the program meets all of the qualifications to be a batterers' intervention program as listed in section 741.325, Florida Statutes, and agree to submit to a background investigation. Additionally, applicants must submit information as to their program schedule, program content, fee schedule, including sliding scale or reduced fee options, locations where programs are offered, and the program model (if the program model is other than the Duluth Model, proof that such model is accepted by the domestic violence prevention community as an effective model shall also be submitted). **All BIP providers currently on the**

**Circuit's list will have thirty (30) days from the date of this Order to submit the required information to be considered for inclusion on the Circuit's roster.**

Submission of an application does not guarantee inclusion on the approved list.

(4) Applicants who meet the requirements of Florida Statutes and this Administrative Order may be placed on the registry and, once placed on the registry, shall be authorized to offer a batterers' intervention program in the Seventeenth Judicial Circuit. Placement on the list shall be valid for one (1) year based on the state fiscal year (July 1 to June 30). Each year, BIP providers who have been previously approved must submit a renewal application, which is attached as Attachment "B", an Affidavit of Compliance, and agree to submit to a background investigation. Renewal applications and supporting documents must be received no later than June 15 each year for consideration for continued inclusion on the approved list. Submission of a renewal application does not guarantee inclusion on the approved list.

(5) Program providers on the Circuit's approved list shall comply and keep current with all applicable rules, regulations, administrative orders and statutes (Florida and federal, as applicable) pertaining to batterers' intervention programs.

(6) Program providers shall not perform program services in any cases where there exists a conflict of interest (real or perceived). The batterers' intervention program provider has a duty to screen cases prior to providing services so as to avoid conflicts (real or perceived).

(7) Any program provider on the Circuit's approved list to provide program services may be immediately removed from the list for good cause. Good cause includes malfeasance, misfeasance, neglect of duty or incompetence in connection with the duties of a Batterers' Intervention Program provider, violation of any of the provisions of this Administrative Order, or any applicable rules, regulations, or statutes (Florida and/or federal, as applicable) pertaining to batterers' intervention programs.

(8) Program providers may also be removed from the Circuit's approved list upon recommendation to the Chief Judge or Chief Judge's designee by a judicial officer or other court staff. When such recommendation is made, the Chief Judge or Chief Judge's designee may request a meeting with the program provider to discuss the circumstances. After such meeting, or after review of any recommendation made by the Chief Judge's designee, the Chief Judge will determine whether the batterers' intervention program provider should remain on the Circuit's approved list.

(9) Any person aggrieved by the actions of a program provider on the approved list of batterers' intervention programs may file a complaint with Court Administration. The complaint shall be referred to the Chief Judge or Chief Judge's designee for investigation and recommendation. Such investigation may include meetings with all interested and affected parties.

(10) All batterers' intervention programs on the Circuit's approved list must immediately notify the Chief Judge or Chief Judge's designee and the Office of the Trial Court Administrator when any of the following listed events occur. When the batterers' intervention program or any principal or employee or independent thereof is:

- a. Named as a respondent in any injunction involving personal protection, including dating violence, domestic violence, repeat violence and sexual violence, or stalking, in any jurisdiction.
- b. Named as a parent or guardian of a child in a dependency action, in any jurisdiction.
- c. Named as a party to any legal proceeding within the Seventeenth Judicial Circuit.
- d. Arrested, convicted, held in contempt by a court of legal jurisdiction, had adjudication withheld, enters a plea of "no contest," or enters a plea agreement for any offense other than a civil traffic infraction, in any jurisdiction.
- e. Named as a respondent in any grievance or formal complaint filed by the licensing authority for any license held by the supervised visitation program.
- f. Involved in any conduct that might reasonably be construed to disqualify a person from selection for service as a supervised visitation program under the standards and qualifications specified in this Administrative Order or any agreement between the supervised visitation program and the Circuit.

Failure to timely inform the Circuit consistent with this provision may result in the immediate removal of the batterers' intervention program from the Circuit's approved list.

**DONE AND ORDERED** in Chambers, Fort Lauderdale, Florida, this 27th day of June, 2019.

/s/ Jack Tuter  
Jack Tuter, Chief Judge

**Attachment "A"**

**INITIAL CERTIFIED BATTERERS' INTERVENTION PROGRAM PROVIDER  
APPLICATION  
SEVENTEENTH JUDICIAL CIRCUIT (BROWARD COUNTY)**

This application must be completed in its entirety if you wish to be considered for inclusion as a provider on the Seventeenth Judicial Circuit Court's Batters' Intervention Program Provider roster.

Program Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Fax Number (if applicable): \_\_\_\_\_

Email: \_\_\_\_\_

Pursuant to section 741.325, Florida Statutes, Batterers' Intervention Programs must meet the following requirements: (a) The primary purpose of the program shall be victim safety and safety of children, if present; (b) The batterer shall be held accountable for acts of domestic violence; (c) The program shall be at least 29 weeks in length and include 24 weekly sessions, plus appropriate intake, assessment, and orientation programming; (d) The program content shall be based on a psychoeducational model that addresses tactics of power and control by one person over another; (e) The program shall be funded by user fees paid by the batterers who attend the program, which allows them to take responsibility for their acts of violence. An exception shall be made for local, state, or federal programs that fund batterers' intervention programs in whole or in part.

**Please acknowledge the following (check all that apply):**

- The program meets all of the above-listed statutory requirements.
- The program is appropriately licensed and insured.
- I am familiar with the practices and procedures of the Seventeenth Judicial Circuit and will abide by all applicable administrative orders.
- I understand that the submission of an application does not guarantee placement on the roster.
- The completed Affidavit of Compliance is attached to this application.
- A completed Authorization for Background Check form is attached to this application.

\_\_\_\_\_  
Program Administrator (print name)

\_\_\_\_\_  
Program Administrator (signature)

\_\_\_\_\_  
Date Signed

**Please submit application to:**  
Office of the Trial Court Administrator  
Attn. General Counsel  
Broward County Courthouse  
201 S.E. 6th Street, Suite 20170  
Fort Lauderdale, Florida 33301

**Attachment "B"**

**CERTIFIED BATTERERS' INTERVENTION PROGRAM PROVIDER RENEWAL  
APPLICATION  
SEVENTEENTH JUDICIAL CIRCUIT (BROWARD COUNTY)**

This application must be completed in its entirety if you wish to be considered for continued inclusion as a provider on the Seventeenth Judicial Circuit Court's Batters' Intervention Program Provider roster.

Program Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Fax Number (if applicable): \_\_\_\_\_

Email: \_\_\_\_\_

Pursuant to section 741.325, Florida Statutes, Batters' Intervention Programs must meet the following requirements: (a) The primary purpose of the program shall be victim safety and safety of children, if present; (b) The batterer shall be held accountable for acts of domestic violence; (c) The program shall be at least 29 weeks in length and include 24 weekly sessions, plus appropriate intake, assessment, and orientation programming; (d) The program content shall be based on a psychoeducational model that addresses tactics of power and control by one person over another; (e) The program shall be funded by user fees paid by the batterers who attend the program, which allows them to take responsibility for their acts of violence. An exception shall be made for local, state, or federal programs that fund batterers' intervention programs in whole or in part.

**Please acknowledge the following (check all that apply):**

- The program meets all of the above-listed statutory requirements.
- The program is appropriately licensed and insured.
- I am familiar with the practices and procedures of the Seventeenth Judicial Circuit and will abide by all applicable administrative orders.
- I understand that the submission of an application does not guarantee placement on the roster.
- The completed Affidavit of Compliance is attached to this application.
- A completed Authorization for Background Check form is attached to this application.

\_\_\_\_\_  
Program Administrator (print name)

\_\_\_\_\_  
Program Administrator (signature)

\_\_\_\_\_  
Date Signed

**Please submit application to:**  
Office of the Trial Court Administrator  
Attn. General Counsel  
Broward County Courthouse  
201 S.E. 6th Street, Suite 20170  
Fort Lauderdale, Florida 33301

**Attachment "C"**

**AFFIDAVIT TO BE PLACED ON THE BATTERERS' INTERVENTION PROGRAM  
PROVIDER LIST IN THE SEVENTEENTH JUDICIAL CIRCUIT  
(BROWARD COUNTY)**

I, \_\_\_\_\_ [Authorized Representative's name],  
being duly sworn, hereby certify, swear and/or affirm that the following information is true and  
correct:

1. I am over 18 years of age, am *sui juris*, and am otherwise competent to make this affidavit.
2. I make this affidavit based upon my personal knowledge.
3. I am the \_\_\_\_\_ [Title of Position through which affiant is  
authorized] of \_\_\_\_\_ [legal name  
of Battersers' Intervention Program provider] (herein referred to as "BIP Provider").
4. I have the authority to act on behalf of and bind the BIP Provider.
5. The BIP Provider provides a batterers' intervention program course for individuals who  
have been ordered by the court to attend a batterers' intervention program.
6. I am aware pursuant to section 741.30(6)(a)5., Florida Statutes, when the court orders the  
respondent to participate in a batterers' intervention program, the court, or any entity  
designated by the court, must provide the respondent with a list of batterers' intervention  
programs from which the respondent must choose a program in which to participate. I am  
submitting this affidavit in order to have the BIP provider placed on the list of eligible  
programs in the Seventeenth Judicial Circuit (herein "Court").
7. The BIP Provider program meets each of the following requirements:
  - a. The primary purpose of the program shall be victim safety and safety of children,  
if present.
  - b. The batterer shall be held accountable for acts of domestic violence.
  - c. The program shall be at least 29 weeks in length and include 24 weekly sessions,  
plus appropriate intake, assessment, and orientation programming.
  - d. The program content shall be based on a psychoeducational model that addresses  
tactics of power and control by one person over another.

Model Name or Description:

\_\_\_\_\_  
\_\_\_\_\_

- e. The program is funded by a user fee in the amount of \_\_\_\_\_ paid  
by the batterers who attend the program, which allows them to take responsibility



for their acts of violence. An exception is made for local, state, or federal programs that fund batterers' intervention programs in whole or in part.

8. The BIP Provider currently satisfies and will continue to satisfy all statutory criteria and requirements of local administrative order(s) to be included on the Seventeenth Judicial Circuit's approved list of batterers' intervention programs.
9. I understand that the BIP Provider is responsible for continuously meeting the statutory and local administrative requirements for batterer intervention programs.
10. I understand the Court may audit the BIP Provider's program as necessary to ensure compliance with Florida Statutes and local administrative order(s). I understand that such audit may include a survey of participants of the BIP Provider's program. The BIP Provider will fully cooperate with any efforts to conduct such audit, including providing the Court with case specific statistics, as requested.
11. I understand and agree to attend any trainings and/or meetings as requested by the Court.
12. I understand that it is my responsibility to **IMMEDIATELY** notify the Court if the BIP Provider no longer meets statutory or local administrative order requirements. This notification must be sent to Trial Court Administrator Kathleen R. Pugh, Esq. at [contracts@17th.flcourts.org](mailto:contracts@17th.flcourts.org), at which time the BIP Provider's name will be immediately removed from the Court's list of providers.
13. I further understand that failure to notify the Court when the BIP Provider is no longer in compliance with Florida Statutes or local administrative order(s) may constitute fraud for which I and/or the BIP Provider may be subject to liability.
14. I understand and agree that it is my responsibility to **IMMEDIATELY** notify the Court if the BIP Provider or any of its principals or employees who provide batterers' intervention program services are:
  - a. Named as a respondent in any injunction involving personal protection, including dating violence, domestic violence, repeat violence and sexual violence, or stalking, in any jurisdiction.
  - b. Named as a parent or guardian of a child in a dependency action, in any jurisdiction.
  - c. Named as a party to any legal proceeding within the Seventeenth Judicial Circuit.
  - d. Arrested, convicted, held in contempt by a court of legal jurisdiction, had adjudication withheld, enters a plea of "no contest," or enters a plea agreement for any offense other than a civil traffic infraction, in any jurisdiction.
  - e. Named as a respondent in any grievance or formal complaint filed by the licensing authority for any license held by the supervised visitation program.
  - f. Involved in any conduct that might reasonably be construed to disqualify a person from selection for service as a supervised visitation program under the standards and qualifications specified in this Administrative Order or any agreement between the supervised visitation program and the Circuit.

15. I understand that if I no longer am employed by or represent the BIP Provider that I or the BIP Providers must contact the Court immediately and the BIP Provider must issue an affidavit by the new legal representative of the BIP Provider in order to remain on the list of eligible providers.

**I DECLARE UNDER PENALTY OF PERJURY**, under the laws of the State of Florida, that the statements and facts indicated in this Affidavit are true and correct.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name:  
Address:  
City, State, Zip  
E-mail Address(es):

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

Sworn to or affirmed and signed before me on by

\_\_\_\_\_  
NOTARY PUBLIC or DEPUTY CLERK  
*[Print, type, or stamp commissioned name of notary or deputy clerk]*

\_\_\_\_\_ Personally known  
\_\_\_\_\_ Produced identification  
Type of Identification produced \_\_\_\_\_