

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

Administrative Order 2020-17-UFC

**ADMINISTRATIVE ORDER UPDATING THE
COLLABORATIVE LAW PILOT PROCESS FOR
DISSOLUTION OF MARRIAGE AND PATERNITY CASES**

(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 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) The collaborative dispute resolution process is a non-adversarial alternative to litigation that helps the parties maintain a working relationship and avoid the emotional and financial toll of litigation and encourages the peaceful resolution of disputes through a voluntary settlement process. *See* § 61.55, Fla. Stat.

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

(1) The Collaborative Law Process (“Collaborative Process”) is authorized until further order of this Court. The Collaborative Process may be utilized to resolve dissolution of marriage and paternity actions and all attendant issues therein according to the requirements of this Administrative Order and applicable Florida Statutes and Florida Family Law Rules Procedure. All stakeholders involved in the Collaborative Process shall meet periodically to review case statistics and the attendant success of the program. A member of Court Administration shall be included at any such meeting.

(2) The Collaborative Process is limited to dissolution of marriage and paternity cases where:

- i. Both parties are Florida residents who are self-represented with children in common of the relationship;
- ii. There are no pending or prior related civil domestic cases where a final judgment has been entered involving the parties and/or the minor children in common of the relationship;
- iii. There are no pending or prior related criminal domestic violence cases involving the parties and/or the minor children in common of the relationship; and
- iv. The parties voluntarily agree to engage in the Collaborative Process by executing a collaborative law participation agreement.

(3) Cases shall be screened for eligibility by Court Administration Family Case Management upon the filing of an answer. If the action is eligible for the Collaborative Process, a case management conference shall be set on the presiding judge's next available case management docket. At the case management conference, the presiding judge, along with the collaborative process team comprised of collaborative law attorneys, and a mental health professional and a financial professional, shall explain the Collaborative Process to the parties.

(4) If, after the case management conference the parties voluntarily agree to participate in the Collaborative Process, they shall execute and file with the court a collaborative law participation agreement. Upon notice of filing of such agreement, the presiding judge shall enter an order staying the action for a period not to exceed 120 days. *See* Attachment "A". The presiding judge may require the parties to file periodic status reports as to whether the collaborative process is ongoing or concluded.

(5) The Collaborative Process concludes or terminates upon the occurrence of an event or events as set forth in section 61.57, Florida Statutes or Florida Rule of Family Procedure 12.745, but shall not exceed 120 days from the order staying the proceedings, unless otherwise extended by the presiding judge.

(6) This Administrative Order supersedes and vacates Administrative Order 2018-107-UFC.

DONE AND ORDERED in Chambers, Fort Lauderdale, Florida, this 9th day of March, 2020.

/s/Jack Tuter
Jack Tuter, Chief Judge

Attachment "A"

IN THE CIRCUIT COURT FOR THE
17TH JUDICIAL CIRCUIT IN AND FOR
BROWARD COUNTY, FLORIDA

IN RE: THE MATTER OF:

CASE NO.: _____

Petitioner,

JUDGE: _____

and

Respondent.

_____ /

ORDER ON JOINT REQUEST TO STAY THE PROCEEDINGS

THIS CAUSE is before the court upon the agreement of the parties to participate voluntarily participate in the Seventeenth Judicial Circuit Collaborate Law Pilot Project established pursuant to local administrative order. The court, having received the Notice of Intent to Participate and the fully executed Participation Agreement, and being otherwise duly advised in the premises, it is hereby **ORDERED** as follows:

1. This case is hereby stayed for a period of 120 days in order for the parties to voluntarily participate in the Seventeenth Judicial Circuit Collaborative Law Pilot Project.
2. At the conclusion of the 120-day period, the collaborative law team members shall advise the court whether an agreement has been negotiated between the parties. If no agreement has been reached and there is no filed request to extend the stay, the stay shall be automatically lifted and a case management conference shall be scheduled at which the matter may be set for trial.
3. If, at any time during the stay, the parties agree the collaborative process is futile, they may come back to court to litigate without having to wait for the expiration of the stay.
4. This stay shall automatically end upon the occurrence of an event or events as set forth in section 61.57, Florida Statutes or Florida Family Law Rule Procedure 12.745.

DONE AND ORDERED in Chambers, Fort Lauderdale, Florida, this ____ day of _____, 20____.

Circuit Court Judge

Copies furnished to:
Petitioner
Respondent