

PROCEDURES FOR UNIFIED FAMILY DIVISION 44

(Updated: 5/20/2024)

Judge: Christopher Wigand
Judicial Assistant: Dyana DelPonte
Office Hours: 8:00 a.m. to 4:00 p.m.
The office is closed for lunch from 12:00 p.m. to 1:30 p.m.
Courtroom: 11156
Chambers: 11138
Address: Broward County Courthouse
201 Southeast 6th Street
Fort Lauderdale, Florida 33301
Phone: (954) 831-7797
E-mail: Div44@17th.flcourts.org

DAILY ZOOM HEARING LINKS FOR VIDEO CONFERENCING

This link and conference meeting number will work for all Division 40 hearings/trials.

Join the ZOOM Meeting at:

<https://17thflcourts.zoom.us/j/930694338>

Meeting ID: 930-694-338

One tap mobile

+16468769923,,562237373# US (New York)

+13126266799,,562237373# US (Chicago)

Dial by your location

+1 646 876 9923 US (New York)

+1 312 626 6799 US (Chicago)

+1 346 248 7799 US (Houston)

+1 408 638 0968 US (San Jose)

+1 669 900 6833 US (San Jose)

This link will allow attorneys and litigants to attend hearings by video-conference at no cost to the participant. Once you have logged in, you will be placed in a virtual waiting room until the Court calls your case for hearing. If you are unable to access the link, please use the conference call number associated with the Zoom meeting link to participate by telephone.

This link will take you to a tutorial on Zoom: <http://www.17th.flcourts.org/electronic-hearing-with-zoom/>

If you encounter technical difficulties, please visit the Zoom website for tutorials or help.

ZOOM PROCEDURES

1. Upon logging onto Zoom, please identify/"rename" yourself by typing in your first and last name or you will not be admitted to the hearing.
2. **PLACE YOURSELF ON MUTE until your case is called.**
3. **Proper attire and decorum is expected for all parties appearing via Zoom.**
4. **All attorneys must appear with video** for ZOOM hearings unless a Motion Requesting to appear telephonically has been granted prior to the hearing.
5. If you have any connection issues or issues logging into the Virtual Courtroom, please Contact the Court's chambers immediately (via email or phone).

All hearings set for one (1) hour or longer will be held in-person. All evidentiary hearings and trials, including all Domestic Violence trials, regardless of length, will be held in-person.

All Uniform Motion Calendar, Case Management Conferences, Domestic Violence Return Hearings, and Special Set Hearings under one (1) hour will be held remotely via Zoom.

If a party is requesting an in-person hearing/trial to be held via Zoom and the opposing party does not object to all parties appearing via Zoom for the hearing/trial, please e-mail the Judicial Assistant that both sides agree and the hearing will be updated. If both parties do not agree to an in-person hearing being held via Zoom, then it must be set on Judge Wigand's Uniform Motion Calendar.

All Parties MUST sign in with their FULL NAMES. Proper attire and décor is expected for all parties appearing via Zoom.

I. LOCATION

All in-person hearings for Division 44 are held in Courtroom WW11-156, located on the eleventh floor of the West Wing of the Broward County Courthouse. The drop-off mailbox for Judge Wigand is located along the wall of the eleventh floor hallway.

II. COMMUNICATIONS WITH THE COURT

1. ALL correspondence with the Court shall be done in writing via the division e-mail: Div44@17th.flcourts.org. Please do not call the Court's chambers to schedule a hearing as you will be directed to make your request via e-mail. Please ensure your interactions and communications with the Court, Judicial Assistant, and Court staff remain cordial and professional.
2. All e-mails to the division e-mail must have the CASE NUMBER and CASE STYLE in the SUBJECT LINE.
3. **DO NOT** send multiple e-mails regarding the same matter and please respond to the e-mails within the same e-mail thread. Multiple e-mail requests on the same matter may result in a delayed response to your requests.
4. Please ensure all parties are included in any e-mail communications with the Court. When requesting a hearing, the e-mail should include the amount of time needed and a copy of the relevant motion **date-stamped by the Clerk's Office**. **Please do not copy the Court with any e-mails that are not related to scheduling**. These include, but are not limited to, e-mails where attorneys are litigating with each other or disagreeing on dates/times.
5. **DO NOT SEND LETTERS, E-MAILS, OR NOTES TO THE COURT**. The Court acts on petitions and motions which have been properly e-filed and accepted by the Clerk's Office. The Court cannot act on letters, e-mails, or notes sent to the Court. Should you seek relief, please file the appropriate petition or motion with the Clerk of Courts, copy the opposing party, and send a courtesy copy to the Court. You must certify that any pleading provided to the Court as a courtesy was also simultaneously provided to the opposing party.

6. Judge Wigand's office **MUST NOT** be the recipient of any *ex parte* or one-sided communications. If Judge Wigand's office receives an *ex parte* communication or is inappropriately or improperly copied on communications, the correspondence or document will be returned. Please do not ask any of the Court's staff to communicate any message to Judge Wigand.

III. PRO SE LITIGANTS (SELF-REPRESENTED PARTIES)

If you are a *pro se* litigant (which means you do not have an attorney) please do not contact the Judicial Assistant. Instead, all self-represented parties may seek assistance by contacting our Case Management Unit via e-mail at ufchelp@17th.flcourts.org or by phone at [954-831-8532](tel:954-831-8532) for all questions and guidance regarding your case.

Please be advised that Case Management cannot provide legal advice, but can be very helpful to parties attempting to navigate the court system on their own. Forms are also available in Room WW4-130 of the Clerk's Office, as well as online from the Florida Supreme Court: www.flcourts.org.

If e-mailing this office, you must include the opposing party in all e-mail correspondence to this office.

IV. STATUS QUO ORDERS

Division 44 has adopted the procedures described in Administrative Order No. 2019-015-UFC Adopting and Authorizing the Use of a Status Quo Temporary Order in Dissolution of Marriage and Paternity Actions in the Seventeenth Judicial Circuit of Florida.

See <https://www.17th.flcourts.org/wp-content/uploads/2019/02/2019-15-UFC.pdf>.

V. HEARINGS

A. GENERALLY

STRICT COMPLIANCE WITH LOCAL RULE 10A IS REQUIRED.

See https://www.17th.flcourts.org/wp-content/uploads/2018/03/Local-Rule-10A_final.pdf

If you have tried in good faith to coordinate a hearing and have not received a response from opposing counsel within two (2) full business days of your contact, you may set the hearing unilaterally. Please note on your Notice of Hearing: "Set Unilaterally Pursuant to Judge Wigand's Procedures." This division does not require a copy of the Notice of Hearing.

All notices of hearing shall set forth the date and time of the hearing and the hearing location instructions and shall be filed with the Clerk of Courts. ***If your hearing is by Zoom, you must include the Zoom instructions in your Notice of Hearing.***

Once a matter has been set on the Court's docket, any and all pleadings you would like for Judge Wigand to review should be uploaded through the CMS portal under SUPPORTING DOCUMENTS **at least five (5) days prior to the hearing**. Absent exigent circumstances, failure to do so may result in the cancellation of your hearing.

Self-represented (or pro se) parties not registered with CMS must file a request for a hearing either via email or in writing along with self-addressed stamped envelopes for all parties and send a copy of the request with the Motion to be heard to the Clerk of Courts. The Court will review the request and respond appropriately.

B. EMERGENCY HEARINGS

All emergency hearings are governed by Administrative Order 2019-02-2019-9-UFC establishing procedures for family division emergency matters.

<http://www.17th.flcourts.org/wp-content/uploads/2019/02/2019-9-UFC.pdf>

1. All emergency motions must be e-filed and accepted by the Clerk's Office prior to submitting to Judge Wigand's office.
2. Once e-filed and accepted, the Clerk's Office will present a copy to the Judge for review.
3. Any e-mail to the Division must include the case number, party names, and EMERGENCY in the subject line.
4. The Court will do one of the following:
 1. Enter a ruling on the motion without a hearing;
 2. Enter a ruling on the motion without a hearing and set a hearing or case management conference on an expedited basis; or
 3. Set a hearing for the motion to be heard.

Prior to styling any motion or petition as an emergency, please review the following definitions provided in Administrative Orders No. 2019-9-UFC: **“a matter of imminent or impending abuse, neglect or abandonment affecting the health, safety or welfare of a child;”** and **“it appears from the specific facts shown by affidavit or verified pleading that immediate and irreparable injury, loss, or damage will result to the movant before the adverse party can be heard in opposition.”** See Fla. Civ. R. P. 1.610(a)(1)(A).

All emergency motions **MUST** include a certification by counsel or the party pro se that the motion qualifies under one of the above definitions AND is brought in good faith.

Please Note: section 39.201, Florida Statutes, requires certain allegations regarding child abuse, neglect or abandonment be immediately reported to the Department of Children and Families. If the allegations in your motion allege abuse, neglect or abandonment of a minor child, you must immediately report the matter to the Abuse Hotline at: 1-800-96-ABUSE (1-800-962-2873).

C. UNIFORM MOTION CALENDAR (UMC)

Mondays, Tuesdays, Wednesdays, Thursdays for litigants represented by counsel from 8:45 a.m. to 9:30 a.m.

1. UMC hearings are limited to matters which can be heard in five (5) minutes and do not require any testimony.
2. UMC is appropriate for uncontested final hearings, default final hearings, adoption hearings, name-change hearings, and non-evidentiary matters.
3. Strict adherence to the 5-minute Motion Calendar will be observed.
4. **All UMC hearings are to occur by ZOOM video conference.**

5. UMC calendars are limited to fifteen (15) hearings and are populated on a first come, first serve basis.
6. Once the motion calendar hearing has concluded, please upload the proposed order (**after conferring with the opposing party**) to the Court's CMS Workbench **within three (3) business days from the date of the hearing**.
7. **If you are canceling a hearing on the UMC docket, please cancel it online on CMS.** Filing a Notice of Cancellation does not automatically cancel a hearing online. If you are canceling a hearing that is scheduled for the same or next day, please email or call Ms. DelPonte, as well. The UMC hearing can only be canceled by the attorney who set the hearing.

D. SPECIAL SET HEARINGS

1. Any hearing requiring more than 5 minutes or requiring evidence must be Special Set by the Court.
2. After the parties have conferred and a Motion has been filed AND accepted by the Clerk's Office, please e-mail your hearing request to the Judicial Assistant at Div44@17th.flcourts.org with the following information:
 1. A copy of the Motion to be special set and the DATE IT WAS FILED WITH THE CLERK.
 2. The amount of time requested by the movant;
 3. The amount of time requested by the non-movant;
 4. Whether the Motion is time-sensitive or entitled to statutory preference;
 5. Evidence of the parties conferral (The date of your conferral with the opposing attorney or self-represented party, the manner of your conferral – in person or by phone, the names of the individuals who participated in the conferral); and
 6. Correct e-mail address for all parties.
3. Once reviewed, you will receive a list of available dates and times from the Judicial Assistant.
4. Once the parties agree on a date and time and **confirm the date/time with the Judicial Assistant**, the movant shall file a Notice of Hearing. The Notice of Hearing should not be filed until the Judicial Assistant has confirmed the agreed date/time is confirmed on the docket. This division does not require a copy of the Notice of Hearing.
5. **DO NOT INCLUDE THE DIVISION IN E-MAILS BETWEEN THE PARTIES DISCUSSING SCHEDULING.** This will result in delay in setting the hearing.
6. **DO NOT SEND MULTIPLE E-MAILS REGARDING THE SAME HEARING.** This will result in delay in setting the hearing.
7. Once a special set hearing has been scheduled, **there will be no add-ons.**
8. Once the special set hearing has concluded, please upload the proposed order (**after running it by the opposing party**) to the Court's CMS Workbench **within two (2) weeks from the date of the hearing**. Unless otherwise ordered by the Court.

E. EVIDENTIARY HEARINGS

1. Evidentiary hearings that require witness testimony or exhibits require the parties to file AND exchange such witness and exhibit lists no less than five (5) business days prior to the hearing. **The parties must also upload their exhibit list and pre-marked exhibits to the Court at least five (5) business days prior to the hearing through the CMS portal under SUPPORTING DOCUMENTS.**

2. Failure to do so may result in the Court striking any witness or exhibit not filed and exchanged with the opposing party.
3. Exhibits must be entered into evidence pursuant to Administrative Order 2022-37-Gen (Amendment 1).
4. This division does not require a copy of the Notice of Hearing.
5. Once a hearing has been scheduled, there will be no add-ons.

F. TEMPORARY RELIEF HEARINGS

1. **The parties must attend mediation before setting any temporary relief matter for an evidentiary hearing. Please upload the Order of Referral to Mediation (the parties may choose the Mediator) to the CMS Workbench. The parties' Financial Affidavits must be uploaded through the CMS portal under SUPPORTING DOCUMENTS.**
2. When requesting a hearing for temporary support and temporary time-sharing matters, the parties must advise the Court if mediation has occurred and led to an impasse.
3. If mediation is required, it must be completed prior to the hearing.
4. Failure to attend mediation may result in your hearing being cancelled by the Court.
5. Temporary Support hearings are **limited to ONE (1) hour**.
6. A Preliminary Order establishing hearing guidelines will be issued upon the setting of the hearing date. The parties are expected to abide by the deadlines in the Preliminary Order.

G. CASE MANAGEMENT CONFERENCES

1. A case management conference may be ordered by the Court at any time on the Court's initiative.
2. A case management conference may be requested by a party thirty (30) days after a petition or complaint.
3. Fla. R. Fam. L. R. P. 12.200 governs what can be heard and what the Court may do during a case management conference.
4. All parties must appear at a case management conference.
5. A case management conference scheduled by the Court may not be cancelled or rescheduled without prior Court Order.
6. Once the hearing has concluded, please upload any proposed order (**after running it by the opposing party**) to the Court's CMS Workbench **within three (3) business days from the date of the hearing**.

H. RELOCATION HEARINGS

1. The Court is **NOT** automatically notified by the Clerk's Office of filed Petitions for Relocation.
2. As such, in order to comply with § 61.1003(10), Florida Statutes, a copy of all properly filed Petitions for Relocation **must be IMMEDIATELY provided to the Court** through the Divisional e-mail.
3. Failure to provide a copy and comply with this requirement may result in a delay in setting the petition for hearing.
4. The e-mail must include the case number, party names, and RELOCATION in the subject line.

I. TRIALS

1. No case shall be set for trial unless and until a mediation impasse report is filed with the Clerk's Office. If mediation occurred while the litigants were self-represented or with predecessor counsel and a new attorney is retained prior to trial who will be the attorney at trial, the parties shall mediate the case again to trial and file a new impasse form, if necessary. *Mediation is a process, and not necessarily a one-time event.* If the impasse form is not filed with the Court, your trial may be cancelled by the Court sua sponte.
2. A Notice of Readiness for Trial should be e-filed and accepted by the Clerk's Office and then set to be heard on UMC before contacting the Judicial Assistant for trial dates. Please do not notice your case for trial until discovery is completed and you have attended mediation. The parties/counsel must confer to coordinate potential dates for trial; length of trial; number of witnesses, etc.
3. In the Notice of Readiness for Trial, please include the following:
 1. The approximate length of trial;
 2. The approximate number of witnesses to be called at trial;
 3. The approximate number of expert witnesses to be called at trial;
 4. The remaining disputed issues; and
 5. All necessary affidavits and certificates of compliance with mandatory disclosure have been filed.
4. Division 44 uses the Unified Family Court Family Division Uniform Trial Order. When a trial date is received, the Uniform Trial Order will be issued.
5. In accordance with the Uniform Trial Order, **all parties**, whether represented by counsel or appearing *pro se*, **are REQUIRED to file a Joint Pre-Trial Stipulation within five (5) business days prior to the scheduled trial date. Failure to file a Joint Pre-Trial Stipulation in a timely manner will result in a CANCELLATION of the trial.**
6. Any motion to continue a scheduled trial, must be set on UMC at least seven (7) business days prior to the scheduled trial date and must include the client's consent. This time frame may be waived by exigent circumstances.
7. If the matter set for trial settles, please e-mail the Judicial Assistant **IMMEDIATELY**.
8. Please pre-mark your trial exhibits using letter format (*i.e.*, Petitioner's Exhibit A for identification XXX).
9. If you intend to use any electronic evidence, please bring all electronic evidence on a flash drive and arrive to the Courtroom at least thirty (30) minutes prior to your scheduled trial time to ensure that you know how to use the courtroom equipment to present the evidence. It is the attorney's obligation to ensure he/her/they know how to present the electronic equipment; the Court will not assist.
10. Exhibits filed on the docket must be filed with a descriptive name (*i.e.*, Petitioner's Exhibit A: Affidavit of Boo Radley).
11. In Division 44, multiple day trials may not always be set consecutively.

VI. CANCELLATIONS/CONTINUANCES OF HEARINGS

1. UMC hearings must be canceled through CMS by the attorney/party who set the hearing. Filing a notice of cancellation does not automatically cancel the hearing.
2. CMC hearings may only be continued by agreement of the parties. If the parties agree to continue a case management conference, please upload the agreed order to the Court's CMS Workbench. A motion to continue must be set on UMC.
3. Special Set hearings may only be canceled by a) the Court; b) by agreement of the parties and submission of a proposed order (the Judicial Assistant must be notified if an order has been entered so that she can cancel the hearing); c) by agreement of the parties in a joint motion for continuance; or d) a showing of good cause or exigent circumstances in a

properly filed motion for continuance to be heard on UMC. If your special set is canceled, please e-mail the Judicial Assistant a Notice of Cancellation to div44@17th.flcourts.org. Please cancel as soon as is reasonably possible to allow other litigants to use that time. If submitting a Motion for Continuance to the Judicial Assistant via e-mail, please include a blank Order in Word format.

4. Emergency Hearings set by the Court cannot be unilaterally canceled by the parties.
5. Trials may be canceled upon resolution of the case, with notice to the Court through the divisional e-mail. Any motion to continue a scheduled trial, must be set on UMC at least five (5) business days prior to the scheduled trial date and must include the client's consent. This time frame may be waived by exigent circumstances. Please cancel as soon as is reasonably possible to allow other litigants to use that time.

VII. PROPOSED ORDERS AND PROPOSED FINAL JUDGMENTS

A. GENERALLY

When uploading proposed orders to the CMS Workbench, please attach the motion and supporting documents through the CMS portal under SUPPORTING DOCUMENTS. Please do not submit duplicate orders by mail or e-mail unless otherwise directed by the Court. **If the parties are sending competing orders, please send both orders in Word together in ONE e-mail.** The Judge will review and you will receive an order back through CMS. Please do not contact the Judicial Assistant to see if your order has been signed, the Court will review, enter, and conform orders as promptly as possible.

Unless otherwise directed by the Court, competing orders will NOT be accepted through the CMS Portal and must be e-mailed to the division e-mail at Div44@17th.flcourts.org.

All proposed orders should include the date of the hearing before this Court (and any other pertinent dates), the full name of the motion, and the date such motion was filed. Failure to include such information may result in this Court rejecting the proposed order. If the order is rejected, you will receive a message through CMS Online Scheduling System advising you of the deficiency.

Properly filed *Ex Parte* Orders on Motions to Compel Discovery may be submitted through the CMS portal, however, the motion must be uploaded through the CMS portal under SUPPORTING DOCUMENTS. Strict compliance with Local Rule 10A is required.

B. AGREED ORDERS

1. Division 44 accepts Agreed Orders through online submission on the CMS Portal. All other proposed orders may only be submitted to the CMS Workbench when directed by the Court.
2. ALL proposed orders must contain the hearing date (if held), the title of the motion, and the date the motion was filed.
3. **All AGREED proposed orders must include a verification that the proposed agreed order has been reviewed by the opposing party and the opposing party agrees with the proposed order or the proposed order shall be rejected.**
 1. The verification may be in the body of the proposed order or attached through the CMS portal under SUPPORTING DOCUMENTS.

2. *Failure to include such verification will result in a rejection of the proposed agreed order.*
4. Please Note: Income Deduction Orders/Income Withholding orders must be submitted by e-mail because those orders become distorted and illegible when uploaded through the CMS portal. Also, DVCE cases/orders are not allowed to be uploaded through the CMS portal without leave of Court.
5. Do not mail or e-mail copies of Agreed Orders to the Court.

C. PROPOSED ORDERS

1. Division 44 accepts Proposed Orders through online submission on the CMS Portal following an oral pronouncement of the Court's ruling.
2. ALL proposed orders must contain the hearing date, the title of the motion heard, and the date the motion was filed.
3. If the Court has deferred issuing a ruling and requests the parties to submit proposed order, it should be e-mailed to Div44@17th.flcourts.org.
4. The parties may submit competing proposed orders by e-mail to Div44@17th.flcourts.org.
5. **Where the parties do not agree on proposed language, that language shall be set forth in bold type.** Language proposed only by the Plaintiff/Petitioner shall be underlined. *Language proposed only by the Defendant/Respondent shall be italicized.*

D. PROPOSED FINAL JUDGMENTS

1. If you have a final hearing set before the Court, please do not submit proposed orders or proposed judgments *until after the hearing has concluded and the Court has directed the parties to submit said Final Orders.*
2. Once the hearing is concluded, please submit the Final Judgment through CMS and include the Driver's License as an attachment through the CMS portal under SUPPORTING DOCUMENTS.
3. *The proposed final judgment must include the date of the final hearing or it will be rejected.*

PROPOSED FINAL ORDERS UPLOADED PRIOR TO THE HEARING WILL BE REJECTED.

E. MEDIATION ORDERS

1. If you are requesting an order for Court Mediation, please upload the Standard Mediation Order AND it must be accompanied by copies of the financial affidavits of both parties through the CMS portal under SUPPORTING DOCUMENTS for the Order of Referral to be issued by this Court.
2. If the parties do not qualify for Court Mediation, and the parties agree on a mediator, an Order for Mediation may be uploaded through CMS.
3. If the parties do not qualify for Court Mediation, and the parties do not agree on a mediator, a hearing must be set on Motion Calendar for the Court to appoint a mediator. Subsequently, an Order for Mediation reflecting the appointment shall be uploaded by the parties to CMS after the hearing.

F. PROPOSED TRIAL ORDERS

1. Following the conclusion of trial, both sides are DIRECTED to submit proposed findings of facts and proposed conclusions of law by e-mail to div44@17th.flcourts.org within fourteen (14) days of the trial UNLESS OTHERWISE ORDERED BY THE COURT.
2. ALL proposed orders must contain the hearing date, the title of the petition/motion heard, and the date the petition/motion was filed.
3. Each exhibit referenced must be clearly identified for the Court.
4. If a deposition, hearing, or trial transcript is referenced, a complete copy of the transcript must be filed in the Court record.

VIII. SUBSTITUTION OR WITHDRAWAL OF COUNSEL

1. **Substitution of Counsel:** If the attorneys have agreed to a substitution of counsel, the proposed order may be submitted as an Agreed Order through the CMS Workbench.
 1. The proposed order must include: (1) the name of the law firm and/or attorney that is to be substituted as counsel of record, (2) the name of the party (Plaintiff/Defendant), and (3) the name of the law firm and/or attorney that is to be withdrawn as counsel and shall bear no further responsibility in the matter.
 2. The stipulation of counsel must be uploaded through the CMS portal under SUPPORTING DOCUMENTS.
2. **Withdrawal of Counsel:** If the attorney has obtained written consent from the client, it is not necessary to set or attend a hearing to withdraw. The proposed order may be submitted as an Agreed Order through the CMS Workbench.
 1. The proposed order granting withdrawal must include: (1) the client's name; (2) the client's most recent physical and mailing addresses, e-mail address, and phone number; (3) advise the client they may retain new counsel at any time or proceed *pro se*; and advise the client they have a continuing obligation to keep their contact information up to date with the Clerk of Court.
 2. The client's verification of consent must be uploaded through the CMS portal under SUPPORTING DOCUMENTS.
 3. **The attorney must register the client's e-mail with the State's e-Portal in order to receive notices, orders, and e-mail notifications and be included on the e-Service List within two (2) days of the Order being signed.**
<https://www.myflcourtaccess.com/default.aspx>
3. **Withdrawal of Counsel:** If the attorney has not obtained written consent from the client pursuant to Fla. R. Jud. Adm. 2.505, the client should be noticed on the Notice of Hearing and provided a copy of the motion to withdraw.
 1. The motion to withdraw may be set on the Court's UMC.
 2. The proposed order may be uploaded to the CMS Workbench only after an oral pronouncement from the Court.
 3. **The attorney must register the client's e-mail with the State's e-Portal in order to receive notices, orders, and e-mail notifications and be included on the e-Service List within two (2) days of the Order being signed.**
<https://www.myflcourtaccess.com/default.aspx>

IX. REFERRALS TO GENERAL MAGISTRATE OR HEARING OFFICER

1. After a pleading is reviewed, the Court may enter an Order of Referral to: (1) a Hearing Officer for child support matters, *see* Fla. Fam. L. R. P. 12.491; or (2) to a General Magistrate for other matters, *see* Fla. Fam. L. R. P. 12.490.
2. If a party timely objects to referral to the General Magistrate, a copy of the Objection, along with the filed motion, and hearing request, shall be submitted to the Court via the divisional e-mail. *See* SPECIAL-SET HEARINGS.
3. Please Note: child support issues are usually referred to the Hearing Officer and objections are generally prohibited. *See* Fla. Fam. L. R. P. 12.491.

X. COURT REPORTERS AND RECORDINGS

The Court does not record any proceedings, except in Domestic Violence cases, as required by statute. As such, if you want a record of the proceedings, it is your responsibility to secure the services of a court reporter.

XI. INTERPRETERS

The Court will provide an interpreter for Domestic Violence cases only. The parties are responsible for obtaining their own interpreters for all other matters. For Domestic Violence cases, please notify the Judicial Assistant by phone or e-mail you require the services of an interpreter **at least seven (7) days prior to your hearing**.

If you appear for a hearing without first securing the services of an interpreter, your hearing will be cancelled.

DO NOT WAIT UNTIL THE DAY OF YOUR HEARING TO SEEK THE SERVICES OF AN INTERPRETER!

XII. REQUESTS FOR REHEARING/RECONSIDERATION

Any motion for rehearing/reconsideration must be e-filed and accepted by the Clerk's Office within the time prescribed by Rules, Statute, or Law. Once the Clerk has accepted the motion, a copy of the motion must be sent to Judge Wigand by e-mail for consideration. The e-mail must include the case number, party names, and REHEARING/RELOCATION in the subject line. The Clerk's Office does not serve a copy of the motion to Judge Wigand or his chambers. The Court will either enter a ruling on the motion without a hearing or set a hearing prior to entering a ruling. *See* <https://www.17th.flcourts.org/wp-content/uploads/2022/01/2022-5-Gen.pdf>

Except where explicitly authorized by the Court, no motions for rehearing or reconsideration shall be set for hearing.

XIII. DISSOLUTION OF MARRIAGE BY AFFIDAVIT ("RUCD")

If you would like to submit a Final Judgment of Dissolution by Affidavit, please comply with the following procedures:

1. Prior to requesting dissolution by affidavit, the following documents must be submitted to the Court through the CMS portal under SUPPORTING DOCUMENTS.
 - a. A copy of the Petition or Counter Petition;

- b. A copy of the Answer or Answer & Waiver;
 - c. If the Petition has been defaulted, file the Order of Default;
 - d. Any Marital Settlement Agreement and/or Parenting Plan (with worksheets). If there are no division of assets or debts and/or no children, please indicate the same;
 - e. If there are children, each side must upload a UCCJEA Affidavit;
 - f. A copy of each parties most recent Financial Affidavits;
 - g. A copy of the Petitioner's and/or Counter Petitioner's valid Driver's License, Florida State ID, or Voter's Registration Card; and
 - h. A signed and notarized Supplemental Sworn Affidavit for Remote Uncontested Dissolution of Marriage (example below).
2. Once the required documents are submitted, please upload a proposed final order of dissolution into the Division's CMS Workbench via CMS Online Scheduling System.
 3. **Attorneys**: Upon review, you will receive either a signed copy of the final judgment of dissolution or a rejection from CMS indicating which documents are missing.
 4. The proposed order must contain the order title of: **FINAL JUDGMENT OF DISSOLUTION OF MARRIAGE BY AFFIDAVIT** or it will be rejected.
 5. The following affidavit *must be signed and notarized* and submitted to the Court through the CMS portal under SUPPORTING DOCUMENTS.

(ATTACHED AFFIDAVIT)

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

IN RE: THE MARRIAGE OF

CASE NUMBER:

PETITIONER,

FAMILY DIVISION:

AND

RESPONDENT.

_____ /

**SUPPLEMENTAL AFFIDAVIT FOR REMOTE UNCONTESTED
DISSOLUTION OF MARRIAGE "RUCD"**

I _____ being sworn, certify that the following statements are true.

(Parties Name)

1. I am before this Court for an uncontested dissolution of marriage.
2. I have submitted my valid Driver's License/Florida Identification/Florida Voter Registration with this affidavit.
3. My marriage is irretrievably broken.
4. I or my spouse has lived in the State of Florida for six months prior to the filing of the Petition for Dissolution of Marriage.
5. If applicable:
 - a. _____ I have entered into a Marital Settlement Agreement (MSA) and/or Parenting Plan, I have exchanged full and complete financial disclosure, I have signed the MSA and/or Parenting Plan freely and voluntarily, and the Parenting Plan is in the best interest of the minor child(ren).

Under penalties of perjury, I declare that I have read this document and the facts stated in it are true.

_____ /
Date

_____ /
Signature of Party

Name of Party Printed

STATE OF FLORIDA

COUNTY OF _____

SWORN TO OR AFFIRMED and signed before me on _____ by

_____, who is personally known to me or who has produced valid identification.

Date

NOTARY PUBLIC

***This AFFIDAVIT must be signed and notarized. Failure to follow these procedures for
Dissolution by Affidavit will result in the proposed order being rejected by the Court AND may
result in the requirement of a final hearing.***

XIV. ADDITIONAL INFORMATION

1. If you have technical questions or need assistance with the CMS Online Scheduling System or with the submission of e-orders, please e-mail the JIS Department at: calendar@17th.flcourts.org
2. Court Management System (CMS) User Manual: <http://www.17th.flcourts.org/agreed-and-proposed-orders/>
3. Court Management System Frequently Asked Questions: <http://www.17th.flcourts.org/cms-faq/>
4. For instructions on how to utilize the CMS supporting documents, please visit the following: <https://www.youtube.com/watch?v=04elG0CDPJs&feature=youtu.be>
5. Please refer to <https://www.17th.flcourts.org/court-closures-2/> for Court Holidays and closures.
6. The Florida Bar has emphasized professionalism in its Oath of Admission and in the Rules of Professional Responsibility and Guidelines for Professional Conduct. The Court demands that counsel act in accord with each and every applicable rule. Furthermore, the Court has the highest expectations that matters which do not need court intervention will be addressed between the parties and will not require the Court's time.

Please continue to review the Division Procedures as they may change periodically. Thank you!