

KEATHAN B. FRINK
CIRCUIT COURT JUDGE
SEVENTEENTH JUDICIAL
CIRCUIT
VEDANA ROOPNARINE
JUDICIAL ASSISTANT



BROWARD COUNTY COURTHOUSE
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FAMILY DIVISION 36 PROCEDURES

Communication

The Code of Judicial Conduct precludes the Judicial Assistant and other division personnel from making substantive inquiries of the judge on behalf of any attorney, self represented party, or any other person involved in any action.

The Judicial Assistant and other division personnel are neither qualified, nor able to, provide any legal advice which includes explanation and interpretation of any document, form, or pleading.

Filing a pleading does not automatically bring the matter before the judge or set said matter for hearing. Please send a hard copy of your pleadings to the Judge's office.

Do not email the Judge or Judicial Assistant or attempt to serve any documents by email to the Judge or Judicial Assistant. **Do not send hearing requests via email.**

Self-Represented Parties (Pro Se Litigants)

All self-represented or pro se litigants may seek assistance by contacting our case manager at 954-831-8532. Please be advised that Case Management cannot provide any legal advice.

Forms may be purchase and filed with the Clerk of Courts. Forms may also be downloaded from the Florida Supreme Court at: www.FlCourts.org

Motion Calendar – Online Scheduling

Please access online scheduling through the 17th Judicial Court Website located at: www.17th.flcourts.org

Motion Calendar is held Monday thru Thursday at 8:45 am and to be schedule by attorneys only.

Important: MONDAY MOTION CALENDAR – The Judge primarily considers self represented parties on Mondays. Motion Calendar hearings for Monday will be limited to **ONLY UNCONTESTED FINAL HEARINGS**.

Motion Calendar includes **uncontested** final hearings, default final hearings, adoption hearings, and other **non-evidentiary** matters (matters which do not require testimony under oath).

Judge Frink may permit telephonic hearings on motion calendar, however it is at the discretion of the Judge. You must contact the Judicial Assistant to make arrangements for the telephonic appearance. The notice must state the party that will be appearing telephonically.

A hard copy of the notice of hearing, confirmation of the scheduling of the hearing, and motion(s) must be sent to our office.

FOR UNCONTESTED FINAL HEARINGS, please bring:

- Four (4) copies of the proposed judgments/order (if children, it shall contain the full name and date of birth of the minor(s), as well as, child support provisions)
- Copies of the agreement and/or parenting plan.
- Copies of both parties Financial Affidavits.
- Child Support Guidelines Worksheet (if applicable)
- Copy of UCCJEA, with full name and date of birth of child(ren) (If applicable)

Small Matters/Special Sets/Case Management Conferences

All other matters shall be set by a hearing request. Please send in a copy of your motion/petition with a request that includes the amount of time needed for the hearing to the Judicial Assistant. Case Management Conferences must be requested in the same manner.

Case Management Conference

Case Management Conferences are set by the Court and held primarily on Monday afternoon (set by the court) and Wednesday afternoon (by request for Case Management Conference).

ALL PARTIES AND ATTORNEYS SHALL APPEAR AT THE CASE MANAGEMENT CONFERENCE. If any party lives out of the State of Florida, or if there are matters beyond the control of the party or attorney which prevents them from attending in person, please contact the Judicial Assistant.

If the case settles, the court will hold an uncontested final hearing at the time of the Case Management Conference.

Trials

Trials will be set via Case Management Conference. Please send in your Trial Notice and/or request for Case Management Conference. Trials are generally scheduled from 10:30 am to noon, and 1:30 pm to 4:00 pm.

Effective August 2017, Division 36 will be implementing a Trial Period in which Calendar Call will generally be held the first Monday of the month at 1:30 pm (unless otherwise noted). Trial Period will be the last two weeks of the same month in which the Calendar Call is held. Trial times can be noted above.

Emergency Matters

All emergency matters must strictly comply with the Administrative Order 2015-10-UFC (Establishing Procedures for Family Division Emergency Matters). A copy of this Administrative Order may be found at www.17th.flcourts.org.

Each request for an emergency hearing will be reviewed by the Judge, to determine if the motion and/or proposed order (if applicable) comply with Florida law and procedures, and to determine if the claim is an emergency.

A child emergency is a matter of imminent or impending abuse, neglect, or abandonment affecting the health, safety, or welfare of a child. Section 39.201, FL ST mandates certain alleged abuses be reported in Florida. If the allegations fall within the statute, the matter shall be reported to the Abuse Hotline, 1-800-96-ABUSE.

Supreme Court forms are mandatory for emergency matter.

Cancellations

Please check your email for cancellations from motion calendar/online scheduling.

Attorneys and/or parties cannot cancel hearings without contacting the Judicial Assistant. If the parties have reached an agreement, an agreed order resolving the matter shall be submitted to the office prior to, or at the time of the hearing. If agreed order is not submitted prior to the hearing, parties are still expected to attend scheduled hearing.

Referrals

After a pleading is reviewed by the Judge, the office may enter an Order of Referral to General Magistrate or Hearing Office (child support issues per Fla Fam LRP 12.491. If there is an objection to the Referral to General Magistrate, a copy of the objection, along with hearing request, shall be submitted to the office (See Small Matters/Special Sets).

If a case is referred for trial or on the only pending matter to the General Magistrate or Hearing Officer, a motion to withdraw must be heard by the assigned General Magistrate or Hearing Office.

Proposed Orders

Proposed orders may be submitted via hard copy to our office. Our office enters and conforms orders as promptly as possible. Please allow sufficient time between the submission of your order and contacting our office to see if said order has been entered.

Note: Orders Ratifying Reports of General Magistrate cannot be signed until the objection period has passed.

The office preparing the proposed order shall provide and advance copy to the opposing side and confirm that there is no objection.

When submitting orders, please enclose the following:

- Copy of Motion, Petition, or Agreement
- Sufficient number of copies of proposed order (usually 1 original and 4 copies)
- Sufficient number of self-addressed, stamped envelopes (for **all** parties) to return conformed orders

Agreed Orders

Division 36 is now accepting Proposed Agreed Orders through online submission. These orders shall be submitted through the 17th Judicial Circuit E-Order System (Online Scheduling). Please note **ONLY AGREED ORDERS** are permitted. **DO NOT** submit cover letters or pleadings with the Agreed Order through the website. All original pleadings should be filed with the Clerk of Court. The following orders are currently being accepted by Division 36:

- Agreed Final Judgment
- Agreed Order (generic)
- Agreed Order of Dismissal
- Final Order of Dismissal
- Order of Referral to General Magistrate
- Order of Referral to Hearing Officer
- Order on Ex Parte Motion to Compel Discovery
- *Substitution of Counsel

*Orders on Substitution of Counsel must already have a stipulation agreement filed.

Motions to Withdraw

An attorney shall not be permitted to withdraw from an action unless the withdrawal is approved by the Court. The attorney shall file a motion. The motion shall be set for hearing on Motion Calendar. (see Motion Calendar)

If a case is referred for trial or on the only pending matter to the General Magistrate or Hearing Officer, a motion to withdraw must be heard by the assigned General Magistrate or Hearing Office.

Mediation Orders

When an Order of Referral to Mediation is requested, it must be accompanied by copies of the financial affidavits of **both parties** before the Order of Referral will be signed by the Judge.