

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

Administrative Order 2019-35-UFC

**ADMINISTRATIVE ORDER REGARDING PETITIONS AND
PROCEEDINGS FOR JUDICIAL WAIVER OF PARENTAL NOTICE OF
TERMINATION OF PREGNANCY**

(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) Court proceedings on petitions filed by minors seeking a judicial waiver of parental notice of termination of pregnancy must be given precedence over other pending matters and require the court to hold a hearing and render a decision on the petition on an expedited basis.

(d) In accordance with the authority vested in the chief judge pursuant to 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**:

(1) **Case Assignment.** Upon receipt, the Clerk of the Court shall randomly assign petitions for judicial waiver of parental notice of termination of pregnancy to a judge assigned to a dependency division. The Clerk of the Court shall immediately forward the petition and any and all corresponding document(s) to the assigned judge.

(2) **Confidentiality.** All court filings and proceedings pursuant to section 390.01114, Florida Statutes, are confidential and closed to the public. The Clerk of the Court shall seal and maintain the confidentiality of the court file, which includes the identity of the minor.

(3) **Right to Counsel.** The Clerk of the Court shall advise the minor of her right to court-appointed counsel, and the court shall appoint counsel from the judicial waiver registry upon her request and at no cost to the minor. Court-appointed counsel shall be entitled to compensation as set by the Legislature in the General Appropriations Act.

(4) **Notice.** The Clerk of the Court, in coordination with the office of the assigned judge or alternate if the assigned judge is unavailable, shall notice the petitioner and counsel for the petition of the date, time, and location of the hearing. The notice shall be provided by the Clerk of the Court to the petitioner or counsel for the petitioner on the same day the petition is filed before the minor leaves the courthouse.

(5) **Hearings and Rulings:** Court proceedings for the waiver of parental notification of termination of pregnancy must be given precedence over other pending matters to the extent necessary to ensure that the court reaches a decision promptly. Hearings and rulings, including written findings of fact and conclusions of law, on petitions for the waiver of parental notification of termination of pregnancy must be held and issued within three (3) business days after the petition is filed. The three (3) business day limitation may be extended upon the request of the minor. If the assigned judge is not available to hold a hearing and issue a ruling within the required time, the petition shall be heard and ruled upon by an alternate judge. If the assigned judge and any alternate judges are not available, the matter shall be presented to the Administrative Judge of the Unified Family Court or the Chief Judge. If the assigned judge fails to rule within the three (3) business day period and an extension has not been requested, the minor may immediately petition the Chief Judge who will ensure a hearing is held within 48 hours after receipt of the minor's petition and an order is entered within 24 hours after the hearing.

(6) This Administrative Order supersedes and vacates Administrative Order V-06-N-1.

DONE AND ORDERED in Chambers, Fort Lauderdale, Florida, this 3rd day of June, 2019.

/s/Jack Tuter
Jack Tuter, Chief Judge