

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

Administrative Order 2022-9-UFC

**REPORTING PROCEDURES TO THE DEPARTMENT OF CHILDREN &
FAMILIES**

(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 General Practice and 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.” Section 39.201, Florida Statutes provides for reporting procedures to the Department of Children and Families.

(c) 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 General Practice and Judicial Administration 2.215, it is hereby **ORDERED**:

(1) Any pleading asserting child abuse, whether submitted in an initial action or in an existing action, must be made under oath and shall contain the following information:

(a) The name, date of birth, sex, race, social security number, address and telephone number of the child against whom abuse is alleged as well as the name(s) of any other child(ren) residing at that address.

(b) The name, date of birth, sex, race, social security number, telephone number and relationship of the alleged abuser.

(c) Description of the incident or incidents.

(d) Name, relationship, address, and telephone number of any other persons aware or having information concerning the alleged abuse.

- (e) Name, address and telephone number of the party alleging the abuse, if such information is ordered to be disclosed by Court Order.
- (2) The pleading described above shall be immediately delivered to the assigned judge by the Clerk's office. In the absence of an assigned judge, the matter shall be reassigned to an alternate judge or delivered to the duty judge.
- (3) In addition to the parties and attorneys responsibility to file the notice described above, and the Clerk's responsibility to deliver same to the assigned judge, the Clerk is responsible for attaching the FAX transmittal form, provided by the Florida Department of Children & Families, to the notice. This applies to all requests for ex parte relief seeking an injunction for protection, as well as ex parte relief for a child pickup order based upon any allegations of child abuse.
- (4) When any request for ex parte relief asserting child abuse is received through the Clerk's domestic violence or family divisions, the Clerk shall attach to the proposed temporary ex parte order a FAX transmittal form to report child abuse/abandonment/neglect as required by the Florida Department of Children & Families.
- (5) When preparing the probable cause order for the magistrate or judge, the Clerk, upon receipt of a probable cause affidavit noting the word "CHILD," shall also stamp the probable cause order and the daily docket provided to the magistrate or judge with the word "CHILD."
- (6) Upon the filing of any notice as described above in an existing dependency action, the Clerk shall stamp the word "CHILD" in red letters on the dependency file and shall include the date of the filing of the notice. The Clerk's office will forward the Court file to the dependency judge assigned to the case, together with a copy of the notice filed and the FAX transmittal form.
- (7) Upon review of any pleading made under oath that alleges child abuse, the Court shall instruct the Clerk's office to FAX the FAX transmittal form to report child abuse/abandonment/neglect to 1-800-914-0004 together with any appropriate attachments. The Clerk will add the case number to the FAX transmittal form. Upon being instructed by the Court to FAX these matters to the Department of Children & Families, the Clerk shall do so immediately and on the same calendar date as requested by the Court. When a finding of abuse/abandonment/neglect is made by the reviewing judge, the Clerk shall initially complete the FAX

transmittal, unless otherwise specified by the judge. The Clerk's role is purely ministerial in that they do not have a duty or responsibility to review or investigate the facts as alleged in the petition.

- (8) At such time as the Court instructs the FAX transmittal be made to the Department of Children & Families, the Clerk will date and the judge will add their initials to the FAX transmittal. To avoid confusion, only the judge shall place their initials on the form. Any judge subsequently reviewing the case may rely on the fact that judge's initials signifies that the FAX transmittal has been made to the Department of Children & Families on the date indicated on the form.
- (9) Upon completion of the FAX to the Department of Children & Families, the Clerk shall cause the original of said FAX transmittal to be docketed to the case management system.

This Administrative Order vacates and supersedes Administrative Order 2021-65-UFC.

DONE AND ORDERED in Chambers, Fort Lauderdale, Broward County, Florida, this 2nd day of February, 2022.

/s/ Jack Tuter
Jack Tuter, Chief Judge