

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

Administrative Order 2022-12-UFC (Amended)

UNIFIED FAMILY COURT PLAN

(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 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.”

(c) The Florida Supreme Court in *In re Report of Family Court Steering Comm.*, 794 So. 2d 518 (Fla. 2001), directed the Circuit Courts to establish Unified Family Plans. In 2005, this Circuit established a plan to reflect best practices to assist with judicial resources and the needs of families.

(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 Statutes, and Florida Rule of General Practice and Judicial Administration 2.215, it is hereby **ORDERED**:

(1) The Unified Family Court Plan for the Seventeenth Judicial Circuit is attached to this Administrative Order.

This Administrative Order vacates and supersedes Administrative Order 2022-12-UFC.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida, this 25th day of October, 2022.

/s/ Jack Tuter
Jack Tuter, Chief Judge

UNIFIED FAMILY COURT PLAN FOR THE SEVENTEENTH JUDICIAL CIRCUIT

I. UNIFIED FAMILY COURT

The Unified Family Court (herein UFC) for the Seventeenth Judicial Circuit (herein Circuit) was established in 1994. Since 1994, the Circuit continues to develop policies and procedures to implement a UFC for families. This Plan shall apply to UFC concurrently with the Circuit's Administrative Orders. If this Plan is in conflict with any statute, rule of procedure, or case law, the Plan is automatically amended to comply with the statute, rule of procedure, or case law.

II. GOAL OF UFC

The goal is to create a fully integrated, comprehensive approach to handling cases involving children and families to maximize judicial resources and efficiency, avoid inconsistent court orders, and reduce court hearings for a family. To accomplish this goal the Circuit, whenever possible, will assign one judge to one family.

III. UFC DIVISIONS

UFC contains the following four (4) divisions: (1) Delinquency; (2) Dependency; (3) Domestic Violence (civil and criminal); and (4) Domestic Relations.

The Chief Judge will determine the judges assigned to UFC by Administrative Order as authorized by statute and rules of procedure. The Chief Judge will appoint general magistrates and hearing officers to UFC by Administrative Order, if funding is available, as authorized by statute and rules of procedure. The Chief Judge, by separate Administrative Order, will appoint an Administrative Judge and Chairpersons for UFC.

The judges, general magistrates, and hearing officers assigned to UFC may be required to attend educational courses as to domestic relations, domestic violence, dependency, delinquency, mediation, diversity, sensitivity and problem-solving as required by the Chief Justice of the Supreme Court of Florida or the Chief Judge.

IV. **ASSIGNMENT OF UFC CASES**

The Clerk of the Circuit Court (herein Clerk) shall assign UFC cases to the divisions as follows:

a. Delinquency

- i. Cases filed pursuant to Chapter 985, Florida Statutes
 1. Juvenile Drug Court

b. Dependency

- i. Cases filed pursuant to Chapter 39, Florida Statutes
 1. Petition for Adjudication of Dependency
 - a. Dependency Drug Court
 - b. Early Childhood Court
 2. Petition for an Injunction to Prevent Child Abuse
 3. Termination of Parental Rights
 4. Adoption
- ii. CINS/FINS (Children and Families in Need of Services) Cases filed pursuant to Chapter 984, Florida Statutes
- iii. Petition for Judicial Waiver of Parental Notice of Termination of Pregnancy
- iv. Motions to Intervene for Private Adoptions pursuant to Chapter 63, Florida Statutes, if there is a pending dependency case

c. Domestic Violence

- i. Criminal Domestic Violence (any and all arrests and/or prosecutions for domestic violence as defined by Chapter 741, Florida Statutes, or stalking, sexual violence and dating violence as defined by Chapter 784, Florida Statutes)
- ii. Civil Domestic Violence
 1. Injunction for Protection against Dating Violence
 2. Injunction for Protection against Domestic Violence
 3. Injunction for Protection against Repeat Violence
 4. Injunction for Protection against Sexual Violence
 5. Injunction for Protection against Stalking (includes cyberstalking)

d. Domestic Relations

- i. Adoption
- ii. Amend Birth Certificate
- iii. Amend Marriage Certificate
- iv. Annulment
- v. Change of Name
- vi. Declaratory actions related to premarital, marital, or post martial agreements

- vii. Dissolution of Marriage (including modification and enforcement)
- viii. Extraordinary Writs (if the underlying case is a UFC case)
- ix. Florida Judgment Modification (including modification and enforcement)
- x. Partition/Domestic (including modification and enforcement)
- xi. Paternity (including modification and enforcement)
- xii. Petition To Enforce Foreign Custody Order (including modification and enforcement)
- xiii. Petition for Temporary Custody by Extended Family (including modification and enforcement)
- xiv. Separate Maintenance (including modification and enforcement)
- xv. Simplified Dissolution of Marriage (including modification and enforcement)
- xvi. Timesharing for Minor Children (including modification and enforcement)
- xvii. Title IV-D (including but not limited to Child Support, Child Custody, Paternity, and Uniform Interstate Family Support Act) (including modification and enforcement)
- xviii. Uniform Interstate Family Support Act (including modification and enforcement)

V. ASSIGNMENT OF CASES TO ACHIEVE ONE FAMILY, ONE JUDGE

The Circuit, whenever possible, will assign one family to one judge. To accomplish the assignment of one family to one judge, the parties to UFC cases shall comply with Florida Rule of General Practice and Judicial Administration 2.545(d) by filing the notice of related case using the Florida Supreme Court approved form. Each judge presiding over a UFC case shall make an inquiry at the earliest possible date to determine if the parties currently have any UFC cases pending in the Seventeenth Judicial Circuit or any other judicial circuit located in the State of Florida. The Clerk will review his or her case maintenance system at the time a UFC case is filed to determine, along with the notice of related case, and conduct a name search of the parents, children, or other party for all UFC cases. If the Clerk determines there are open UFC cases for a parent, child, or other party, the Clerk shall assign the case as follows:

a. Delinquency

- i. If a sua sponte shelter hearing is required for a minor to be released from a Department of Juvenile Justice facility or for any

other reason and heard by a delinquency judge, the case shall be subsequently assigned to a dependency division.

- ii. If there is an open and pending family case or civil domestic violence case at the time of filing the delinquency case, both cases shall receive coordinated case management and may be reassigned to the family/domestic violence crossover delinquency division JF/29 only by order of the presiding judge of JF/29 or the Unified Family Court Administrative Judge.
- iii. If a delinquency case is filed after the dependency case, and the dependency case is closed for less than twelve (12) months, the delinquency case shall be assigned to the dependency judge's UFC delinquency division.
- iv. If a delinquency case is filed after the dependency case, and both protective supervision and jurisdiction have been terminated in the dependency case for more than twelve (12) months, the delinquency case shall be assigned to a delinquency division.
- v. If there is an open and pending delinquency case at the time of filing the dependency case, the delinquency case shall be transferred to a dependency division unless there is a pending disposition before the delinquency division or a final hearing was commenced.
- vi. If there is an open and pending delinquency case at the time of filing a criminal domestic violence case, the case shall be assigned to a criminal domestic violence division with coordinated case management for both cases.

b. Dependency

- i. If there is an open and pending family case at the time of filing the dependency case, the family case shall be transferred to the same dependency judge's UFC family division.
- ii. If there is an open and pending dependency case at the time of filing a Petition for Judicial Waiver of Parental Notice of Termination of Pregnancy the case shall be assigned to the same dependency division.
- iii. If a domestic relations case is filed after the dependency case, and protective supervision has been terminated but jurisdiction has been retained in the dependency case, the family case shall be assigned to the dependency judge's UFC Family division in which the dependency case was pending.
- iv. If a domestic relations case is filed after the dependency case, and protective supervision and jurisdiction have been terminated

in the dependency case for more than (12) twelve months, the domestic relations case shall be assigned to a domestic relations division.

- v. If there is an open and pending civil domestic violence case at the time of filing the dependency case, the civil domestic violence case shall be assigned to the dependency judge's UFC domestic violence division.
- vi. If a civil domestic violence case involving a child in a dependency case is filed after the dependency case, and protective supervision has been terminated but jurisdiction has been retained in the dependency case, the civil domestic violence case shall be assigned to the dependency judge's UFC domestic violence division in which the dependency case was pending.
- vii. If a civil domestic violence case is filed after the dependency case, and protective supervision and jurisdiction have been terminated in the dependency case for longer than 12 (twelve) months, the civil domestic violence case may be assigned to a civil domestic violence division.
- viii. If there is an open and pending delinquency case at the time of filing the dependency case, the dependency case shall be assigned to the dependency judge's UFC delinquency division. The related delinquency case will thereafter be transferred to the dependency judge's UFC crossover delinquency division unless there is a pending disposition before the delinquency division or a final hearing was commenced.
- ix. If a delinquency case is filed after the dependency case, and protective supervision and jurisdiction have been terminated for longer than twelve (12) months in the dependency case, the delinquency case shall be assigned to a delinquency division.

c. Domestic Violence

- i. If there is an open and pending domestic relations case at the time of filing the civil domestic violence case, the civil domestic violence case shall be assigned to the domestic relations division in which the domestic relations case is pending.
- ii. If a civil domestic violence case is filed after the domestic relations case, and the domestic relations case is closed for less than twelve (12) months, the civil domestic violence case shall be assigned to the domestic relations division in which the domestic relations case was assigned.

- iii. If a civil domestic violence case is filed after the domestic relations case, and the domestic relations case is closed for more than twelve (12) months, the civil domestic violence case shall be assigned to a civil domestic violence division.
- iv. If there is an open and pending dependency case at the time of filing the civil domestic violence case, the case shall be assigned to the dependency judge's UFC crossover- domestic violence division.
- v. If a civil domestic violence case involving a child in a dependency case is filed after the dependency case, and protective supervision has been terminated but jurisdiction has been retained in the dependency case, the civil domestic violence case shall be assigned to the dependency judge's crossover domestic violence division
- vi. If a civil domestic violence case is filed after the dependency case, and protective supervision and jurisdiction have been terminated for longer than twelve (12) months in the dependency case, the civil domestic violence case shall be assigned to a civil domestic violence division.
- vii. If there is an open and pending delinquency case at the time of filing the civil domestic violence case, both cases shall receive coordinated case management and may be reassigned to the domestic relations/domestic violence crossover delinquency division JF/29 only by order of the judge presiding in JF/29 or the Unified Family Court Administrative Judge.
- viii. Criminal domestic violence cases shall be assigned to a criminal domestic division.

d. Domestic Relations

- i. If there is no open and pending UFC case at the time of filing the domestic relations case it shall be assigned to a domestic relations division.
- ii. If there is an open and pending dependency case at the time of filing the domestic relations case, the case shall be assigned to a dependency division.
- iii. If a domestic relations case is filed after the dependency case, and protective supervision has been terminated but jurisdiction has been retained in the dependency case, the domestic relations case shall be assigned to the dependency judge's UFC crossover domestic relations division.

- iv. If a domestic relations case is filed after the dependency case, and protective supervision and jurisdiction has terminated in the dependency case for more than twelve (12) months, the family case shall be assigned to a family division,
 - v. If a civil domestic violence case is filed after the domestic relations case, as long as the domestic relations case is closed for less than twelve (12) months, the civil domestic violence case shall be assigned to the domestic relations division in which the domestic relations case was pending.
 - vi. If a civil domestic violence case is filed after the domestic relations case, as long as the domestic relations case is closed for more than twelve (12) months, the civil domestic violence case shall be assigned to a civil domestic violence division.
 - vii. If there is an open and pending delinquency case at the time of filing the domestic relations case, excluding Department of Revenue Title VI-D cases, both cases shall receive coordinated case management and may be reassigned to the family/domestic violence crossover delinquency division JF/29 only by order of the judge presiding in JF/29 or the Unified Family Court Administrative Judge.
- e. General Magistrates
The General Magistrate assignment at the time of filing a family case shall be the General Magistrate for all family and civil domestic violence related cases. If there is a dependency related case, the dependency General Magistrate assignment shall be for all related cases.

VI. TRANSFER OF CASES BETWEEN UFC DIVISIONS TO ACHIEVE ONE FAMILY, ONE JUDGE

- a. If at any time a judge assigned to a UFC division is advised that a family has more than one (1) pending UFC case a transfer order shall be entered by the judge. Transfer of cases may occur as follows:
 - i. If there is an open dependency case then all other civil domestic violence, delinquency and domestic relations cases shall be transferred to the respective UFC divisions of the dependency judge.
 - ii. If there is an open domestic relations case then all other civil domestic violence and dependency cases filed thereafter shall be reassigned to the dependency judge's respective crossover division.

- iii. If there is an open domestic relations case then all other civil domestic violence and delinquency cases may be transferred to Division JF/29 at the discretion of the UFC Administrative Judge.
- b. All parties to a UFC case have an obligation to advise any judge assigned to a UFC case if there is more than one (1) pending case for a family. The parties to UFC cases shall comply with Florida Rule of General Practice and Judicial Administration 2.545(d) by filing the notice of related case using the Florida Supreme Court approved form.
- c. This plan does not preclude the assigned judges from conferring between themselves and deviating from the assignments of cases set forth herein to meet the best interests of the family. The Administrative Judge of Unified Family Court or the Chairpersons of the Delinquency, Dependency, and Domestic Relations Divisions may enter transfer orders as needed for these cases. In all instances, the Administrative Judge for the Unified Family Court shall be the final arbiter as to whether the transfer of a case is appropriate.

VII. ASSIGNMENT OF CASES/TRANSFER OF CASES BETWEEN DELINQUENCY DIVISIONS TO ACHIEVE ONE FAMILY, ONE JUDGE

It is in the best interest of a minor for one judge to dispose of all delinquency proceedings. This will minimize continuances, alleviate the possibility of conflicting orders if a minor's cases are not heard by one judge and avoid confusion by the child and parents as to hearing dates.

- a. If a minor has an open and pending case at the time a new case is filed, the newly filed case shall be assigned to the same delinquency division as their open and pending cases. This includes minors whose case or cases are closed but probation or commitment supervision remains outstanding.
- b. The above paragraph applies irrespective of whether the newly filed case involves codefendants, however, to the extent possible all companion co-defendants of the newly filed case will receive coordinated case management.
- c. If a newly filed case involves any minor co-defendants that do not have a pending case or are not on active probation or commitment status the newly filed petition may be assigned to a delinquency division based on the lowest case number of the co-defendants.
- d. If any delinquency division receives assignment/transfer of cases in excess of the percentages established by Administrative Order there

shall be no adjustment of caseloads due to the procedures to secure one judge for one minor's delinquency proceedings.

- e. If there are pending delinquency cases with other UFC cases the judges shall confer to determine if an order of transfer of cases shall be entered or if the cases shall receive coordinated case management.

VIII. COURT RECORDS

The Clerk shall maintain court records as required by law or rule. All court records related to a family shall be delivered by the Clerk to the presiding judge at the time of a hearing.

IX. CHILD SUPPORT ENFORCEMENT

The Plan invokes Florida Family Law Rule of Procedure 12.491 as to Title IV-D and non-Title IV-D child support enforcement proceedings. Referral to child support hearing officers is permitted pursuant to separate Administrative Order.

X. TRIAL COURT ADMINISTRATOR PROGRAMS

The Circuit's Trial Court Administrator shall provide, if funding is available, the following programs for UFC:

- a. Case Management
- b. Juvenile Alternative Sanctions
- c. Teen Court
- d. Early Childhood Court Community Coordinator
- e. Mediation
- f. Court Projects
- g. Court Reporting for court proceedings as required by statute, rule of procedure, or case law
- h. Interpreters as required by law

XI. CLERK OF COURT PROGRAMS

- a. Self-Represented Self Help Unit
- b. Domestic Violence Intake Unit
- c. Depository (non-Title IV-D cases and alimony cases)

XII. STATE OF FLORIDA RESOURCES

- a. Florida Guardian Ad Litem Program
- b. Department of Revenue (interstate and intrastate child support matters)

XIII. OTHER RESOURCES

- a. Supervised Visitation Programs
- b. Parenting Education and Family Stabilization Courses. All parents who are parties to a dissolution of marriage or paternity case are ordered to attend a course pursuant to section 61.21, Florida Statutes. Information as to courses is available from the Clerk or the Department of Children and Families Website¹
- c. Seventeenth Judicial Circuit website (www.17th.flcourts.org)
- d. Florida State Courts website (www.flcourts.org)
- e. Clerk website (www.browardclerk.org)
- f. Broward County Bar Association (<http://www.browardbar.org>)
- g. Legal Aid (<http://www.legalaid.org/coasttoeast>)
- h. The Florida Bar - Lawyer Referral Service (<http://www.floridabar.org/tfb/TFBConsum.nsf/48E76203493B82AD852567090070C9B9/EC2322E512B83D1E85256B2F006CC812?OpenDocument#Information%20for%20Consumers>)

¹ <https://www.dcf.state.fl.us/service-programs/child-welfare/stabilization/>