

Judge Kevin P. Tynan
Circuit Court Judge
Unified Family Division
Seventeenth Judicial Circuit of
Florida



Broward County
Courthouse
201 S.E. 6th Street
Fort Lauderdale, FL 33301
954-831-1663

**PROCEDURES FOR
DOMESTIC VIOLENCE DIVISION "45"
CHAMBERS ROOM 10133
COURTROOM 10160
(May 28, 2024)**

I. IMPORTANT GENERAL INFORMATION

1. All Division 45 hearings are conducted in person in Courtroom 10160.

A failure to appear at an in-person hearing may result in denial of the relief sought, dismissal of the petition or the entry of a final judgment of injunction

2. All matters are special set, as there is no motion calendar for Division 45.

3. Communications with the Court are to be in the courtroom or in writing copied to all parties to the pending matter.

II. SELF-REPRESENTED LITIGANTS

General information for self-represented litigants.

Information for Self Represented Litigants ([Click Here](#))

Información para litigantes que se representan a sí mismos ([haga clic aquí](#))

Enfòmasyon pou Pwezidan Reprezantan Self yo ([klike isit la](#))

Motions: A person who is not represented by an attorney **MUST** file a written motion for any requested relief in Room 2140 or E-file. If you file a motion in Room 2140, the Clerk's office will bring your motion to the Court's attention. If you E-file your motion you **MUST** E-mail a copy of your motion to the Division: div45@17th.flcourts.org and to all parties. The Court will review your motion (and any responses thereto) and either rule on the motion or set the motion down for a hearing. You will receive a written order on your motion and/or a notice of hearing. If you have not heard from the Court regarding your motion in a reasonable time, you should contact the Clerk of Court, Domestic Violence Division, Room 2140, either in person or by phone (954-831-5770 Or 954-831-5570 or 954-831-5579. All Motions filed by a Self-represented litigant must be copied to opposing counsel, if there is one, or to the opposing party directly if there is no lawyer representing them.

III. EMERGENCY MOTIONS – See Administrative Order 2015-10-UFC

Self-represented litigants must file all emergency motions in Room 2140, either in person, e-filing, or by U.S. mail. Please provide the Court with your mailing address, phone number, and an e-mail address.

Attorneys must e-file all emergency motions.

All emergency motions are processed by the Clerk of Court. The Clerk of Court will take the motion directly to the judge.

If you filed an emergency motion and you are trying to find out the status of your motion, you will need to contact the Clerk of Court, Domestic Violence Division, Room 2140, either in person or by phone (954-831-5770 or 954-831-5570 or 954-831-5579).

IV. PARTIES REPRESENTED BY COUNSEL

A. **As to all motions:** Attorneys must file any and all pleadings, motions, etc. via e-filing. After you have filed your motion/pleading, please send an e-mail to div45@17th.flcourts.org with (1) a copy of your motion/pleading; (2) a copy of the receipt that states that your motion/pleading has been E-Filed and Accepted or a copy of said motion/pleading with the filing number at the top of said motion/pleading and (3) a short cover letter explaining how much time is being requested to address your motion/pleading.

When filing a motion to continue please indicate in the motion (1) the date and time of the hearing to be continued and (2) the position of the opposing counsel or party as to the requested continuance.

All motions/pleadings will be timely reviewed by the Court and either an order will be issued by the Court or a hearing will be set by the Court on said motion/pleading. Service of all orders and notices of hearing will be forwarded via e-mail from the judicial assistant.

B. Motions to Withdraw: If you have secured your client's consent to your withdrawal the motion should so indicate and the client shall confirm their consent in writing affixed to your motion. If you do not have your client's written consent you must comply with Fla. R. Jud. Admin. 2.505, inclusive of service on your client of both the motion and the notice of hearing. The body of any proposed order allowing counsel to withdraw must include the client's physical address, e-mail address and phone number. The proposed order shall also include the following required language:

Within 10 days the client shall either retain new counsel who must file a written Notice of Appearance with the Clerk of Court; or the client must file a written notice with the Clerk of Court advising that he or she will be representing himself or herself (pro se). Failure to comply with this Order will create a presumption that their client no longer wishes to participate in this litigation and the Court may sua sponte, or upon motion by opposing counsel, impose sanctions against client. Those sanctions may include striking pleadings, granting attorney's fees and costs, the entry of default, dismissal of the lawsuit with prejudice and/or any sanctions deemed appropriate and just by the Court.

V. VOLUNTARY DISMISSALS

A copy of the Notice of Voluntary Dismissal and a copy of the receipt that the Notice has been e-filed/accepted shall be provided by e-mail to

div45@17th.flcourts.org for the Court's review along with a cover letter or in the body of the e-mail indicating the date and time of any scheduled hearing, and if a temporary injunction was entered, a request that the matter be dismissed by an order of dismissal and that any scheduled hearings be cancelled. A Notice of Voluntary dismissal filed by a self-represented litigant will be forwarded to the Court by the Clerk of Court Domestic Violence Division.

VI. SUBMISSION OF PROPOSED ORDERS

All proposed orders being submitted via e-mail must be submitted in PDF and Word Formats.

VII. COURT ORDERED PROGRAMS

Court Ordered Programs are monitored by the Judge's compliance monitor. All questions regarding compliance with these Court Ordered Programs must be directed to the Case Manager via e-mail at compliancemonitor@17thfl.courts.org or by phone at 954-831-7278.

VIII. MOTION FOR RETURN OF FIREARM, AMMUNITION, OR CONCEALED WEAPONS PERMIT

A form motion for return of firearms is available in Room 2140 (Clerk's Office) and may be completed and filed with the Clerk or e-filed. Attorneys should send a copy of the Motion and a copy of the e-filing receipt to div45@17th.flcourts.org. Self-represented litigants motions will be delivered to

the Court by the Clerk's office. When the motion is received, the Court will make a decision on whether to set the motion for hearing or rule without a hearing or send a letter to the opposing side allowing that person 15 days to respond. (If said letter is sent via the U.S. mail an additional 10 days is added to the response deadline.)

IX. EVIDENCE AND HEARING EXHIBITS

All exhibits presented at the final hearing/trial must be pre-marked for identification using letters of the alphabet with the assistance of the in-court clerk.

All exhibits/evidence is to be submitted at the time of the hearing/trial and should not be submitted in advance of any hearing/trial. If the proposed exhibit/evidence is audio or video, you must provide your own equipment to play the audio or video.

If you have been permitted by court order to appear remotely, you will need to upload all exhibits/audio to CMS under supporting documents at least two (2) days prior to the hearing. Do not e-mail your proposed exhibits/evidence to the Court.

X. THE FILING AND/OR REOPENING OF A FAMILY CASE

If a unified family case is filed or re-opened after a domestic violence petition has been filed, the domestic violence case will be transferred to the assigned family judge at the scheduled domestic violence return hearing (all parties

must attend) and/or at the scheduled status hearing. All parties must attend the status hearing unless their appearance has been waived in writing. If there is a special set trial/Domestic Violence Hearing scheduled please notify the Court via the division email: div45@17th.flcourts.org of the family case number and the date and time of the special set trial so the judicial assistant can transfer the domestic violence case to the family judge prior to the special set trial so that the reserved hearing time can be used for other cases.