

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR
HENDRY COUNTY, FLORIDA
CIVIL ACTION

IN RE: The Matter of:

Petitioner,

and

Respondent.

Case No.: _____

STANDING TEMPORARY DOMESTIC RELATIONS ORDER
WITH MINOR CHILD(REN)

(Issued November 13, 2014)

THE COURT finds it is in the best interests of the parties of the above-captioned matter that the following standing orders go into effect immediately. These Standing Orders do not supercede other specific orders, entered by the Court in this matter.

IT IS THEREFORE, ORDERED AND ADJUDGED as follows:

- 1. REMOVAL OF CHILDREN.** Neither party will remove, cause to be removed, nor permit the removal of any minor children of the parties from their current county of residence. Neither party shall apply for any passport nor passport services on behalf of the children. If the child lives within Hendry County, this order does not restrict travel within the Twentieth Judicial Circuit (counties of Charlotte, Lee, Collier, Glades, and Hendry). The intent of this restriction is not to prohibit temporary travel within the State of Florida, but is to prevent a change of residence. The child shall not be taken outside the State of Florida without the written agreement of both parties or an order of this Court.
- 2. CHILD SUPPORT.** Because child support can be ordered retroactive to the date of filing the petition herein, this Court encourages the non-residential parent to make voluntary payments of child support prior to the entry of an order requiring payment of support. Child support should be in an amount as determined by the Child Support Guidelines, Section 61.30, Florida Statutes; a Child Support Guidelines Worksheet will be filed. It is advisable that the party making payment retain proof of payments.
- 3. TREATMENT OF CHILDREN.** The safety, financial security and mental well-being of the children involved in this case are of paramount concern. Shared Parental Responsibility is presumptive in Florida. All parties shall read the following Children's Bill of Rights and comply with all the terms contained therein. It is mandatory that parents complete a parenting class and know, understand and follow the Court's guidelines for parents in divorce with children.

CHILDREN'S BILL OF RIGHTS

A child has a moral right and should have a legal right:

1. To receive parental love and affection, discipline and guidance, and to grow to maturity in a home environment which enables him/her to develop into a mature and responsible adult;
2. To be supported, maintained, and educated to the best of parental ability, in return for which he/she has the moral duty to honor his/her father and mother;
3. To be reared as a person, within the family, at school and before the law;
4. To receive fair treatment from all in authority;
5. To be heard and listened to;
6. To earn and keep his/her own earnings;
7. To seek and obtain medical care and treatment and counseling;
8. To emancipation from the parent-child relationship when that relationship has broken down, the child has left home due to abuse, neglect, serious family conflict, or other sufficient cause, and his/her best interests would be served by the termination of parental authority;
9. To be free of legal disabilities or incapacities save where such are convincingly shown to be necessary and protective of the actual best interests of the child; and
10. To receive special care, consideration, and protection in the administration of law or justice so that his/her best interests always are a paramount factor;
11. To believe that he/she has the love and respect of each parent and that each parent is worthy of his/her love and respect;
12. To be free of the adverse influence of quarrelsome parents; to be free of parental efforts to alienate the child from the other parent.

13. To be able to communicate and have contact with both parents without interference from the other party unless and until the court determines that such contact is detrimental to the well-being of the child.

4. **REQUIRED ATTENDANCE IN A 4 HOUR PARENTING COURSE:**

FLORIDA STATUTE CHAPTER 61.21. All parties to a dissolution of marriage proceeding with minor children or a paternity action that involves issues of parental responsibility shall be required to complete the **Parent Education and Family Stabilization Course** prior to the entry by the court of a final judgment. The Court may excuse a party from attending the parenting course for good reason. Each party to a dissolution or paternity action shall file an original certificate of completion with the Clerk of Court. Within the 20th Circuit, the "**Parents, Children, and Divorce**" in-person program is offered in various communities, and via internet. Brochures are available from the Clerk of Courts, Self-Help Case Managers, and on-line at: www.educationprograms.com. To enroll, call 800-767-8193.

A) **Required Attendance.**

1. **Dissolution of Marriage:** The Petitioner must complete the course within 45 days after the filing of the petition; the Respondent must complete the course within 45 days after service of the petition.

2. **Paternity Actions:** The Petitioner must complete the course within 45 days after the filing of the petition, the other party must complete the course within 45 days, after an acknowledgment of paternity by that party, an adjudication of paternity of that party, or an order granting visitation to or support from that party.

B) **Cost.** Each party shall pay their respective cost of the Parenting Education and Family Stabilization Course. The cost is determined by the agencies providing the different programs. No person shall be refused permission to attend because of inability to pay.

C) **Non-Compliance.** If either party does not attend and complete the **Parent Education and Stabilization Course**, the Court may enter an Order to Show Cause and will schedule a hearing date. At the hearing, the non-complying party will be required to demonstrate why he or she has not attended the Parenting Education and Family Stabilization Course. The Court may impose sanctions, including a Stay of Proceedings, or any other sanction the Court finds just, including a fine and/or incarceration for up to but not exceeding six months without a jury trial for indirect criminal contempt.

5. **CONDUCT OF THE PARTIES DURING THE CASE.** Both parties are directed to refrain from physical, verbal or any other form of harassment of the other, including but not limited to acts done in person or by telephone/internet, at their residence or at work.


6. **DISPOSITION OF ASSETS AND CASH.** Neither party will conceal, damage, nor dispose of any asset, whether jointly or separately owned, nor will either party dissipate the value of any asset (for example, by adding a mortgage to real estate) except by written consent of the parties or an order of Court. Neither party will cancel nor cause to be canceled any utilities, including telephone, electric or water and sewer. The parties may spend their income in the ordinary course of their personal and family affairs. Neither party will conceal, hoard, nor waste jointly owned funds, whether in the form of cash, bank accounts or other highly liquid assets, except said funds can be spent for the necessities of life. Any party who violates this order will be required to render an accounting and may be later sanctioned for wasting a marital asset. Each Petitioner and Respondent must file a Financial Affidavit detailing his/her assets and liabilities.
7. **PERSONAL AND BUSINESS RECORDS/INSURANCE.** Neither party will, directly nor indirectly, conceal from the other or destroy any family records, business records, or any records of income, debt, or other obligations. Any insurance policies in effect at the time the petition herein was filed will not be terminated, allowed to lapse, concealed, modified, borrowed against, pledged, or otherwise encumbered by either of the parties or at the direction of either party. All insurance policies of every kind will remain the same without change of their terms. All policy premiums will continue to be paid in full on a timely basis unless there is a written consent by both parties, or an order of the Court.
8. **ADDITIONAL DEBT.** Neither party will incur additional personal debt which would bind the other spouse nor tie up any assets, except by the written consent of the parties or order of this Court. The parties are strongly urged to temporarily refrain from using joint credit cards except for absolute necessities and only as a last resort. Abuse of credit, especially the other spouse's credit, offends the Court's sense of equity and will be dealt with accordingly.
9. **SANCTIONS.** The Court will sanction any party who fails without good cause to satisfactorily comply with the rules pertaining to the production of financial records and other documents, or fails without good cause to answer interrogatories or attend a deposition, with an award of a minimum of \$250 in attorney's fees (or a fine of an equal amount if the spouse seeking compliance has no attorney).
10. **VIOLATION OF THIS ORDER.** Judicial enforcement, due to violation of this order, may result in sanctions against the party found to be in violation of the order.
11. **APPLICATION OF THIS ORDER.** This Standing Order does not supercede other specific orders, entered by the Court in this matter. This order shall bind the petitioner upon the filing of this action and shall become binding on the respondent upon service of the order. This order shall remain in full force and effect until further order of the Court. Any part of this order, not changed by some later order, remains in full force and effect. This entire order will terminate once a final judgment is entered.

12. TWO (2) COPIES OF THIS ORDER TO BE FURNISHED. The Clerk of Courts shall provide 2 copies of this Standing Order to each petitioner/petitioner's attorney at the time of filing. The petitioner/petitioner's attorney shall serve a copy of this standing order on the respondent/respondent's attorney.

13. COOPERATION OF THE PARTIES. The parties are reminded that upon the filing of this action they potentially forfeit control over the outcome and results. Therefore the parties are strongly urged to work toward the resolution of any issues that they can amicably resolve.

DONE AND ORDERED in Chambers at LaBelle, Hendry County, Florida, on this the

2 day of Feb, 2016.



James D. Sloan, Circuit Court Judge

ATTACHMENT A: "NOTICE TO ALL PARTIES IN THE FAMILY COURT"

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Dawn Oliver, Administrative Services Manager, whose office is located at the Hendry County Courthouse, 25 E Hickpochee Ave., LaBelle, FL 33935, and whose telephone number is (863)-675-5374, at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

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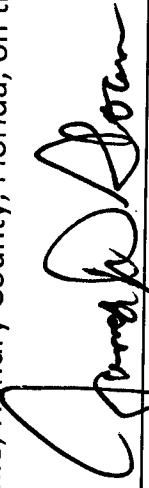
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- 2. DISPOSITION OF ASSETS AND CASH.** Neither party will conceal, damage, nor dispose of any asset, whether jointly or separately owned, nor will either party dissipate the value of any asset (for example, by adding a mortgage to real estate) except by written consent of the parties or an order of Court. Neither party will cancel nor cause to be canceled any utilities, including telephone, electric or water and sewer. The parties may spend their income in the ordinary course of their personal and family affairs. Neither party will conceal, hoard, nor waste jointly owned funds, whether in the form of cash, bank accounts or other highly liquid assets, except said funds can be spent for the necessities of life. Any party who violates this order will be required to render an accounting and may be later sanctioned for wasting a marital asset. Each Petitioner and Respondent must file a Financial Affidavit detailing his/her assets and liabilities.
- 3. PERSONAL AND BUSINESS RECORDS/INSURANCE.** Neither party will, directly nor indirectly, conceal from the other or destroy any family records, business records, or any records of income, debt, or other obligations. Any insurance policies in effect at the time the petition herein was filed will not be terminated, allowed to lapse, concealed, modified, borrowed against, pledged, or otherwise encumbered by either of the parties or at the direction of either party. All insurance policies of every kind will remain the same without change of their terms. All policy premiums will continue to be paid in full on a timely basis unless there is a written consent by both parties, or an order of the Court.

4. **ADDITIONAL DEBT.** Neither party will incur additional personal debt which would bind the other spouse nor tie up any assets, except by the written consent of the parties or order of this Court. The parties are strongly urged to temporarily refrain from using joint credit cards except for absolute necessities and only as a last resort. Abuse of credit, especially the other spouse's credit, offends the Court's sense of equity and will be dealt with accordingly.
5. **SANCTIONS.** The Court will sanction any party who fails without good cause to satisfactorily comply with the rules pertaining to the production of financial records and other documents, or fails without good cause to answer interrogatories or attend a deposition, with an award of a minimum of \$250 in attorney's fees (or a fine of an equal amount if the spouse seeking compliance has no attorney).
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