

**STANDING TEMPORARY DOMESTIC RELATIONS  
ORDER WITH MINOR CHILDREN**  
(Reissued January 20, 2015)

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

IT IS THEREFORE, ORDERED AND ADJUDGED as follows:

1. **REMOVAL OF CHILDREN**

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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 Charlotte 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. 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**

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Because child support can be ordered retroactive to the date of filing the petition herein, this Court encourages the parent with less than a majority of the parenting time 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**

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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:*

- A. *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;*
- B. *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;*

- C. *To be reared as a person, within the family, at school and before the law;*
- D. *To receive fair treatment from all in authority;*
- E. *To be heard and listened to;*
- F. *To earn and keep his/her own earnings;*
- G. *To seek and obtain medical care and treatment and counseling;*
- H. *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;*
- I. *To be free of legal disabilities or incapability save where such are convincingly shown to be necessary and protective of the actual best interests of the child; and*
- J. *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;*
- K. *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;*
- L. *To be free of the adverse influence of quarrelsome parents; to be free of parental efforts to alienate the child from the other parent.*

#### 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. "TransParenting" is offered by the Charlotte County Public Schools. To enroll, call 941-255-7480. Also, "Parents, Children, and Divorce" is offered in Charlotte County and surrounding counties. To enroll, call **800-767-8193**. An Internet link to a list of providers approved by the Department of Children and Family Services may be found at the website of the 20th Judicial Circuit:

[www.ca.cjis20.org](http://www.ca.cjis20.org), "Programs," "Family Court," "Parenting Classes,": or  
[www.myfloridafamilies.com/docs/ParentEducationFamilyStabilizationCourseProvidersList.pdf](http://www.myfloridafamilies.com/docs/ParentEducationFamilyStabilizationCourseProvidersList.pdf)

As required by Section 61.21 (3)(c), the list of providers includes Internet online course providers and also correspondence course providers, so a parent located anywhere has the ability to complete the parenting course.

##### 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.

D. *Court Privilege*

The Court may, on its own motion, order the parties to attend the program at any time it deems necessary.

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 supersede or modify 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.

**The Petitioner or Petitioner's attorney, shall furnish a copy of this Order to the Respondent or Respondent's attorney, if any.**

DONE AND ORDERED at Punta Gorda, Charlotte County, Florida, on this 23<sup>rd</sup> day of July, 2015.



ROBERT J. BRANNING  
CIRCUIT COURT JUDGE

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

IN CHARLOTTE COUNTY

"If you are a person with a disability who needs any accommodations in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Jon Embury, Administrative Services Manager, whose

office is located at 350 E. Marion Avenue, Punta Gorda, Florida 33950, and whose telephone number is (941) 637-2110, at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled court appearance is less than 7 days; if you are hearing or voice impaired, call 711."

## ATTACHMENT A

### NOTICE TO ALL PARTIES IN THE FAMILY COURT

The following are the policies of the Family Law Division of the Charlotte County Circuit Court. Read them carefully. All parties are expected to know and obey these policies.

#### COURTROOM CONDUCT AND BEHAVIOR

All courtroom proceedings shall be conducted with dignity, decorum, courtesy and civility.

BY ORDER OF THE CHIEF JUDGE:

##### 11.1 Cell Phones

THE USE OF CELLULAR TELEPHONES AND PAGERS IS PROHIBITED IN THE COURTROOM. ALL CELLULAR TELEPHONES AND PAGERS MUST BE TURNED OFF PRIOR TO ENTERING THE COURTROOM AND REMAIN OFF WHILE IN THE COURTROOM. **FAILURE TO COMPLY WITH THIS ORDER MAY RESULT IN THE SEIZURE OF THE TELEPHONE AND/OR A CHARGE OF CONTEMPT OF COURT.**

##### 11.2 Dress appropriately.

Court business is very important. People who do not dress or groom properly might give the wrong impressions. It may show a lack of concern for the case or a lack of respect for the dignity and authority of the Court. Shorts, tank or halter tops, undershirts, and individuals wearing caps or hats are forbidden. *The judges have the authority to ban persons not appropriately dressed from participating in the proceedings.*

##### 11.3 Speaking.

A court proceeding is not a free-for-all where people can say whatever they want whenever they feel like it. Parties do not speak unless they are directed by the Judge or a lawyer to speak and then they should speak only to the Judge or lawyer. A party never speaks directly to the other spouse in court.

Interruptions, sarcasm, insults, and unresponsiveness answers will not be tolerated.

Similarly, derogatory or disrespectful verbal or nonverbal expressions will not be tolerated. **DO NOT** start arguments with or threaten anyone, especially the Judge. *The Judge has the authority to hold you in contempt or expel anyone from the courtroom who hinders the orderly conduct of business.*

##### 11.4 Disruptive Behaviors.

While it is understood that parties may be upset when they come to court, they are expected to keep their anger and other offensive behavior under control.

## CHILDREN IN COURT

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**The Courtroom is no place to bring children, especially small children. Generally, the Court will not permit children of parties to testify as witnesses.**

1. *Children as witnesses.*

Minor children of the parties are rarely, if ever, allowed to testify in divorce proceedings because it is unfair to them and rarely serves any useful purpose. Unless permission has been obtained from the Judge in advance, a child will not testify.

2. *Children in the courtroom.*

**Parties should not bring their children to the courthouse at all. Parties are strongly urged to get sitters for children too young to behave properly in court.** Sometimes, a party is unable to get a babysitter and must bring a small child to court. However, children who are old enough to sit outside the courtroom unattended must remain outside the courtroom while your case is being heard. All children inside the courtroom must be quiet and in their seats or under an adult's control at all times. If a child disrupts the proceedings, the child must be taken out of the courtroom which could cause you to miss out on what is taking place inside.

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## APPEARING IN COURT WITHOUT AN ATTORNEY (*PRO SE*)

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**A *Pro Se* Litigant, a party without an attorney, is not entitled to special treatment or privileges, and must follow the same rules of procedure and ethical regulations that govern practicing attorneys.**

1. The Court must treat a *Pro Se* party much the same way it treats a lawyer. *Pro Se* litigants are not expected to be as skilled and knowledgeable as lawyers, but, are subject to the same rules and regulations as a party who has an attorney. Judges are forbidden by law to act as lawyers for unrepresented parties. It is also unethical for Judges to give them special treatment. The Judge's Judicial Assistant is part of the office of the Circuit Court Judge and is forbidden from doing anything the Judge cannot do.
2. Neither the Judge nor the Judicial Assistant can give a *Pro Se* Litigant legal advice, practice tips or help in writing court papers. Most questions regarding what to do or how to do it cannot be answered and should not be asked.
3. Contact with Judge's office. A *Pro Se* party is authorized to contact the Judge's office by telephone only on matters related to the court's schedule and attendance in court. There is no other authorized purpose to contact the Judge's office. Visiting the Judge's office is

especially discouraged because it disrupts the working routine in the office. Judicial Assistants assist Judges. It is not their duty to either listen to parties and their complaints or give advice on what to do.

#### RESOURCES:

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1. Self-Help Services:  
A "Self-Help" program for unrepresented (*pro se*) litigants is administered by the Administrative Office of the Courts. At the Charlotte County Justice Center (second floor), assistance is limited to written information and Notary services. Pre-printed packets of forms for Petitioners and Respondents may be purchased from the Clerk of Courts. EMPLOYEES IN THESE OFFICES ARE NOT PERMITTED TO PROVIDE LEGAL ADVICE. They do not act as your legal advisor, nor your clerical support staff. A self-service Law Library is located on the ground floor of the Charlotte County Justice Center.
2. Florida State Courts Self-Help Website:  
Among other information, family law forms may be downloaded and printed for use in dissolution, paternity, child support, name change, and grandparent visitation cases. The forms are up-to-date, in engrossed (ready to use) format, with all amendments incorporated. All forms are provided free of charge by the Florida Supreme Court, at: [www.flcourts.org/gen\\_public/family/self\\_help](http://www.flcourts.org/gen_public/family/self_help).
3. Florida Bar Lawyer Referral Service:  
The Florida Bar Lawyer Referral Service (LRS), provides referrals to attorneys who will conduct an initial one-half hour office consultation for \$25. Interested Parties may call this toll-free number from anywhere in Florida: 1-800-342-8011. An on-line referral is also available at: [www.floridabar.org](http://www.floridabar.org).

**If anyone insists upon speaking about unauthorized matters after being warned, Judicial Assistants have been instructed to hang up the telephone or call a security guard, and they will report the misconduct to the Judge. All requests to speak to the Judge on the telephone or have a private conference WILL BE REFUSED. Letters written to the Judge which offer or discuss evidence in the case or attempt to influence the Judge's decisions in the case will be filed in the court file and copies distributed to all interested parties. Such communications are strictly forbidden.**