

IN THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR THE STATE OF FLORIDA
LEE, COLLIER, CHARLOTTE, HENDRY, AND GLADES COUNTIES

IN RE: UNIFIED FAMILY COURT

ADMINISTRATIVE ORDER
NO. 12.4

WHEREAS, the Florida Supreme Court in Re: Report of the Family Court Steering Committee, 794 So. 2d 518 (Fla. 2001), directed each circuit to submit revised local rules or an administrative order implementing a Unified Family Court consistent with recommendations approved by the Florida Supreme Court in its opinion; and

WHEREAS, the Florida Supreme Court in Re: Report of the Family Court Steering Committee, 794 So. 2d 518 (Fla. 2001), directed each circuit to make every effort to resolve family disputes in a "fair, timely, efficient, and cost effective manner;" and

WHEREAS, the Twentieth Judicial Circuit is desirous of meeting the mandates of the Florida Supreme Court; and

WHEREAS, the Twentieth Judicial Circuit is desirous of assisting litigants with cases involving intra and inter-related family issues to avoid conflicting decisions and minimize inconvenience to the family; and

WHEREAS, the Twentieth Judicial Circuit is desirous of maximizing all resources readily available to assist with resolving familial related case litigation; and

WHEREAS, in an effort to facilitate open and effective communication between court staff, judges, attorneys and social service providers and to better serve the litigants of the court community,

NOW, THEREFORE, pursuant to the authority vested in me as Chief Judge of the Twentieth Judicial Circuit of Florida under Fla. R. Jud. Admin. 2.215, it is hereby ordered that:

Effective January 2, 2008, the unification of family court shall be implemented and shall operate as a pilot program in Lee County, and may later be formally expanded to Collier, Charlotte, Hendry and Glades counties by further order of the Court.¹ Such implementation shall be in accordance with the recommendations of the Florida Supreme Court, the Twentieth Judicial Circuit's FLAG (Family Law Advisory Group), the Twentieth Judicial Circuit's Unified Family Court Implementation Committee, and meetings with community stakeholders. The Unified Family Court shall function as set forth:

I. Unified Family Court Jurisdiction

A. The Unified Family Court shall consist of two components, Unified Family Court/Domestic Relations and Unified Family Court/Juvenile.

I certify this document to be
a true and correct copy of the
original on file in my office.
Charlie Green, Clerk Circuit
Court, Lee County, Florida
Date: 1-2-08
[Signature]
Clerk

¹ Prior to formally expanding the program to Collier, Charlotte, Hendry and Glades counties, no court shall be prohibited or discouraged from informally taking steps to effectuate the intent of this Administrative Order as it relates to resolving intra and inter-related family issues, provided that those steps do not conflict with any provision of this Administrative Order, the Florida Supreme Court's opinion in Re: Report of the Family Court Steering Committee, or any other rule of court or law.

B. All related Unified Family Court/Domestic Relations case types will remain in the Unified Family Court/Domestic Relations, except as otherwise provided in section I.D. of this order, and shall be linked upon order of the Court. If a family has a pending dependency case, and subsequently, a member of the family files for a dissolution of marriage (DOM), the Unified Family Court/Juvenile judge handling dependency cases shall decide all issues in the DOM action, including those involving children and financial matters, unless the Unified Family Court/Juvenile judge handling dependency cases files a good cause order as described below in section I.D. If a good cause order is entered, the Unified Family Court/Juvenile judge handling dependency cases may preside over issues in the DOM action involving children, while the Unified Family Court/Domestic Relations judge presides over financial issues, or the Unified Family Court/Juvenile judge handling dependency cases may elect to refer the entire DOM action back to the Unified Family Court/Domestic Relations judge. However, if a family has a juvenile delinquency case(s) and a DOM case, but no other cases pending, the provisions of this Administrative Order shall not be applicable and the cases shall be heard individually in the respective divisions of the Court.

C. All related Unified Family Court/Juvenile case types will remain in the Unified Family Court/Juvenile, except as otherwise provided in section I.D. of this order. If different judges are assigned to related juvenile delinquency and dependency cases, the juvenile delinquency judge shall preside over the adjudicatory hearing portion of the delinquency case. However, the juvenile delinquency case will subsequently be reassigned to the dependency judge for the dispositional hearing portion of the delinquency case.

D. The preferred resolution of related cases is a "one family, one judge" model. However, after receiving a recommendation from a case manager, the courts shall retain discretion to resolve cases in a manner that promotes the best interest of the family and children (if any). If a court determines that following the preferred "one family, one judge" model is not in the best interest of the family and children (if any), the court shall file an order finding good cause for not following the preferred model. The case managers shall maintain the responsibility of sharing information concerning related cases with the various judges presiding over those related cases.

II. Unified Family Court jurisdiction shall consist of and include the following elements:

A. Case Types:

- dissolution of marriage
- division and distribution of property arising out of a dissolution of marriage
- annulment
- support unconnected with dissolution of marriage
- paternity
- child support
- URESA/UIFSA
- custodial care of and access to children
- adoption
- name change
- declaratory judgment actions related to premarital, marital, or post marital agreements
- civil domestic and repeat violence injunctions
- juvenile dependency
- emancipation of a minor

- CINS/FINS
- truancy
- modification and enforcement of orders entered in these cases
- juvenile delinquency
- Marchman and Baker Act

B. Components of Unified Family Court:

1. The Unified Family Court bench shall consist of judges who have received training and have extensive experience in Family, Juvenile, and County Criminal Court.
2. Magistrates to conduct quasi-judicial hearings and maximize judicial resources.
3. Case management to coordinate and assist litigants and the judiciary with various court processes and to link all case types as defined in Section II.A.
4. A social service component to assist litigants and the judiciary by providing prompt linkages to applicable court and community resources.
5. An Alternative Dispute Resolution component to assist families and children with resolving disputes in order to promote long term family stability.
6. A technology component to provide technological services and systems for the purposes of accessing databases essential to case management.

III. General Unified Family Court Operations:

- A. At the time of filing any case type delineated in Section II.A., parties should provide the Clerk with a fully executed Unified Family Court Related Case Information Sheet along with the initiating action. The Clerk of Courts shall forward to the UFC case management division of the Administrative Office of the Courts a copy of the filing and the original Unified Family Court Related Case Information Sheet. The Clerk shall not file the Unified Family Court Related Case Information Sheet in the court file. In the event that a Unified Family Court Related Case Information Sheet is not provided with the initiating action, the judge or case manager shall inquire of the attorneys at each court hearing as to whether they are aware of any related cases.
- B. In the event parties request assistance with completion of the Unified Family Court Related Case Information Sheet, the Clerk of Courts shall refer parties to the UFC case management division of the Administrative Office of the Courts.
- C. The case manager shall review the filing and Unified Family Court Related Case Information Sheet and shall submit an appropriate proposed draft order(s) for Court review.
- D. Upon order of the Court, the Clerk of Courts shall enter related case information into the Odyssey or Reflections programs.
- E. The Court shall initiate steps to have full access to the databases of all Unified Family Court stakeholders and agencies to ensure open and effective communications. The

Clerk of Courts shall notify the presiding judges and the UFC case managers when they identify UFC related cases. The Clerk of Courts shall also designate a case as a UFC case by placing a visible UFC stamp on the outside of the file and by attaching a copy of this Administrative Order and the attached forms to the inside cover of the UFC related case.

F. The Unified Family Court shall be evaluated routinely by the Chief Judge or the Chief Judge's designee to determine its effectiveness in implementing this circuit's goal of addressing family law matters in a comprehensive, coordinated manner.

G. The Twentieth Judicial Circuit's FLAG (Family Law Advisory Group) and the involved stakeholders shall continue to provide input regarding the Twentieth Judicial Circuit's Unified Family Court.

H. The Court shall determine the appropriate schedule/dockets and coordinate with the Clerk of Courts.

IV. Unified Family Court Case Managers' Ability to Access Juvenile Court Records

A. Unified Family Court Case Managers of the Administrative Office of the Courts have a proper interest in juvenile delinquency and dependency official court records in order to implement a Unified Family Court that addresses the multiple legal issues facing families pursuant to Fla. Stat. §§ 985.045(2), 985.04(1), 39.0132(3) and 39.0132(4)(a)1.

B. Accordingly, the Unified Family Court Case Managers shall have access to and may inspect the official juvenile delinquency and juvenile dependency court records in the Twentieth Judicial Circuit.

C. Pursuant to Fla. Stat. § 985.04, all information obtained from juvenile delinquency court records in the discharge of official duty by any judge, any employee of the court, any authorized agent of the Department of Juvenile Justice, the Parole Commission, the Department of Corrections, the juvenile justice circuit boards, any law enforcement agent, or any licensed professional or licensed community agency representative participating in the assessment or treatment of a juvenile may be disclosed to the Unified Family Court Case Managers.

D. Pursuant to Fla. Stat. § 39.0132, all information obtained from juvenile dependency court records in the discharge of official duty by any judge, employee of the court, authorized agent of the Department of Children and Family Services, correctional probation officer, or law enforcement agent may be disclosed to the Unified Family Court Case Managers.

E. Any information the Unified Family Court Case Managers obtain concerning a juvenile delinquency case and/or juvenile dependency case may only be provided to a judge or a magistrate presiding over a unified family court related case and any information in written form must be sealed if it is filed in any unified family court related case file.

V. The following forms are attached hereto and are approved for use in accordance with this Administrative Order:

A. Unified Family Court Related Case Information Sheet

- B. Notification of Unified Family Court Related Case
- C. Order Identifying Unified Family Court Cases and Transferring/Assigning them to Unified Family Court
- D. Order Setting Unified Family Court First Mandatory Case Conference
- E. Order Finding Good Cause for Deviation from Preferred Model


VI. General Provisions

A. This Administrative Order is not intended to grant public access to confidential court records. Court records deemed confidential and exempt from public access pursuant to any law, statute or rule shall remain so, unless otherwise ordered by the Court.

B. To the extent that any provision of this Administrative Order may be construed as being in conflict with any law, statute or rule, the law, statute or rule shall prevail.

DONE AND ORDERED in Chambers in Fort Myers, Lee County, Florida, this 31st day of

December, 20 07.



G. Keith Cary
Chief Judge

History. – New.

**TWENTIETH JUDICIAL CIRCUIT OF FLORIDA
UNIFIED FAMILY COURT RELATED CASE INFORMATION SHEET**

Section I: INSTRUCTIONS FOR USING THIS FORM

The information contained in this form will be utilized to notify the Unified Family Court Division of related cases (i.e. multiple cases in the judicial system involving one family), pursuant to Administrative Order No. 12.4 of the Twentieth Judicial Circuit of Florida.

THIS FORM IS FOR THE INTERNAL USE OF THE UFC CASE MANAGEMENT DIVISION OF THE ADMINISTRATIVE OFFICE OF THE COURTS ONLY. PARTIES SHOULD PROVIDE THE CLERK WITH THIS FULLY EXECUTED FORM ALONG WITH ANY INITIATING ACTION, AND THE CLERK SHALL FORWARD IT TO THE UFC CASE MANAGEMENT DIVISION OF THE ADMINISTRATIVE OFFICE OF THE COURTS. THE CLERK SHALL NOT FILE THIS FORM IN THE CASE FILE. IF THIS FORM CONTAINS INFORMATION THAT IS CONFIDENTIAL PURSUANT TO STATUTE OR RULE, IT SHALL BE EXEMPT FROM PUBLIC DISCLOSURE.

Section II:

Name of Person Completing this Form (please print) _____
Department: _____ Date: _____
Address: _____ Phone No.: _____

**Section III: COMPLETE ALL INFORMATION BELOW FOR ANY RELATED CASES
FILED IN THIS CIRCUIT (including your case)**

FAMILY ID#: _____

() DOMESTIC RELATIONS

Case Name: _____ Case No: _____ Judge: _____ Case Status: () Open () Closed
Case Type: () Dissolution of Marriage () Paternity () Child Support () Other: _____
Petitioner: _____ Respondent: _____
Attorney: _____ Attorney: _____
Court ordered services: _____
Next hearing date (if any): _____ Hearing type: _____

() CIVIL DOMESTIC VIOLENCE INJUNCTION

Case Name: _____ Case No: _____ Judge: _____ Case Status: () Open () Closed
Petitioner: _____ Respondent: _____
Attorney: _____ Attorney: _____
Injunction Issued: () temporary () permanent Date injunction entered through: _____
Court ordered services: _____
Next hearing date (if any): _____ Hearing type: _____

() JUVENILE DEPENDENCY

Case No: _____ Judge: _____ Case Status: () Open () Closed
DCF Atty.: _____ Mother's Atty.: _____
GAL Atty.: _____ Father's Atty.: _____
TPR order in effect: () yes () no () unknown
Parent's (s') court ordered services: _____
Next hearing date (if any): _____ Hearing type: _____

() JUVENILE DELINQUENCY

Case No: _____ Judge: _____ Case Status: () Open () Closed
DJJ Caseworker: _____ PD: _____ SAO: _____
Next hearing date (if any): _____ Hearing type: _____

() CRIMINAL

Case Name: _____ Case No: _____ Judge: _____ Case Status: () Open () Closed
DOB of defendant: _____
PD/Atty.: _____ SAO: _____
Pre-trial Officer: _____ Probation Officer: _____
Court ordered services: _____
Next hearing date (if any): _____ Hearing type: _____

() OTHER CASES PENDING OUTSIDE OF THIS CIRCUIT

Nature of Case: _____ Case Name: _____ Case No: _____ Judge: _____
Plaintiff/Petitioner: _____ Defendant/Respondent: _____
Attorney: _____ Attorney: _____
Court ordered services: _____

**TWENTIETH JUDICIAL CIRCUIT OF FLORIDA
NOTIFICATION OF UNIFIED FAMILY COURT RELATED CASE**

If this form contains any information concerning a juvenile delinquency or dependency case, this form and the information contained herein may only be provided to a judge presiding over a unified family court related case and the form must be sealed if it is filed in any unified family court related case file.

To: _____

From: _____, UFC Case Manager
Unified Family Court Division, Administrative Office of the Courts, Lee County Justice Center
1700 Monroe St., Ft. Myers, FL 33901
(239) 335-2247 (telephone)

Date: _____

RE: Your Case No(s): _____
Your Case Name(s): _____

The following case(s) has/have been identified as a related case(s) to that referenced above, which is open and pending in your division:

FAMILY ID#: _____

DOMESTIC RELATIONS

Case Name: _____ Case No: _____ Judge: _____ Case Status: Open Closed
Case Type: Dissolution of Marriage Paternity Child Support Other: _____
Petitioner: _____ Respondent: _____
Attorney: _____ Attorney: _____
Court ordered services: _____
Next hearing date (if any): _____ Hearing type: _____

CIVIL DOMESTIC VIOLENCE INJUNCTION

Case Name: _____ Case No: _____ Judge: _____ Case Status: Open Closed
Petitioner: _____ Respondent: _____
Attorney: _____ Attorney: _____
Injunction Issued: temporary permanent Date injunction entered through: _____
Court ordered services: _____
Next hearing date (if any): _____ Hearing type: _____

JUVENILE DEPENDENCY

Case No: _____ Judge: _____ Case Status: Open Closed
DCF Atty.: _____ Mother's Atty.: _____
GAL Atty.: _____ Father's Atty.: _____
TPR order in effect: yes no unknown
Parent's (s') court ordered services: _____
Next hearing date (if any): _____ Hearing type: _____

JUVENILE DELINQUENCY

Case No: _____ Judge: _____ Case Status: Open Closed
DJJ Caseworker: _____ PD: _____ SAO: _____
Next hearing date (if any): _____ Hearing type: _____

CRIMINAL

Case Name: _____ Case No: _____ Judge: _____ Case Status: Open Closed
DOB of defendant: _____
PD/Atty.: _____ SAO: _____
Pre-trial Officer: _____ Probation Officer: _____
Court ordered services: _____
Next hearing date (if any): _____ Hearing type: _____

OTHER CASES PENDING OUTSIDE OF THIS CIRCUIT

Nature of Case: _____ Case Name: _____ Case No: _____ Judge: _____
Plaintiff/Petitioner: _____ Defendant/Respondent: _____
Attorney: _____ Attorney: _____
Court ordered services: _____

Notes: _____

ATTACHMENT C

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT OF FLORIDA,
IN AND FOR _____ COUNTY

IN RE: THE MATTER OF:

DOMESTIC RELATIONS
CASE NO.:

_____,
Petitioner,

JUVENILE DIVISION
CASE NO.:

_____,
Respondent,

DOMESTIC VIOLENCE DIVISION
CASE NO.:

PROBATE DIVISION
CASE NO.:

OTHER:
CASE NO.:

_____ /

**ORDER IDENTIFYING UNIFIED FAMILY COURT CASES AND
TRANSFERRING/ASSIGNING THEM TO UNIFIED FAMILY COURT**

THIS CAUSE came for review before the Court pursuant to Administrative Order No. 12.4 as a cross over matter with Unified Family Court Jurisdiction.

- A. The Unified Family Court case manager identified cases listed above and they have met the criteria as defined in Administrative Order No. 12.4 to be designated as Unified Family Court cases.
- B. Unified Family Court cases shall be coordinated in a manner to avoid conflicting decisions, enhance judicial decision making and minimize inconvenience to the family.

THEREFORE, IT IS HEREBY

ORDERED AND AJUDGED as follows:

1. The Clerk of Courts is directed to transfer these cases to Unified Family Court division _____, the Honorable _____, presently presiding over all cases, except as otherwise provided for herein:

2. If different judges are assigned to related juvenile delinquency and dependency cases, the juvenile delinquency judge shall preside over the adjudicatory hearing portion of the delinquency case. However the juvenile delinquency case will subsequently be reassigned to the dependency judge for the dispositional hearing portion of the delinquency case.

3. The Clerk of Courts is directed to file this order in each case listed above, as the cases currently lie in the correct Division of the Court.

4. The Clerk of Courts is directed to link each of the above cases in the "Related Cases" filed in the Odyssey or Reflections System.

5. The Clerk of Courts is directed to forward all of the above Court files to the Unified Family Court Case Manager in Division _____.

6. All previous Orders entered in these cases will remain in effect until further Order of the Court.

7. All previously scheduled hearings will need to be reset (Attorneys contact divisional J.A., self-represented parties will receive an Order Setting Hearing by mail), with the exception of the following hearings:

8. Counsel and/or those persons who are self-represented are directed to continue to use the appropriate divisional style and case number when filing pleadings, motions, notices of hearing, etc., in a specific division despite the status of this as a Unified Family Court Case. The Clerk of Courts is directed to forward all UFC related case files to the Judge for hearing or Case Manager for case management purposes, as appropriate.

DONE AND ORDERED in _____ County, Florida this _____ day of _____, 20_____.

Circuit Judge

Copies Furnished:

ATTACHMENT D

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT
IN AND FOR _____ COUNTY, FLORIDA
UNIFIED FAMILY COURT DIVISION

CASE NOS.

Petitioner, _____,

vs.

Respondent. _____ /

**ORDER SETTING UNIFIED FAMILY COURT
FIRST MANDATORY CASE CONFERENCE**

THIS CAUSE having come before the Court, *sue sponte*, and the Court having duly determined that the above referenced cases meet the criteria for assignment to the newly created Unified Family Court Division, it is hereby,

ORDERED AND ADJUDGED as follows:

1. A Mandatory Case Conference is hereby scheduled before this Court on the _____ day of _____, 20____, at _____ am/pm., Courtroom _____, _____ . Attendance by all attorneys and parties is mandatory. *Further, attendance is also mandatory for the Unified Family Court Case Manager assigned to these cases.*
2. Prior to the Case Conference, it is suggested and/or recommended that each attorney and/or party review The Twentieth Judicial Circuit's Administrative Order 12.4 and *The Report of Family Court Steering Committee, 794 So. 2d 518 (Florida Supreme Court 2001).*
3. At the Case Conference, the parties shall be prepared to discuss, *inter alia*, the following matters:
 - a. The status of all pending matters, including but not limited to, all pending and unresolved motions;
 - b. The possibility or possibilities of mediation and settlement;
 - c. Discovery related issues;
 - d. The scheduling of hearings and/or trials;
 - e. Case management related issues;
 - f. All issues related to the safety, health and welfare of the minor children involved in these matters.

DONE AND ORDERED in _____ County, Florida, this _____ day of _____, 20_____.

Circuit Judge

Copies Furnished:

ATTACHMENT E

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL
CIRCUIT OF FLORIDA, IN AND FOR _____ COUNTY, FLORIDA

IN RE: THE MATTER OF:

_____,
Petitioner/Plaintiff,

Case Nos.:

_____,
Respondent/Defendant,

_____ /

**ORDER FINDING GOOD CAUSE
FOR DEVIATING FROM PREFERRED UFC MODEL**

THIS CAUSE came before the Court pursuant to Administrative Order 12.4 as a cross over matter with Unified Family Court jurisdiction. Having reviewed the recommendation of the UFC case manager and having considered the best interest of the family and children (if any), and having been being fully advised in this matter, the Court finds and orders as follows:

1. The Court finds good cause for deviating from the preferred "one family, one judge" model.
2. As an alternative to the "one family, one judge" model, the UFC case manager shall continue to share information concerning related cases with the various judges presiding over those related cases.

DONE AND ORDERED in Chambers in _____, _____ County, Florida, this _____ day of _____, 20_____.

Circuit Judge

Copies Furnished: