

IN THE CIRCUIT COURT OF THE  
FIFTH JUDICIAL CIRCUIT OF THE  
STATE OF FLORIDA  
Administrative Order Number: A2002-03

**ADMINISTRATIVE ORDER**  
**ESTABLISHING MODEL FAMILY LAW COURT**  
**IN THE FIFTH JUDICIAL CIRCUIT**

**WHEREAS**, the Supreme Court of Florida, in Case No. SC00-1410 (May 3, 2001), held that each judicial circuit should develop a local rule implementing a unified family division consistent with the recommendations set forth in the Model Family Court for Florida; and

**WHEREAS**, the Supreme Court set forth in said opinion certain guidelines and requirements to be addressed in a local rule implementing a unified family division; and

**WHEREAS**, the judges of the Fifth Judicial Circuit agree that the continuing goal of the family courts should be the creation of a fully integrated, comprehensive approach to handling all cases involving children and families; and

**WHEREAS**, the Fifth Judicial Circuit is comprised of five counties of varying population, case-types, number of resident circuit judges, and other factors which must be considered in the implementation of a unified family division; and

**WHEREAS**, the chief judge of the Fifth Judicial Circuit pursuant to Rule 2.050(b)(5), Florida Rules of Judicial Administration, has designated and assigned an administrative judge in each of the several counties of the circuit to assist with the supervision of the court, and

**WHEREAS**, the chief judge of the Fifth Judicial Circuit pursuant to Rule 2.050(b)(5), Florida Rules of Judicial Administration, has appointed an Administrative Judge of the Family Court Division of the Fifth Judicial Circuit, and has directed the appointment of an Administrative Judge

of the Family Court division in each county in the circuit, it is therefore

**RESOLVED** that the Rules of the Fifth Judicial Circuit shall be amended to include this Administrative Order implementing the Florida Supreme Court recommendations as to a unified family court division in the Fifth Judicial Circuit:

1. The Judges of the Fifth Judicial Circuit recognize that their primary role is to enforce and uphold the rule of law. Paramount within this role are the needs and best interests of the children who are affected by the Family Court system. Family court cases frequently involve multiple and interrelated issues within the judicial system which necessitate a comprehensive, fair, and coordinated approach to all the cases affecting the same family. In achieving the goal of a unified family court, the judges will be aided by the Twelve Guiding Principles set forth by the Florida Supreme Court in *In Re: Report of the Family Court Steering Committee*, 26 Fla. L. Weekly 19 (Fla. May 3, 2001) and by the legislative policies set forth in section 61.001, *Fla. Stat.* (2000).

2. In order to achieve a unified and coordinated approach, the Family Court Division within each county in the Fifth Judicial Circuit shall include the following types of cases:

- a) Dissolution of Marriage;
- b) Division and distribution of property arising out of a dissolution of marriage;
- c) Annulment;
- d) Support unconnected with dissolution of marriage;
- e) Paternity;
- f) Child support;
- g) URESA/UIFSA;

- h) Custodial care of and access to children;
- i) Adoption;
- j) Name change;
- k) Declaratory judgment actions related to premarital, marital, or postmarital agreements;
- l) Civil domestic and repeat violence injunctions;
- m) Juvenile Dependency;
- n) Termination of parental rights;
- o) Juvenile delinquency;
- p) Emancipation of a minor;
- q) CINS/FINS;
- r) Truancy;
- s) Modification and enforcement of orders entered in these cases.

Upon consideration of the various components comprising the unified family court, the Chief Judge has determined that criminal misdemeanor domestic violence cases shall not be included in the family division. However, each county shall attempt to develop a procedure for coordinating the criminal misdemeanor domestic violence cases with other related family court cases.

3. The Administrative Judges and Family Law Administrative Judges in each of the counties within the Fifth Judicial Circuit shall, by administrative order, establish procedures for the Family Court Division within their respective counties based upon the unique needs of the county and resources available to the court. The procedures shall be in accordance with this Administrative Order and, insofar as practicable and possible, considering financial and personnel limitations, in

accordance with the Model Family Court recommendations as adopted by the Florida Supreme Court. The administrative orders shall be adopted and submitted to the Chief Judge of the Fifth Judicial Circuit and the Administrative Judge of the Family Court Division of the Fifth Judicial Circuit on or before January 1, 2002. The administrative orders from each county will be submitted for approval by the Florida Supreme Court.

4. Within each county, the Administrative Judges, and Family Court Division Judges, with the assistance of the Clerks of the Circuit Courts, shall develop procedures to identify and coordinate different cases which involve the same parties. The procedures should set forth a clear and definite process for the reassignment of these "cross-over" cases to a single judge, or, in the alternative, for the coordination of court proceedings so as to maximize judicial efforts, avoid inconsistent court judicial decisions and avoid multiple court appearances by the same parties on the same issues.

5. Recognizing that each of the five counties within the circuit have unique needs and resources, the administrative orders establishing the unified Family Court Division in each county shall, to the extent possible, incorporate programs implementing the twelve elements identified by The Florida Supreme Court as essential or fundamental elements. These elements are :

- a) Case Management;
- b) Self-Help Programs;
- c) Domestic Violence Programs;
- d) Alternative Dispute Resolution Programs;
- e) Utilization of Guardians ad litem;
- f) Utilization of Masters and Hearing Officers;

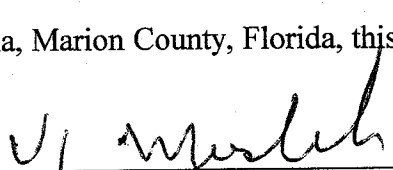
- g) Custody Evaluations;
- h) Utilization of qualified Supervised Visitation Programs;
- i) Education Programs for Parents;
- j) Counseling Services/Treatment Programs;
- k) Providing Security; and
- l) Utilization of technology.

6. The Family Court Division as established by administrative order in each county shall be based upon the model of Coordinated Management. The Family Court Divisions, with the assistance of the Family Law Advisory Groups, within each county shall develop a case management program to coordinate all cases involving a single family, to coordinate and monitor services provided to each family, and to collect aggregate data to measure performance of the family division. Each County shall develop a program tailored to the specific needs and available resources of that individual County. Ideally, each Family Court Division should include a front-end intake process to provide information, make referrals to legal or social services and assist self-represented litigants. To the extent possible, each Family Court Division should utilize staff members and technology in the establishment of a program which facilitates the delivery of appropriate social services, maximizes judicial resources, avoids conflicting court orders and prevents multiple court appearances by the parties on the same issues.

7. Each county within the circuit shall create a family law advisory group to assist in the development, implementation, and monitoring of the Family Court Division, in their respective counties. The Family Law Advisory Group should be comprised of court staff, judges, members of the bar, social service providers, local community leaders and any other interested persons or

organizations to support and advise the family court. The Family Law Advisory Group shall meet regularly and shall submit an annual report to the Chief Judge and to the Administrative Judge of the Family Court Division of the Fifth Judicial Circuit. The first report should be submitted on or before December 1<sup>st</sup>, 2001 and shall be submitted annually on the same date thereafter.

DONE AND ORDERED in chambers at Ocala, Marion County, Florida, this 31 day of January, 2002.

  
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VICTOR J. MUSLEH  
Chief Judge  
Fifth Judicial Circuit