

IN THE CIRCUIT COURT FOR THE FIFTH JUDICIAL CIRCUIT
IN AND FOR HERNANDO COUNTY, FLORIDA

ADMINISTRATIVE ORDER H-2005-12

**ADMINISTRATIVE ORDER ESTABLISHING FAMILY
COURT CASE MANAGEMENT PROGRAM AND
PROCEDURES FOR THE FAMILY SELF-HELP
PROGRAM IN HERNANDO COUNTY**

WHEREAS, an overwhelming number of litigants are representing themselves in family cases filed in Hernando County, causing a substantial strain on the clerk's office, law library, and the judiciary; and

WHEREAS, the Family Court Case Management Program is assigned the responsibility of assisting in processing these cases through the judicial system efficiently; and

WHEREAS, The Family Court Case Management Program provides information on forms and instructions approved by the Florida Supreme Court and provides assistance through the established self-help program; and

WHEREAS, pursuant to Rule 12.750, Fla. Fam.L.R.P., family self-help programs are authorized to facilitate access to family courts for self-represented litigants, and staff personnel of the Family Court Case Management Program may provide information about approved forms and instructions for those forms, but will not fill out the approved forms and will not perform legal research for the litigants; and

WHEREAS, the purpose of establishing these programs is not to provide legal advice to self-represented litigants, but to assist them in achieving a fair and efficient resolution of their family law cases; and

WHEREAS, these programs are operated with non-lawyer personnel and are available for all self-represented litigants in family law actions, excluding domestic violence/repeat violence injunctions, Title IV-D URESA and UIFSA cases, and matters filed in the juvenile division; and

WHEREAS, self-help personnel in the office of the Family Court Case Management Program will provide general information about the court process, practice and procedure, and will facilitate

the scheduling of hearings, but will also encourage self-represented litigants to obtain legal advice from a private attorney, a legal aid agency, or the Florida Bar Lawyer Referral Service; now therefore

IT IS HEREBY ORDERED that:

1) A Family Law Self-Help Program is established in Hernando County pursuant to Rule 12.750, Fla. Fam.L.R.P. to provide assistance to all self-represented litigants who are filing or who are involved in family law cases in Hernando County, excluding domestic violence/repeat violence injunctions, Title IV-D URESA and UIFSA cases, and matters filed in the juvenile division; and shall operate through the Family Law Case Management Program; and

2) The Clerk of the Circuit Court may furnish Supreme Court approved forms and instructions to self-represented litigants at a price which covers the cost of copying, payable to the Hernando County Clerk of the Circuit Court; and self-help personnel may provide information about the forms and instructions for completing them, but will not fill out the approved forms for the self-represented litigants, and will not perform legal research for them; and

3) Before providing any services, self-help personnel shall explain the “Notice of Limitation of Services Provided” disclaimer set forth in Rule 12.750(h) and shall obtain the signature of the self-represented litigant acknowledging that the disclaimer has been explained. The original of the disclaimer shall be filed by the self-help personnel in the court file, and a copy shall be provided to the self-represented litigant; and

4) All self-represented litigants shall have their initial pleadings reviewed by the Family Court Case Management Office before their case may be scheduled for any hearing or for trial to ensure that all necessary requirements have been met. This procedure shall apply to all family law matters where the litigants, or one of them, are self-represented, whether an initial action or a modification of a former case. The Family Court Case Management Office shall provide general information, upon request, about the court process, practice and procedure, and will facilitate the scheduling of hearings for self-represented persons, but will not offer any legal advice; and

5) In all cases where there are children involved, both parties must complete a mandatory parenting class, such as “Helping Children Cope With Divorce,” before a final hearing may be scheduled, unless such requirement is waived for good cause shown; and

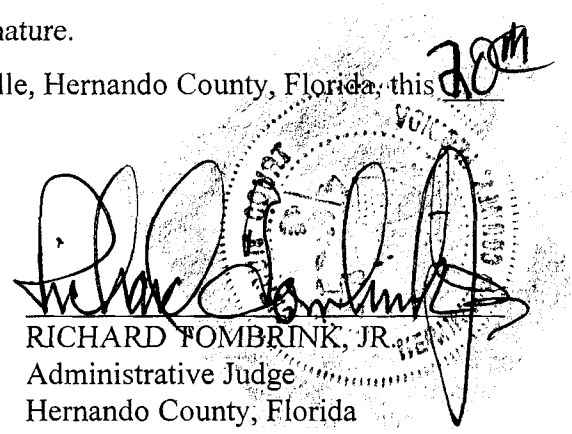
6) All contested cases shall be mediated before they are set for trial, unless such requirement is waived for good cause shown; and

7) Personnel in the Family Court Case Management Program shall encourage self-represented litigants to seek advice from an attorney, and shall provide information about the Florida Bar Referral Service and inform the litigants of assistance available by members of the Hernando County Bar Association through The Legal Clinic and Community Legal Services of Mid-Florida; and

9) The Administrative Judge of the Family Law Division may establish other procedures for the self-help program and the Family Law Case Management Program that do not conflict with the limitations of Rule 12.750, Fla. Fam. L.R.P.; and

10) This Administrative Order supersedes and replaces Administrative Order H-2000-13, dated June 1, 2000, and becomes effective immediately upon signature.

DONE AND ORDERED in Chambers in Brooksville, Hernando County, Florida, this 20th day of July, 2005..



RICHARD FOMBRINK, JR.
Administrative Judge
Hernando County, Florida