

**IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT  
OF THE STATE OF FLORIDA**

**ADMINISTRATIVE ORDER NUMBER: S-2008-03-A  
RE: STANDING DOMESTIC RELATIONS COURT ORDER FOR SUMTER COUNTY  
and SUPERSEDING S-2008-03**

Whereas, Rule 2.215(b)(3), Rules of Judicial Administration, directs the Chief Judge to develop an administrative plan for the efficient and proper administration of all courts within the Circuit;

Whereas, Rule 2.215(b)(5), Rules of Judicial Administration, allows the Chief Judge to designate a judge in any court or court division of circuit or county courts as “Administrative Judge” of any court or division to assist with the administrative supervision of the court or division;

Whereas, the Supreme Court of Florida endorsed the implementation of a unified family division consistent with the “Coordinated Management” model in the Circuit Court of Florida in re: Report of the Family Court Steering Committee, 794 So. 2d 518 (Fla. 2001);

Whereas, the Fifth Judicial Circuit is committed to developing and implementing a fully integrated, comprehensive approach to handling all cases involving children and families; and

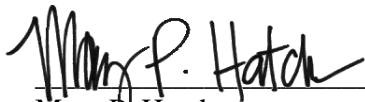
Whereas, it is appropriate to establish procedure which will assist families to resolve disputes in a peaceful, cooperative, fair, and efficient manner;

Whereas, in consultation with and concurrence with the Administrative Judge of Sumter County, it is therefore,

ORDERED and ADJUDGED that the attached Standing Domestic Relations Court Orders, and the necessary attachments, shall be used hereafter in all domestic relations cases in Sumter County filed after the date of this order, except the following categories of family law cases: adoption cases and termination of parental rights cases filed under Chapter 39 and 63; civil injunction cases filed under Chapters 741 and 784; child support cases filed under Chapters 88 and 409 and child support cases which originate from a dependency case; dependency and other cases filed under Chapter 39, juvenile delinquency cases; “by-pass” cases filed under Chapter 390; and any other “family-law related” or “domestic relations” related: cases filed by the State of Florida or any of its agencies.

This order revises and supersedes Administrative Orders S-2008-03.

DONE AND ORDERED in Chambers at Ocala, Marion County, Florida, this 7<sup>th</sup> day of November 2024, *nunc pro tunc* to October 24, 2024.

  
\_\_\_\_\_  
Mary P. Hatcher

Sumter County Administrative Judge

  
\_\_\_\_\_  
Ann Melinda Craggs

Administrative Family Law Judge  
Fifth Judicial Circuit

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT OF THE STATE OF  
FLORIDA, IN AND FOR SUMTER COUNTY

---

Petitioner,

vs.

Case No.: \_\_\_\_\_

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Respondent.

**STANDING FAMILY LAW COURT ORDER  
(WITHOUT CHILDREN'S ISSUES)**

It is in the best interest of the parties in a family law case to learn about their duties and responsibilities and that the parties preserve their assets and comply with court rules. This Order is entered for the purpose of economically and expeditiously resolving initial dissolutions of marriage, supplemental proceedings for modification and other proceedings. It is therefore, ORDERED as follows:

1. SERVICE, APPLICATION, AND TERM OF THIS ORDER:

1.1 This Standing Family Law Court Order shall be utilized and complied with immediately upon filing of this action, except in cases where there is a written agreement by the parties to the contrary before or after this order takes effect.

1.2 The Clerk of Court shall docket and provide a copy of this Standing Family Law Court Order to the Petitioner or to Petitioner's counsel at the time the Petitioner files an original or supplemental petition.

1.3 In addition, the Petitioner shall deliver a copy of this Order to the process server to be served on the Respondent with the original petition or supplemental petition.

1.4 This Order is binding on the Petitioner upon the filing of this action and on the Respondent upon service of this order. The party serving the order shall complete a Certificate of Service for Standing Family Law Court Order (see Attachment "A").

1.5 This Order shall not supersede or modify any existing domestic violence injunction or other order by a court having jurisdiction over the parties.

1.6 This Order shall remain in full force and effect until further order of the Court such as the entry of a final judgment, a dismissal of this cause, or until the entry of a subsequent temporary order, whichever shall occur first. This Order does not preclude a Judge from modifying or amending this Order in individual cases where the Judge deems necessary. Any part of this order not changed by a subsequent order shall remain in effect.

## 2. DISPOSITION OF ASSETS:

Neither party may conceal, damage, or dispose of any asset, whether marital or non-marital, and neither party may dissipate the value of an asset, for example, by adding a mortgage to real estate or by failing to take care of an asset. Neither party may dispose of any asset other than in the customary conduct of business and personal affairs. The parties may spend their incomes in the ordinary course of the personal and family affairs. Neither party may conceal, hoard, or waste jointly owned funds, whether in the form of cash, bank accounts, or other liquid assets, except funds may be spent for the necessities of life. The use of funds or income after separation must be accounted for and justified as reasonable and necessary for the necessities of the party or to preserve marital assets or pay marital debts. Both parties are accountable for all money or property in their possession during the marriage and after separation. Attorney's fees and costs are necessities and must be accounted for in the calculation of equitable distribution.

## 3. PERSONAL AND BUSINESS RECORDS/INSURANCE:

Neither party may, directly or 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 for dissolution was filed may not be terminated, be 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 may not be changed, except by written agreement signed by the parties or order of the court. The parties shall continue to pay all premiums 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 debt which would bind the other party nor tie up any assets, except by written consent of the parties or order of this court. The parties are urged temporarily to stop using joint credit cards, except for absolute necessities and only as a last resort. Joint credit cards may be used only for the necessities of life, and any party using a joint credit card after separation must be prepared to justify all charges as reasonable and necessary for necessities.

## 5. MEDIATION:

5.1 When an answer is filed in a case and the answer contests any issue in the petition, the parties will be required to seek the services of a Florida Supreme Court Certified mediator to mediate the issues of their case.

5.2 Mediation is an informal and non-adversarial process whereby a neutral third party facilitates a resolution to dispute between two parties. The objective is to obtain a mutually acceptable and voluntary agreement.

5.3 If the parties cannot agree on the selection of a mediator, upon request of the court, the court will select one for them.

5.4 The mediator and parties shall schedule the mediation conference and within thirty (30) days of selection or appointment by the court, written notice of the date, time and place of the first mediation conference shall be sent to all parties and the court. Absent good cause, the first mediation conference shall be held within sixty (60) days of the selection of the mediator.

5.5 All parties are required to personally attend the mediation conference and shall be completely prepared to mediate in good faith.

5.6 The parties may be assisted by counsel at the mediation conference; however, if a party is not represented by counsel, the presence of counsel at mediation is not required.

5.7 If a party either fails to appear or cancel a duly noticed mediation conference less than three (3) business days before the mediation date, without good cause, the court, upon motion, shall impose sanctions including, but not limited to, an award of mediator and/or attorney's fees.

5.8 The mediator's status report shall be submitted to the court within (10) days of completion of mediation.

5.9 Upon motion or request of a party, the court shall not refer any case to mediation if it finds there has been a history of domestic violence that would compromise the mediation process.

5.10 Mediation may be waived if a default has been entered.

## 6. MANDATORY DISCLOSURE:

Both parties must file and exchange financial affidavits and comply with mandatory disclosure pursuant to Florida Family Law Rules of Procedure 12.285.

## 7. NOTIFICATION OF RELATED CASES:

Attorneys and parties shall notify the court as soon as it becomes evident to them of the existence of any court proceeding in any jurisdiction that may be relevant to the subject matter before the court. A copy of any relevant orders shall be provided to the court. This obligation shall be continuing in nature throughout the proceeding.

## 8. EMERGENCY MOTIONS

If either party feels he or she has an "emergency" requiring immediate action, the party or the party's counsel may file a motion for emergency relief and attach to it a Certification of Emergency form certifying that the party has read this paragraph and that a true emergency, as defined herein below, exists. **The party or the party's counsel filing the motion SHALL use the Certification of Emergency form attached hereto as Attachment "C".** Except in the very limited circumstances provided by law in which notice is not required, the movant shall concurrently serve a copy of the motion for emergency relief, and the Certification of

Emergency form attached to it, on the other party and deliver a copy to the court. When a matter is filed which is designated by the filer as an “emergency,” the Clerk of Court shall confirm that the party or the party’s counsel has signed the Certification of Emergency form before forwarding the motion to the court or bringing to the court’s attention the emergency motion. The court will review and decide if the matter is an emergency.

8.1 Except in very limited circumstances, it is always appropriate to attempt to give notice to the other part of any motion for relief or hearings to be had before the Court.

8.2 An emergency that is not a “child” emergency is defined by Fla.Fam.L.R.P. 605(a)(2)(A) is a matter in which “immediate and irreparable injury, loss or damage will result,” and for which there is no adequate remedy of law. A written, verified motion providing for ex-parte relief (when the other party is not provided notice of the motion for relief), shall be filed in accordance with Florida Family Law Rules of Procedure with a copy provided to the Family Court Judge.

8.3 If a party who is seeking relief is represented by an attorney, the attorney shall provide proposed Orders to the Judge’s office, as well as to opposing attorney or unrepresented party.

8.4 Because of the “emergency” nature of the motion, it may be necessary for a judge other than the judge to whom the case is assigned to review the motion. A judge will determine if the facts demonstrate an emergency and whether a hearing should be set on an expedited basis. If a hearing is required, an emergency shall be given priority on the Court’s calendar with short notice.

8.5 All emergency motions shall be verified and shall have attached to each emergency motion a Certification of Emergency form that is signed by the attorney or pro se litigant certifying that the motion is an emergency as defined herein and under applicable law and that the attorney or pro se litigant is acting in good faith in seeking such relief.

8.6 If the matter is an emergency, but ex parte relief is not requested, or if a hearing is required following the entry of an ex parte order, then an expedited hearing time will be given and the moving party shall serve the other party with the Notice of Hearing and the Motion either by facsimile, email, or as otherwise required or permitted by law, and provide a copy to the court.

## 9. TEMPORARY HEARINGS:

At any temporary hearing in which there is a disputed issue of alimony or attorney’s fees, both parties shall comply with Mandatory Financial Disclosure for temporary relief as required under Florida Family Law Rules of Procedure 12.285(b). Ten (10) days prior to the hearing on a motion for temporary relief, a party seeking relief shall file a “Notice of Specific Relief Requested” and shall include the amount of alimony and attorney’s fees requested.

10. CASE MANAGEMENT CONFERENCES:

10.1 A Case Management Conference may be ordered by the court at any time on the court's initiative. A party may request a Case Management Conference thirty (30) days after service of a petition or complaint. Issues addressed in the Conference shall be pursuant to Florida Family Law Rules of Procedure 12.200.

10.2 A pretrial conference shall be scheduled before a final hearing. Twenty (20) days' notice shall be given for a pretrial conference. The purpose of the conference shall be for a determination of whether the trial may be simplified or for any other purpose pursuant to Florida Family Law Rules of Procedure 12.200. The Pretrial Statement (see Attachment B) of each party MUST be filed prior to the conference and as more specifically provided in a Pretrial Conference Order. Failure of counsel or a party to fully and completely comply with this process may result in the imposition of sanctions including, but not limited to, cancellation of the trial date with costs assessed to the offending party, the striking of pleadings, the entry of default or dismissal of this action.

11. SETTING TRIAL:

11.1 Mediation is required in all cases prior to setting trial unless the court has waived mediation.

11.2 A contested final hearing shall not be scheduled until the mediator's report is filed. Once the mediation report is filed, a trial date and pretrial conference date can be scheduled. The pretrial conference and the final hearing cannot be cancelled by either party. Either party can file a Motion for Continuance and the court will set a hearing to determine if the request is valid or issue an order on the request.

12. PRETRIAL STATEMENT:

12.1 If this case is not resolved by mediation or otherwise, no later than ten (10) days prior to the time of the pretrial conference for the final hearing, a Pretrial Statement (see Attachment B) in compliance with the form referenced in this Order shall be filed by each party with the Clerk of the Court and a copy delivered to each party and the trial judge.

12.2 The primary purpose of the Pretrial Statement is to provide the court with information for the consideration of a Final Judgment. Exhibits should not be filed with the court, however, must be delivered to the opposing party at the time of delivery of the Pretrial Statement. The purpose of the Pretrial Statement is not to present argument. Issues related to the form or substance of the Pretrial Statement which has been filed will be addressed at the Pretrial Conference or by prior motion.

13. DISCOVERY:

All discovery shall be completed ten (10) days prior to trial, unless otherwise ordered by the court, and shall be allowed thereafter only upon agreement of counsel and upon showing

of good cause. If one party requests the deposition of a witness listed in the Pretrial Statement and the other party does not cooperate in scheduling the same, the Court shall consider any sanctions, including excluding the witness. The parties shall fully comply with disclosure and discovery provisions of the Florida Family Law Rules of Procedure and the applicable Florida Rules of Civil Procedure, unless waived or modified in writing by the parties pursuant to Florida Family Law Rules of Procedure 12.285(a)(1).

#### 14. COURTROOM CONDUCT AND BEHAVIOR

**All courtroom proceedings shall be conducted with dignity, decorum, courtesy and civility. A courtroom is not the place for theatrics, melodrama, or any inflammatory conduct.**

14.1 **Dress appropriately.** Court business is very important. People who do not dress or groom properly might give the wrong impression. Their dress and appearance may show lack of interest in the case or the lack of respect for the court. Judges, General Magistrates, and Child Support Hearing Officers may ban persons not appropriately dressed.

14.2 **Speaking and talking.** A court proceeding is not a free-for-all where anyone, parties and lawyers alike, can say whatever they want whenever they feel like it.

Parties may not talk unless they are directed by the Judge, General Magistrate, Child Support Hearing Officer or a lawyer to speak, and then they may speak only to the Judge, General Magistrate, Child Support Hearing Officer or a lawyer. A party must NOT talk directly to the other party in court. A party who is called as a witness must answer only the questions asked and may not volunteer information or make argument while testifying. Judges, General Magistrates, and Child Support Hearing Officers may remove from the courtroom anyone, including parties and lawyers, who hinder the orderly conduct of business.

14.3 **Disruptive behavior.** While it is not unusual that parties may be upset when they come to court, all parties are expected to keep their anger and behavior under control in the courthouse and everywhere else. Interruptions, sarcasm and insults **will not be tolerated.** **Do not** start arguments with or threaten anyone.

It is improper to make any kind of physical gesture or facial expression that shows sarcasm, disbelief or disrespect.

14.4 **Bounds of Advocacy.** All counsel appearing before the court are expected to read and should adhere to the standards of professionalism set forth in the “Bounds of Advocacy” published by the Family Law Section of The Florida Bar, copies of which may be obtained from The Florida Bar. Children’s attendance in court proceedings shall be only as permitted by the applicable Family Law rule which applies to lawyers and self-represented litigants alike.

14.5 **Appearing in Court without a lawyer.** A “Pro Se” litigant, a party without a lawyer, is not entitled to special treatment or privileges and must follow the same rules of procedure and ethical regulations that govern practicing lawyers.

14.6 The Court must treat a pro se party the same way it treats a lawyer. Pro Se litigants, although not expected to be as skilled and knowledgeable as lawyers, are nevertheless subject to all laws, rules and regulations of a lawyer.

Judges, General Magistrates, Child Support Hearing Officers and their assistants are forbidden by law from giving any advice or help to unrepresented parties. Judges, General Magistrates, Child Support Hearing Officers and their assistants must remain entirely neutral and impartial. Judges, General Magistrates, Child Support Hearing Officers and their assistants also may not give unrepresented parties special treatment.

14.7 **What Judges, General Magistrates, Child Support Hearing Officers and their assistants cannot do.** Neither the Judges, General Magistrates, Child Support Hearing Officers nor their assistants can give pro se litigants legal advice, practice tips, or help in preparing court papers. Most questions that ask how to do something cannot be answered by the assistant, Judge, General Magistrate, or Child Support Hearing Officer and should not be asked.

14.8 **Contact with Judge’s, General Magistrate’s, and Child Support Hearing Officer’s Office.** A pro se party is authorized to contact the Judge, General Magistrate, Child Support Hearing Officers’ office by phone to set hearings on the court’s schedule. Personal visits to the office are discouraged because it disrupts the working routine in the office. Assistants assist the Judges, General Magistrates, Child Support Hearing Officers. It is not their job to advise or assist the parties with their cases. In pro se cases, the office of Family Court Case Management may provide valuable assistance.

If any party telephones the Assistant to the Judge, General Magistrate, and Child Support Hearing Officer and persists in talking about unauthorized subjects after being warned, the Assistants are instructed to hang up the phone. All requests to speak to the Judge, General Magistrate, and Child Support Hearing Officer on the telephone or have a private conference will be refused. If a party has a matter to be considered, a Motion and Notice for Hearing must be filed in the court file by delivery to the Clerk of Court and a copy of the Motion and Notice for Hearing must be sent to the other party or the other party’s lawyer, if the other party has a lawyer. Letters should never be written to the Judge, General Magistrate, or Child Support Hearing Officer. All letters addressed to the Judge, General Magistrate, or Child Support Hearing Officer regardless of who they are from are filed in the court file and copies must be sent to the parties. The Judge, General Magistrate, or Child Support Hearing Officer can only consider Motions filed in the court file, copies of which have been delivered to all the other parties in the action with a Notice of Hearing. Judges, General Magistrates, or Child Support Hearing Officers can receive evidence about a case only at the hearing in the courtroom with all parties notified of the hearing.



15. SANCTIONS:

All parties and counsel must strictly comply with this Order. Failure of counsel or a party to fully and completely comply with this Order may result in the imposition of sanctions including but not limited to, cancellation of the trial date with cost assessed to the offending party, the striking of pleadings, the entry of default, or dismissal of this action.

DONE AND ORDERED in chambers at Ocala, Marion County, Florida on this 7<sup>th</sup> day of November 2024.



Ann Melinda Craggs  
Administrative Family Law Judge  
Fifth Judicial Circuit

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT OF THE  
STATE OF FLORIDA, IN AND FOR SUMTER COUNTY

\_\_\_\_\_  
Petitioner,  
vs. Case No.: \_\_\_\_\_  
\_\_\_\_\_  
Respondent.

CERTIFICATE OF SERVICE  
FOR STANDING FAMILY LAW COURT ORDER

I HEREBY CERTIFY that a copy hereof has been furnished for personal service to  
\_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Party or their attorney (if represented)

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_

Zip: \_\_\_\_\_ Fax: \_\_\_\_\_

\_\_\_\_\_  
Signature of party signing certificate and pleading

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Fax: \_\_\_\_\_

Designated E-mail Address(es): \_\_\_\_\_  
\_\_\_\_\_

ATTACHMENT "A"

## PRETRIAL STATEMENT

The Pretrial Statement submitted to the court should contain the following information: THE

### MARRIAGE:

1. Date and place of marriage
2. Date of separation
3. Attach any pre-nuptial or post-nuptial agreements between the parties

### ALIMONY:

1. Amount of alimony, if any, requested by each party
2. Nature of the alimony: bridge the gap, rehabilitative, durational, or lump sum, etc., or combination

### PERSONAL PROPERTY:

1. A list of all personal property in controversy and the name(s) on the title, if any
2. Suggested disposition of said property
3. The value of each piece of property showing any lien or obligation against said property, and who is obligated for payment
4. Life insurance policies, if any, and whether said policies are term or whole
5. List of any non-marital property. Include fair market value of any equity in non-marital assets

### REAL PROPERTY:

1. A list of all real property in controversy. Include the name(s) on the title to the property
2. The value of each parcel of property showing any lien or obligation against said property, and who is obligated for payment
3. What interests, right of claim or equitable interest each party claims in each parcel of property
4. Suggested disposition of the property

### RETIREMENT PLANS:

1. A list of all retirement plans, pensions, profit sharing, annuity, deferred compensation and/or insurance plans whether they are vested or non-vested, and identify which party is the owner
2. The present value of the retirement plans or other benefits
3. What interest, right, claim or equitable interest each party claims in the property
4. Suggested disposition of the plan or benefit

### DEBTS:

1. A list of all unsecured debts and in whose name each debt was incurred
2. A list of all secured debts including the security for payment of the debt. Identify the name(s) on the debt and the name(s) on title to the security
3. Suggested disposition of the debts

### ATTORNEY'S FEES AND COURT COSTS:

1. The amount of attorney's fees and court costs sought by either party from the other (estimate to conclusion of trial)

2. Identify all motions filed by the parties that requested attorney's fees and/or costs for which the Court reserved jurisdiction to determine

**MISCELLANEOUS:**

1. List of admissions and stipulations to avoid unnecessary proof
2. List of pending motions
3. Request for judicial notice
4. Estimate of time needed for trial (the parties will be expected to complete the trial within the time allotted which the court will equitably allocate between the parties)

**ATTACH THE FOLLOWING TO THE PRETRIAL STATEMENT:**

1. A current, fully executed Financial Affidavit
2. Copies of all photographs, exhibits and documentary evidence which the party proposes to use at trial
3. A witness list which provides all witnesses' names with current mailing and physical addresses and telephone numbers, and a description of the general nature of each witness's anticipated testimony.

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT,  
IN AND FOR SUMTER COUNTY, FLORIDA

Case No: \_\_\_\_\_

Division: \_\_\_\_\_

\_\_\_\_\_,  
Petitioner,

and

\_\_\_\_\_,  
Respondent.

**CERTIFICATION OF EMERGENCY**

I HEREBY CERTIFY THAT I HAVE READ THE STANDING FAMILY LAW COURT ORDER, especially the paragraph on "Emergency Motions," before filing the \_\_\_\_\_ ("Motion"), I have attached this Certification of Emergency to the Motion, a true emergency exists, and I am filing the Motion in good faith.

**UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT ARE TRUE. I UNDERSTAND THAT THE STATEMENTS MADE IN THIS VERIFIED MOTION ARE BEING MADE UNDER PENALTIES OF PERJURY, PUNISHABLE AS PROVIDED IN SECTION 92.525, FLORIDA STATUTES.**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Party or his/her attorney

Printed Name:

\_\_\_\_\_  
Address:

\_\_\_\_\_  
City, State, Zip:

\_\_\_\_\_  
Telephone Number:

\_\_\_\_\_  
Fax Number:

\_\_\_\_\_  
Designated E-mail Address(es):  
\_\_\_\_\_  
\_\_\_\_\_

**IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW:** [fill in **all** blanks]

This form was prepared for the: *{choose only one}* ( ) Petitioner ( ) Respondent

This form was completed with the assistance of:

*{name of individual}*

\_\_\_\_\_,  
*{name of business}*

\_\_\_\_\_,  
*{address}*

\_\_\_\_\_,  
*{city}* \_\_\_\_\_, *{state}* \_\_\_\_\_, *{zip code}* \_\_\_\_\_  
*{telephone number}* \_\_\_\_\_.

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT OF THE  
STATE OF FLORIDA, IN AND FOR SUMTER COUNTY

---

Petitioner,

vs.

Case No.: \_\_\_\_\_

---

Respondent.

**STANDING FAMILY LAW COURT ORDER  
(ACTIONS INVOLVING PARENTING ISSUES)**

It is in the best interest of the parties in a family law case to learn about their duties and responsibilities and that the parties preserve their assets and comply with court rules. This Order is entered for the purpose of economically and expeditiously resolving initial dissolutions of marriage, supplemental proceedings for modification and other proceedings in which parenting issues are raised. It is therefore, **ORDERED** as follows:

1. **SERVICE, APPLICATION, AND TERM OF THIS ORDER:**

1.1 This Family Law Court Order shall be utilized and complied with immediately upon filing of this action, except in cases where there is a written agreement by the parties to the contrary before or after this order takes effect.

1.2 The Clerk of Court shall docket and provide a copy of this Standing Family Law Court Order to Petitioner or to Petitioner's counsel at the time Petitioner files an original or supplemental petition that indicates there may be child-related issues in dispute.

1.3 In addition, Petitioner shall deliver a copy of this Order to the process server to be served on Respondent with the original petition or supplemental petition.

1.4 This Order is binding on Petitioner upon the filing of this action and on Respondent upon service of this order. The party serving the order shall complete a Certificate of Service for Standing Family Law Court Order (See: Attachment "A").

1.5 This Order shall not supersede or modify any existing domestic violence injunction or other order by a court having jurisdiction over the parties or minor children concerning these matters.

1.6 This Order shall remain in full force and effect until further order of the Court such as the entry of a final judgment, a dismissal of this cause, or until the entry of a subsequent temporary order, whichever shall occur first. This Order does not preclude a Judge from modifying or amending this Order in individual cases where the Judge deems necessary. Any part of this order not changed by a subsequent order shall remain in effect.

## 2. PARENTING PLAN; TIME SHARING:

2.1 It is the law, unless the court makes specific ruling that it would be detrimental to the children, that the court shall order a parenting plan and time-sharing. Frequent and regular time-sharing with both parents is normally in the children's best interests, and children are entitled to frequent and continuing time-sharing with both parents when the parents separate or a marriage between them is dissolved.

2.2 Further, the parent who is or wants to be the "parent with whom the child spends the majority of the time" has an affirmative obligation to encourage and nurture a relationship between the children and the other parent. A parent who unreasonably restricts access of the children to the other parent and does not encourage a relationship between the children and the other parent, for no good reason, perhaps should be limited in time sharing. Such a parent is generally not acting in the children's best interests and is not following the law.

2.3 Unless there is an existing order to the contrary, on a temporary basis, the court orders "shared parental responsibility" of the children by the parents. Pursuant to Florida Statute 61.046(17), "shared parental responsibility" is defined as a court-ordered relationship in which both parents retain full parental rights and responsibilities with respect to their child and in which both parents confer with each other so that major decisions affecting the welfare of the child will be determined jointly. This means that wherever the children are living from time to time, the parents must confer with each other and agree upon all MAJOR parenting decisions. Therefore, both parents must participate in all parenting decisions and, in the absence of an order from the court, immediately work out their own time-sharing schedules themselves. If the parents cannot agree on any issue, then the court will decide.

2.4 While not specifically ordered by the Court at this time, the attached shared parental guidelines (see Attachment "B") and the parents' respect for said guidelines, shall be considered by the Court in future child related matters, such as determination of time-sharing and access with the parties' children.

2.5 Absent a prior order of the court or written agreement of the parties, neither party shall change the residence of the minor children beyond the boundaries of the Fifth Judicial Circuit (Sumter, Lake, Citrus, Hernando and Marion Counties). Neither party may change a child's customary school zone or daycare arrangement without the written agreement of both parties or an Order of this Court.

2.6 For cases involving a modification of a final judgment, from the date of filing,



and until further Order of the Court, the parties shall follow the existing Order. Either party may seek immediate relief by requesting mediation or a hearing before the Court.

3. PARENTING EDUCATION AND FAMILY STABILIZATION COURSE:

3.1 Both parties in this matter are required to attend and complete one of the approved Parent Education and Family Stabilization courses. Completion of one of the courses is mandatory for “all parties to a dissolution of marriage proceeding with minor children or a paternity action which involves issues of parental responsibility.” §61.21, Fla.Stat. Therefore, even if the parties have settled all issues, they must attend one of the approved courses. Approved courses are listed on the Fifth Circuit website at:

<http://www.circuit5.org/self-help-center/>

3.2 All parties required to attend an approved class must do so within forty-five (45) days after this action is filed or within forty-five (45) days of being served with a Petition for dissolution of marriage proceeding with minor children, a paternity action with involves issues of parental responsibility, or any other case involving parenting time with children. Each parent shall file a certificate of completion with the Clerk of Circuit Court, Domestic Relations Division, as soon as the party completes the course. The court will not enter a final judgment until both parents have completed the course and, if a certificate of completion for both parents is not in the court file, no attempts should be made to schedule the final hearing. The presiding judge may excuse a parent from attending the course for good cause.

4. PARENTING EVALUATIONS:

4.1 The parties may be ordered at any time to confer with a Mental Health Professional for a social or home study investigation pursuant to Florida Family Law Rules of Procedure 12.364.

4.2 The cost of consultation for the evaluation shall be an item addressed in the Final Judgment; however, absent an agreement or order of the court each part shall pay one-half of the cost of the consultation pending a temporary hearing or final hearing determination.

5. DISPOSITION OF ASSETS:

Neither party may conceal, damage, or dispose of any asset, whether marital or non-marital, and neither party may dissipate the value of an asset, for example by adding a mortgage to real estate or by failing to take care of an asset. Neither party may dispose of any asset other than in the customary conduct of business and personal affairs. The parties may spend their incomes in the ordinary course of the personal and family affairs. Neither party may conceal, hoard, or waste jointly owned funds, whether in the form of cash, bank accounts, or other liquid assets, except funds may be spent for the necessities of life. The use of funds or income after separation must be accounted for and justified as reasonable and necessary for the necessities of the party or to preserve marital assets or pay marital debts. Both parties are accountable for all money or property in their possession during marriage and after separation. Attorney’s fees and costs are necessities and must be accounted for in the calculation of equitable distribution. Nevertheless, neither party

may use marital money to consult or retain counsel without leaving an equal sum in the marital accounts for the other party to use in consulting or retaining counsel of his/her own.

6. PERSONAL AND BUSINESS RECORDS/INSURANCE:

Neither party may, directly or indirectly, conceal from the other or destroy any family records, business records, or any records of investments, income debt, or other obligations. Any insurance policies in effect within six months of the time the Petition for Dissolution is filed may not be terminated, allowed to lapse, be 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 may not be changed except by written agreement signed by the parties or order of the court. The parties shall continue to pay all premiums on a timely basis unless there is a written consent by both parties or an order of the court.

7. ADDITIONAL DEBT:

Neither party will incur additional debt which would bind the other party not tie up any assets, except by written consent of both parties or other of this court. The parties are urged to temporarily stop using joint credit cards, except for absolute necessities and only as a last resort. Joint credit cards may be used only for the necessities of life, and any party using a joint credit card after separation must be prepared to justify all charges as reasonable and necessary.

8. MEDIATION:

8.1 When an answer is filed in a case and the answer contests any issue in the petition, the parties will be required to seek the service of a Florida Supreme Court Certified Mediator to mediate the issues of their case. The parties might qualify to use the services of the Marion County Court Mediation Program which offer the service of certified mediator on a sliding-fee-scale basis.

8.2 Mediation is an informal and non-adversarial process whereby a neutral third party facilitates a resolution to dispute between two parties. The objective is to obtain mutually acceptable and voluntary agreement.

8.3 If the parties cannot agree on the selection of a mediator, upon request of the court, the court will select one for them.

8.4 The mediator and parties shall schedule the mediation conference and within thirty (30) days of selection or appointment by the court written notice of the date, time and place of the first mediation conference shall be sent to all parties and the court. Absent good cause, the first mediation conference shall be held within sixty (60) days of the selection of the mediator.

8.5 The parties are required to personally attend the mediation conference and shall be completely prepared to mediate in good faith.

8.6 The parties may be assisted by counsel at the mediation conference; however, a party is represented by counsel or not, the presence of counsel at mediation is not required.

8.7 If a party either fails to appear or cancel a duly noticed mediation conference less than three (3) business days before the mediation date, without good cause, the court, upon motion, shall impose sanctions including, but not limited to, an award of mediator and/or attorney's fees.

8.8 The mediator's status report shall be submitted to the court within ten (10) days of completion of mediation.

8.9 Upon motion or request of a party, the court shall not refer any case to mediation if it finds there has been a history of domestic violence that would compromise the mediation process.

8.10 Mediation may be waived if a default has been entered.

9. MANDATORY DISCLOSURE:

Both parties must file and exchange current, sworn financial affidavits and comply with mandatory disclosure pursuant to Florida Family Law Rules of Procedure 12.285.

10. NOTIFICATION OF RELATED CASES:

Attorneys and parties shall notify the court at the time a Petition or Supplemental Petition is filed, or as soon thereafter as it becomes evident to them of the existence of any court proceeding in any jurisdiction that may be relevant to the subject matter for the court, affecting a parenting plan, time-sharing, support of a child, and any other issues or matters involving either or both of the parties or any person(s) sharing the same residence as one of the parties. Whether the other case(s) is open or closed makes no difference. All related cases must be identified to the court. A copy of any relevant Orders shall be provided to the court. This obligation shall be continuing in nature throughout the proceeding.

11. EMERGENCY MOTIONS:

If either party feels he or she has an "emergency" requiring immediate action, the party or the party's counsel may file a motion for emergency relief certifying therein that the party has read this paragraph and that a true emergency, as defined below, exists. **The party or the party's counsel filing the motion SHALL use the local form attached hereto as Attachment "C".** Except in the very limited circumstances provided by law in which notice is not required, the movant shall concurrently serve a copy of the motion for emergency relief on the other party and deliver a copy to the court. When a matter is filed which is designated by the filer as an "emergency," the Clerk of Court shall confirm that the party or the party's counsel has signed the local form before forwarding the motion to the court or bringing to the court's attention the emergency motion. The court will review and decide if the matter is an emergency.

11.1 An emergency may be found when there is evidence of imminent abuse, neglect, or abandonment affecting the health, safety, or welfare of a minor child. A party seeking an Order for emergency relief must provide an affidavit supporting the allegations of imminent abuse, neglect, or abandonment affecting the health, safety, or welfare of the minor child and must report this information to the Department of Children and Family Services at 1-800-96-ABUSE.

11.2 Another example that may constitute an emergency occurs when a party learns that the other parent or legal custodian is about to permanently remove the minor child from the State of Florida or the Country contrary to an existing Parenting Plan or Final Judgment. If a party is aware in advance of another parent's intent to relocate without following the procedure set forth

in Fla. Stat. Sec. 61.13001, a party may make application to the Court to enter an Order requiring the minor child to remain in the State of Florida. If the party is aware enough time in advance, the party may motion the Court to require the child to remain in Florida by filing the appropriate motion to be set on the Court's docket. It is recommended that as part of the motion and affidavit seeking to prevent the unauthorized relocation of a minor child that the Court be notified within the motion that an expedited hearing is required so the Court may expedite the hearing while giving notice to all parties to appear.

11.3 Generally, a person's failure to return a minor child, failure to make phone calls, and failure to follow the parenting schedule and/or pay child support will not constitute a basis for emergency relief. The proper procedure may be to file a motion for Contempt or Motion to Enforce the parties' Final Judgment and/or Marital Settlement Agreement, or Parenting Plan. A parent's failure to follow the Final Judgment, Marital Settlement Agreement, or Parenting Plan is not a basis for emergency relief if a party cannot prove an allegation of imminent threat of abuse, abandonment, or neglect by the preponderance of the evidence.

11.4 Except in very limited circumstances, it is always appropriate to attempt to give notice to the other party of any motion for relief or hearings to be had before the Court.

11.5 An emergency that is not a "child" emergency is defined by Fla.Fam.L.R.P. 12.605(a)(2)(A) is a matter in which "immediate and irreparable injury, loss or damage will result," and for which there is no adequate remedy of law. A written, verified motion providing for ex-parte relief (when the other party is not provided notice of the motion for relief), shall be filed in accordance with Florida Rules of Civil Procedure with a copy provided to the Family Court Judge.

11.6 If a party who is seeking relief is represented by an attorney, the attorney shall provide proposed Orders to the Judge's office, as well as to opposing attorney or unrepresented party.

11.7 Because of the "emergency" nature of the motion, it may be necessary for a Judge other than the Judge to whom the case is assigned to review the motion. A Judge will determine if the facts demonstrate an emergency and whether a hearing should be set on an expedited basis. If a hearing is required, an emergency shall be given priority on the Court's calendar with short notice.

11.8 All emergency motions shall be verified and shall include a certificate by the attorney or pro se litigant that the motion is an emergency as defined herein and under applicable law and that the attorney or pro se litigant is acting in good faith in seeking such relief.

11.9 If the matter is an emergency, an expedited hearing time will be given and the moving party shall serve the other party with the Notice of Hearing and the Motion either by facsimile, email or as otherwise required or permitted by law, and provide a copy to the Court. If ex-parte relief is not requested, or if a hearing is not required following the entry of an ex-parte order, then this paragraph does not apply.

## 12. TEMPORARY HEARINGS:

At any temporary hearing in which there is a disputed issue concerning the parenting plan, time-sharing, child support, alimony, or attorney's fees, both parties shall comply with Mandatory Financial Disclosure for temporary relief as required under Florida Family Law 12.285(b). Ten

(10) days prior to the hearing on a motion for temporary relief, a party seeking relief shall file a “Notice of Specific Relief Requested” and shall include a proposed time-sharing schedule, and/or the specific amount of child support, alimony or attorney’s fees requested.

### 13. CASE MANAGEMENT CONFERENCES:

13.1 A Case Management Conference may be ordered by the court at any time on the court’s initiative. A party may request a Case Management Conference thirty (30) days after service of a petition or complaint. Issues addressed in the conference shall be pursuant to Florida Family Law Rules of Procedure 12.200.

13.2 A pretrial conference shall be scheduled before a final hearing. Twenty (20) days’ notice shall be given for a pretrial conference. The purpose of the conference shall be for a determination of whether the trial may be simplified or for any other purpose pursuant to Florida Family Law rules of Procedure 12.200. The Pretrial Statement (see Attachment C) of each party MUST be filed and served on the other party at least ten (10) days prior to the conference. Failure of counsel or a party to fully and completely comply with this process may result in the imposition of sanctions including, but not limited to, cancellation of the trial date with costs assessed to the offending party, the striking of pleadings, the entry of default, or dismissal of this action.

### 14. SETTING TRIAL:

14.1 Mediation is required in all cases prior to noticing the cause is at issue (requesting a final hearing) unless the court has waived mediation.

14.2 In cases in which a parenting plan is not an issue, a contested final hearing shall not be scheduled until the mediator’s report is filed. Once the mediation report is filed, a trial date and pretrial conference date can be scheduled. The Pretrial Conference and the final hearing cannot be cancelled by either party. Either party can file a Motion for Continuance and the court will set a hearing to determine if the request is valid or issue an order on the request.

14.3 In cases in which a parenting plan is an issue, a final hearing shall not be scheduled until the mediator’s report is filed in the case.

### 15. PRETRIAL STATEMENT:

15.1 If this case is not resolved by mediation or otherwise, no later than ten (10) days prior to the time of the pretrial conference, a Pretrial Statement (see Attachment D) in compliance with the form referenced in this Order shall be filed by each party and a copy delivered to each party and the trial judge. The original shall be filed with the Clerk of Court.

15.2 The primary purpose of the Pretrial Statement is to provide the court with information for the consideration of a Final Judgment. Exhibits should not be filed with the court, however, must be delivered to the opposing party at the time of delivery of the Pretrial Statement. The purpose of the Pretrial Statement is not to present argument. Issues related to the form or substance of the Pretrial Statement which has been filed will be addressed at the Pretrial Conference or by prior motion.

## 16. DISCOVERY:

All discovery shall be completed ten (10) days prior to trial, unless otherwise ordered by the court, and shall be allowed thereafter only upon agreement of the parties or their respective counsel or upon showing of good cause. If one Party requests the deposition of a witness listed in the Pretrial Statement and the other party does not cooperate in scheduling the same, the Court shall consider any sanctions, including excluding the witness. The parties shall fully comply with disclosure and discovery provisions of the Florida Family Law Rules of Procedure and the application Florida Rules of Civil Procedure, unless waived or modified in writing by the parties pursuant to Florida Law Rules of Procedure 12.282(a)(1).

## 17. COURTROOM CONDUCT AND BEHAVIOR

**All courtroom proceedings shall be conducted with dignity, decorum, courtesy and civility. A courtroom is not the place for theatrics, melodrama, or any inflammatory conduct.**

**17.1 Dress Appropriately.** Court business is very important. People who do not dress or groom properly might give the wrong impression. Their dress and appearance may show lack of interest in the case or the lack of respect for the court. Judges, General Magistrates, and Child Support Hearing Officers may ban persons not appropriately dressed.

**17.2 Speaking and talking.** A court proceeding is not a free-for-all where anyone, parties and lawyers alike, can say whatever they want whenever they feel like it.

Parties may not talk unless they are directed by the Judge, General Magistrate, Child Support Hearing Officer or a lawyer to speak, and then they may speak only to the Judge, General Magistrate, Child Support Hearing Officer or a lawyer. A party must NOT talk directly to the other party in court. A party who is called as a witness must answer only the questions asked and may not volunteer information or make argument while testifying. Judges, General Magistrates, and Child Support Hearing Officers may remove from the courtroom anyone, including parties and lawyers, who hinder the orderly conduct of business.

**17.3 Disruptive behavior.** While it is not unusual that parties may be upset when they come to court, all parties are expected to keep their anger and behavior under control in the courthouse and everywhere else. Interruptions, sarcasm and insults will not be tolerated. Do not start arguments with or threaten anyone.

It is improper to make any kind of physical gesture or facial expression that shows sarcasm, disbelief or disrespect.

**17.4 Bounds of Advocacy.** All counsel appearing before the Court are expected to read and should adhere to the standards of professionalism set forth in the "Bounds of Advocacy" published by the Family Law Section of The Florida Bar, copies of which may be obtained from The Florida Bar. Children's attendance in court proceedings shall be only as permitted by the applicable Family Law rule which applies to lawyers and self-represented litigants alike.

17.5 **Appearing in Court without a lawyer.** A “Pro Se” litigant, a party without a lawyer, is not entitled to special treatment or privileges and must follow the same rules of procedure and ethical regulations that govern practicing lawyers.

17.6 The Court must treat a pro se party the same way it treats a lawyer. Pro se litigants, although not expected to be as skilled and knowledgeable as lawyers, are nevertheless subject to all laws, rules and regulations of a lawyer.

Judges, General Magistrates, Child Support Hearings and their assistants are forbidden by law from giving any advice or help to the unrepresented parties. Judges, General Magistrates, Child Support Hearings and their assistants must remain entirely neutral and impartial. Judges, General Magistrates, Child Support Hearing Officers and their assistants also may not give unrepresented parties special treatment.

17.7 **What Judges, General Magistrates, Child Support Hearing Officers, and their assistants cannot do.** Neither the Judge, General Magistrate, Child Support Hearing Officer nor their assistant can give a pro se litigant legal advice, practice tips or help in preparing court papers. Most questions that ask how to do something cannot be answered by the Judge, General Magistrate, Child Support Hearing Officer or their assistant and should not be asked.

17.8 **Contact with Judge, General Magistrate, Child Support Hearing Officer’s Office.** A pro se party is authorized to contact the Judge, General Magistrate, Child Support Hearing Officers’ office by phone to set hearings on the court’s schedule. Personal visits to the office are discouraged because it disrupts the working routine in the office. Assistants assist the Judges, General Magistrates, Child Support Hearing Officers. It is not their job to advise or assist the parties with their cases. In pro se cases, the office of Family Court Case Management may provide valuable assistance.

If any party telephones the Assistant to the Judge, General Magistrate, and Child Support Hearing Officer and persists in talking about unauthorized subjects after being warned, the Assistants are instructed to hang up the phone. All requests to speak to the Judge, General Magistrate, and Child Support Hearing Officer on the telephone or have a private conference will be refused. If a party has a matter to be considered, a Motion and Notice for Hearing must be filed in the court file by delivery to the Clerk of Court and a copy of the Motion and Notice for Hearing must be sent to the other party or the other party’s lawyer, if the other party has a lawyer. Letters should never be written to the Judge, General Magistrate, or Child Support Hearing Officer. All letters addressed to the Judge, General Magistrate, or Child Support Hearing Officer regardless of who they are from are filed in the court file and copies must be sent to the parties. The Judge, General Magistrate, or Child Support Hearing Officer can only consider Motions filed in the court file, copies of which have been delivered to all the other parties in the action with a Notice of Hearing. Judges, General Magistrates, or Child Support Hearing Officers can receive evidence about a case only at the hearing in the courtroom with all parties notified of the hearing.

## 18. SANCTIONS:

All parties and counsel must strictly comply with this Order. Failure of counsel or a party to fully and completely comply with this Order may result in the imposition of sanctions including,

but not limited to, cancellation of the trial date with costs assessed to the offending party, the striking of pleadings, the entry of default, or dismissal of this action.

DONE AND ORDERED in chambers at Ocala, Marion County, Florida, this 7<sup>th</sup> day of November 2024.

A handwritten signature in black ink, reading "Ann Melinda Craggs", with a long horizontal flourish extending to the right.

Ann Melinda Craggs  
Administrative Family Law Judge  
Fifth Judicial Circuit



IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT OF  
THE STATE OF FLORIDA, IN AND FOR SUMTER COUNTY

\_\_\_\_\_  
Petitioner,

vs.

Case No.: \_\_\_\_\_

\_\_\_\_\_  
Respondent.

CERTIFICATE OF SERVICE FOR  
STANDING FAMILY LAW COURT ORDER

I HEREBY CERTIFY that a copy hereof has been furnished for personal service to  
\_\_\_\_\_ on this \_\_\_\_ day of \_\_\_\_\_ 20\_\_.

Party or their attorney (if represented):

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
City: \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Fax: \_\_\_\_\_

\_\_\_\_\_  
Signature of party signing certificate and pleading

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Fax: \_\_\_\_\_

Designated E-mail Address(es): \_\_\_\_\_

ATTACHMENT "A"

## TIME-SHARING GUIDELINES

The safety, financial security and well-being of the children involved in this case are the Court's primary concerns. Parents must follow the guidelines outlined below.

It is the law, except in certain limited circumstances, that both parents will share parental responsibility for all minor children involved in this case. The law requires parents to share the children's time and to participate together in making all important decisions concerning the children. The law expects parents to put aside their feelings and cooperate on all decisions involving the children. Therefore, parents must recognize the following:

Children have the right to a loving, open and continuing relationship with both, parents. They have the right to express love, affection and respect for one parent in the presence of the other parent. The children have the right to have each parent respect their love for their other parent.

Neither parent may alienate a child's affection for the other parent.

Parents must separate any bad feelings for one another from their duties as parents. Their duty is to share the children's time and share in making parenting decisions. Children must be free to draw their own conclusions about each parent, without the prejudicial influences of the other parent.

Children have the right to never hear a parent, a relative, or a friend of a parent run down or degrade the other parent.

Children have the right to be free from guilt because their parents have decided to separate. They are entitled to honest answers to questions about changes taking place in the family makeup.

Parents should *NOT* be so preoccupied with their own problems that they fail to meet the children's needs. Separation of the parents usually has a worse impact on the children than on the parents, a fact both parents should never forget.

Each parent should openly, honestly, respectfully and regularly communicate with the other parent to avoid misunderstandings. They should never argue about the children or anything else in front of the children.

Parents should discuss all differences regarding their separation and financial issues between them, and parenting decisions, out of the presence of the children. Both parents should always try to present a united front in handling any problems with the children.

Generally, children have the right to regular and continuing contact with both parents. Parents should arrange all time sharing and exchanges together and not through the children. A child should never be the messenger between the parents, no matter the age of the child.

Time-sharing plans should be kept and never cancelled unless absolutely necessary. If plans change, children should be given an explanation, preferably in advance and by the parent causing the cancellation.

Common courtesies (politeness, promptness, readiness, calling to notify if one is going to be late, etc.) should always be observed when picking up and dropping off children. These times can be stressful on children, so it is imperative that parents always behave as responsible adults.

Between periods of time sharing, children should be encouraged to contact the absent parent by letter and phone, frequently and continuously.

Time-sharing between parent and child and child support, while they are emotionally connected, are *separate and distinct* under the law. Accordingly, a child's right of access to his or her parent is not contingent upon the payment of child support.

A child should *never* be the delivery person for support payments.

Unless expressly prohibited by prior court order, both parents are entitled to participate in and attend all special activities in which their children are engaged, such as religious activities, school programs, sporting events and other extracurricular activities and programs.

## **INSTRUCTIONS FOR FAMILY LAW VERIFIED MOTION FOR EMERGENCY RELIEF**

### **When should this form be used?**

**This motion is to be used only as a last resort to avoid a genuine crisis directly affecting the welfare of a party or child.** A UCCJEA form **must** be filed with this motion. Abuse of this motion may result in sanctions including contempt. The motion will be submitted under oath so be sure of your facts.

You may use this form to request that the court enter an order to grant emergency relief without a hearing or on an expedited basis. **This form should only be used in an emergency by a person who has a pre-existing legal right to physical possession of a minor child(ren).** This means that you already have a court order awarding you legal custody of or timesharing with the child(ren) OR you are married to the other parent OR you are the birth mother of the child(ren) born out of wedlock and no father appears on the minor child's birth certificate OR you are a father of the child(ren) born out of wedlock, your name appears on the minor child's birth certificate and more than 60 days have passed since you signed an affidavit acknowledging paternity pursuant to §742.10(1), Fla. Stat.

**Emergency motions are rarely granted without a hearing and prior, reasonable notice being given to the other party and the other party being given an opportunity to also be heard.**

**As part of the motion you must certify, under oath, that a true emergency exists. A true emergency is either: A. a child is threatened with physical harm, or B. a child(ren) is about to be improperly removed from the State of Florida. Further, as part of the motion you must certify, under oath, that you have read the Standing Family Law Court Order prior to filing an emergency motion. If you are the Petitioner, the Clerk of Court provided you with a copy of the Standing Family Law Court Order at the time you filed the case. If you are a Respondent, you should have been served with the Standing Family Law Court Order along with the Petition. Or, you may obtain a copy of the Standing Family Law Court Order from the Clerk of the Court (copy charges may apply).**

**If a child(ren) is being abused, abandoned or neglected you must report this information to the Department of Children and Families at 1-800-962-2873.**

### **What should I do next?**

If the Court enters an order without advance notice to the other party, because a true emergency exists, you should obtain a certified copy of the order and take it to the sheriff's office for further assistance in serving the order on the other party. **You must have your motion and the court's order served by personal service on the other party.** You should read the court's order carefully.

The order may require the sheriff to place the child(ren) somewhere other than in your physical possession. Look for directions in the order that apply to you and note the time and place of the hearing scheduled in the order. You should attend the hearing with the evidence you have to support your motion.

If the court does not enter an order without advance notice being provided to the other party, you should check with the Clerk of Court, judicial assistant or Family Court Case Manager for information on the local procedure for scheduling a hearing on your motion, unless the court sets a hearing in its order denying your request for an *ex parte* order.

## **IMPORTANT INFORMATION REGARDING E-FILING**

The Florida Rules of General Practice and Judicial Administration require that all petitions, pleadings, and documents be filed electronically except in certain circumstances. **Self-represented litigants may file petitions or other pleadings or documents electronically; however, they are not required to do so.** If you choose to file your pleadings or other documents electronically, you must do so in accordance with Florida Rule of General Practice and Judicial Administration 2.525, and you must follow the procedures of the judicial circuit in which you file. **The rules and procedures should be carefully read and followed.**

### **Where can I look for more information?**

**Before proceeding, you should read “General Information for Self-Represented Litigants” found at the beginning of these forms.** See also section 61.14, Florida Statutes and rule 12.615, Florida Family Law Rules of Procedure.

Remember, a person who is NOT an attorney is called a nonlawyer. If a nonlawyer helps you fill out these forms, that person must give you a copy of **Disclosure from Nonlawyer**, Florida Family Law Rules of Procedure Form 12.900(a), before he or she helps you. A nonlawyer helping you fill out these forms also **must** put his or her name, address, and telephone number on the bottom of the last page of every form he or she helps you complete.

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT,  
IN AND FOR SUMTER COUNTY, FLORIDA

Case No: \_\_\_\_\_

Division: \_\_\_\_\_

\_\_\_\_\_,  
Petitioner,

and

\_\_\_\_\_,  
Respondent.

**VERIFIED MOTION FOR EMERGENCY RELIEF IN ACTIONS INVOLVING MINOR  
CHILD(REN)**

\_\_\_\_ Petitioner \_\_\_\_\_ Respondent requests that the Court grant the relief sought in this Verified Motion for Emergency Relief.

1. **I HEREBY CERTIFY THAT I HAVE READ THE STANDING FAMILY LAW COURT ORDER, especially the paragraph on “Emergency Motions,” before filing this Verified Motion for Emergency Relief.**
2. I am filing this motion in good faith.
3. The grounds or basis for the relief I seek is as follows: (Select all that apply.)
  - a. \_\_\_\_\_ There is an imminent risk of physical harm to a minor child(ren). You must provide a detailed explanation.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ Please indicate here if you are attaching additional pages to continue these facts.

- b. \_\_\_\_\_ There is an imminent risk the minor child(ren) is about to be improperly removed from the State of Florida. You must provide a detailed explanation.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ Please indicate here if you are attaching additional pages to continue these facts.

4. The Petitioner is a parent of the minor child(ren).  
\_\_\_\_ The Petitioner is the mother of the minor child(ren);  
\_\_\_\_ The Petitioner is the father of the minor child(ren); or  
\_\_\_\_ Neither, please explain:\_\_\_\_\_.

5. The Respondent is a parent of the minor child(ren).  
\_\_\_\_ The Respondent is the mother of the minor child(ren);  
\_\_\_\_ The Respondent is the father of the minor child(ren); or  
\_\_\_\_ Neither, please explain:\_\_\_\_\_.

6. The minor child(ren) are:

Name(s)	Date(s) of birth
_____	_____
_____	_____
_____	_____
_____	_____

7. The Petitioner lives at the following address (provide street address, city, state and zip code):

\_\_\_\_\_  
The Petitioner's email address is: \_\_\_\_\_  
The Petitioner's phone number is: \_\_\_\_\_

If you request that your address be confidential for safety reasons, you may complete and file a Request for Confidential Filing of Address (Florida Supreme Court Approved Form 12.980(h)) and write "confidential" in the space provided above for your address, email and/or telephone number.

8. The Respondent lives at the following address (provide street address, city, state and zip code):

\_\_\_\_\_  
The Respondent's email address is: \_\_\_\_\_  
The Respondent's telephone number is: \_\_\_\_\_

9. Paternity of the minor child(ren) named herein above has been established as follows:

a. \_\_\_\_ The minor child(ren) was/were born of the marriage between the Petitioner and the Respondent.

b. \_\_\_\_ The mother was unmarried at the time of conception of the child(ren) and paternity was established by order entered on (date)\_\_\_\_\_, in the (name of court)\_\_\_\_\_, (case number)\_\_\_\_\_.

**A COPY OF THE ORDER SHALL BE ATTACHED TO THIS MOTION.**

c. \_\_\_\_ The mother was unmarried at the time of conception AND the father/other party executed a voluntary acknowledgement of paternity (DH Form 432) and 60 days has passed since the voluntary acknowledgment was signed by the father/other party. **A COPY OF THE MINOR CHILD(REN)'S BIRTH CERTIFICATE(S) MUST BE ATTACHED TO THIS MOTION.**

10. Status of the minor child(ren):

a. \_\_\_\_ A final judgment or order awarding timesharing with the minor child(ren) has been entered in the following case: Case number: \_\_\_\_\_ in the (name of court) \_\_\_\_\_ and the judgment or order has NOT been modified. **A COPY OF THE FINAL JUDGMENT OR ORDER MUST BE ATTACHED TO THIS MOTION.**

b. \_\_\_\_ A final judgment or order modifying and awarding timesharing with the minor child(ren) has been entered in the following case: Case number: \_\_\_\_\_ in the (name of court) \_\_\_\_\_ and the judgment or order HAS been modified. **A COPY OF THE SUPPLEMENTAL JUDGMENT OR ORDER MODIFYING TIMESHARING MUST BE ATTACHED TO THIS MOTION.**

c. \_\_\_\_ NO timesharing or custody order has been entered.

11. The minor child(ren) is/are currently in the care of

\_\_\_\_\_.

The minor child(ren) is/are currently located at the following address, if known:

\_\_\_\_\_.

12. The person filing this motion is requesting that the Court grant the following timesharing schedule on an emergency basis:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

13. A completed Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit (Florida Supreme Court Approved Family Law Form 12.902(d) **is filed with this Motion.**

14. \_\_\_\_ The following efforts have been made to provide notice of the filing of this motion to the other party:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

OR



\_\_\_\_\_ Advance notice of the filing of this motion should not be required for a hearing on this motion because Immediate or irreparable harm to the child(ren) would occur. Please provide specific facts to support your position:

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**WHEREFORE**, the undersigned respectfully requests the Court take the following emergency action:

- a. \_\_\_\_\_ grant temporary relief requested in this motion until a hearing can be set on the merits of this motion.
- b. \_\_\_\_\_ That a date and time be set for a hearing on the merits of this Verified motion.
- c. \_\_\_\_\_ Any and all other relief deemed just and appropriate and in the best interests of the minor child(ren).

I certify that a copy of this document was ( ) e-filed ( ) mailed ( ) faxed ( ) e-mailed ( ) hand-delivered to the person(s) listed below on {date} \_\_\_\_\_.

**Other party or his/her attorney:**

Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
Designated E-mail Address(es): \_\_\_\_\_  
\_\_\_\_\_

**UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT ARE TRUE. I UNDERSTAND THAT THE STATEMENTS MADE IN THIS VERIFIED MOTION ARE BEING MADE UNDER PENALTIES OF PERJURY, PUNISHABLE AS PROVIDED IN SECTION 92.525, FLORIDA STATUTES.**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Party or his/her attorney  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
Designated E-mail Address(es): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW:**

[fill in **all** blanks] This form was prepared for the: *{choose only one}* ( ) Petitioner ( ) Respondent

This form was completed with the assistance of:

*{name of individual}*

\_\_\_\_\_,  
*{name of business}*

\_\_\_\_\_,  
*{address}*

\_\_\_\_\_,  
*{city}* \_\_\_\_\_, *{state}* \_\_\_\_\_, *{zip code}* \_\_\_\_\_

*{telephone number}* \_\_\_\_\_.

## PRETRIAL STATEMENT

The Pretrial Statement submitted to the court should contain the following information:

### THE MARRIAGE:

1. Date and place of marriage.
2. Date of separation.
3. Attach any pre-nuptial or post-nuptial agreements between the parties.

### THE CHILDREN:

1. Names and ages of the children involved.
2. What time-sharing arrangement has been in effect since separation and since filing of the petition, if different.
3. The amount of child support proposed for the children.
4. Whether or not the children are presently covered under any medical insurance Policy and the monthly cost of such coverage.
5. What, if any, special needs any of the children may have.
6. A suggested time-sharing schedule for each parent.
7. A proposed parenting plan.
8. The total monthly cost of any child care used on a regular basis.
9. Itemized, average expenses, if any, involved in maintaining a long-distance relationship between the children and both parents.

### ALIMONY:

1. Amount of alimony, if any, requested by each party.
2. Nature of the alimony: bridge the gap, rehabilitative, durational, or lump sum, etc., or combination.

### PERSONAL PROPERTY:

1. A list of all personal property in controversy and the name(s) on the title, if any.
2. Suggested disposition of said property.
3. The value of each piece of property showing any lien or obligation against said property, and who is obligated for payment.
4. Life insurance policies, if any, and whether said policies are term or whole.
5. List of any non-marital property. Include fair market value of any equity in non-marital assets.

### REAL PROPERTY:

1. A list of all real property in controversy. Include the name(s) on the title to the Property
2. The value of each parcel of property showing any lien or obligation against said property, and who is obligated for payment
3. What interests, right of claim or equitable interest each party claims in each parcel of property
4. Suggested disposition of the property

#### RETIREMENT PLANS:

1. A list of all retirement plans, pensions, profit sharing, annuity, deferred compensation and/or insurance plans whether they are vested or non-vested, and identify which party is the owner.
2. The present value of the retirement plans or other benefits.
3. What interest, right, claim or equitable interest each party claims in the property.
4. Suggested disposition of the plan or benefit.

#### DEBTS:

1. A list of all unsecured debts and in whose name each debt was incurred.
2. A list of all secured debts including the security for payment of the debt. Identify the name(s) on the debt and the name(s) on title to the security.
3. Suggested disposition of the debts.

#### ATTORNEY'S FEES AND COSTS:

1. The amount of attorney's fees and court costs sought by either party from the other (estimate to conclusion of trial).
2. Identify all motions filed by the parties that requested attorney's fees and/or costs for which the Court reserved jurisdiction to determine.

#### MISCELLANEOUS:

1. List of admissions and stipulation to avoid unnecessary proof.
2. List of pending motions.
3. Request for judicial notice.
4. Estimate of time needed for trial (the parties will be expected to complete the trial within the time allotted which the court will equitably allocate between the parties).

#### ATTACH THE FOLLOWING TO THE PRETRIAL STATEMENT:

1. A current, fully executed Financial Affidavit.
2. A current and completed Child Support Guidelines Worksheet.
3. Certificate of Completion of an approved Parent Education and Stabilization Course.
4. Copies of all photographs, exhibits and documentary evidence which the party proposes to use at trial.
5. A witness list which provides all witnesses' names with current mailing and physical addresses and telephone numbers, and a description of the general nature of each witnesses' anticipated testimony.
6. A proposed parenting plan.