

IN THE CIRCUIT COURT OF THE SEVENTEENTH  
JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA

Order Number 2012-64-UFC

**ADMINISTRATIVE ORDER AMENDING  
UNIFIED FAMILY COURT PLAN**

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(a) Florida Rule of Judicial Administration 2.215(b)(3) states the chief judge shall “considering available resources, ensure the efficient and proper administration of all courts within [this] circuit.”

(b) The Florida Supreme Court *In re Report of Family Court Steering Comm.*, 794 So. 2d 518 (Fla. 2001) directed the Circuit Courts to establish Unified Family Plans. This Circuit has established a plan that is being amended to reflect the best practices that will assist with judicial resources and the needs of families.

(c) The amended Unified Family Court Plan necessitates the vacating of some Administrative Orders governing Unified Family Court as obsolete.

(d) In accordance with the authority vested in the chief judge by Florida Rule of Judicial Administration 2.215, it is ordered:

(1) The Unified Family Court Plan for the Seventeenth Judicial Circuit is hereby amended as of November 9, 2012. The amended plan is attached to this Administrative Order.

(2) This Administrative Order vacates and supersedes Administrative Order II-05-F-1.

(3) This Administrative Order vacates Administrative Orders II-90-A-6, II-92-F-7, II-05-F-3, II-04-F-12A, II-05-F-8, II-06-F-4C, and II-06-F-17.

DONE AND ORDERED in chambers at Fort Lauderdale, Broward County, Florida on  
Nov. 9, 2012.

s/ Peter M. Weinstein  
Peter M. Weinstein, Chief Judge

**UNIFIED FAMILY COURT PLAN  
FOR THE  
SEVENTEENTH JUDICIAL CIRCUIT**  
(Revised 11/9, 2012)

**I. UNIFIED FAMILY COURT**

The Unified Family Court (herein UFC) for the Seventeenth Judicial Circuit (herein Circuit) was established in 1994 and fully implemented as of 2005. This Plan shall apply to UFC concurrently with the Circuit's Administrative Orders. If this Plan is in conflict with any statute, rule of procedure, or case law, the Plan is automatically amended to comply with the statute, rule of procedure, or case law.

**II. GOAL OF UFC**

The goal is to create a fully integrated, comprehensive approach to handling cases involving children and families to maximize judicial resources, avoid inconsistent court orders, and reduce court hearings for a family. To accomplish this goal the Circuit, whenever possible, will assign one judge to one family.

**III. UFC DIVISIONS**

UFC contains four (4) divisions. The divisions are Delinquency, Dependency, Domestic Violence (civil and criminal), and Family.

The Chief Judge will determine the judges assigned to UFC as authorized by statute and rules of procedure. The Chief Judge will appoint general magistrates and hearing officers to UFC, if funding is available, as authorized by statute and rules of procedure. The judges, general magistrates, and hearing officers are assigned to UFC by separate Administrative Order. The Chief Judge, by separate Administrative Order, will appoint an Administrative Judge and Chairpersons for UFC.

The judges, general magistrates, and hearing officers assigned to UFC may be required to attend educational courses as to domestic relations, domestic violence, dependency, delinquency, mediation, sensitivity and problem-solving as required by the Chief Justice of the Supreme Court of Florida or the Chief Judge.

**IV. ASSIGNMENT OF UFC CASES**

The Clerk of Circuit Court (herein Clerk) shall assign UFC cases to the divisions as follows:

a. Delinquency

- i. Cases filed pursuant to Chapter 985, Florida Statutes

- b. Dependency
  - i. Cases filed pursuant to Chapter 39, Florida Statutes
  - ii. CINS/FINS
  - iii. Petition for Judicial Waiver of Parental Notice of Termination of Pregnancy
- c. Domestic Violence
  - i. Criminal Domestic Violence (any and all arrests and/or prosecutions for domestic violence as defined by Chapter 741, Fla. Stat., or stalking, sexual violence and dating violence as defined by Chapter 784, Fla. Stat.)
  - ii. Civil Domestic Violence
    - 1. Injunction for Protection against Dating Violence
    - 2. Injunction for Protection against Domestic Violence
    - 3. Injunction for Protection against Repeat Violence
    - 4. Injunction for Protection against Sexual Violence
    - 5. Injunction for Protection against Stalking (which includes cyber stalking)
- d. Family
  - i. Adoption
  - ii. Amend Birth Certificate
  - iii. Amend Marriage Certificate
  - iv. Annulment
  - v. Change of Name
  - vi. Declaratory actions related to premarital, marital, or post martial agreements
  - vii. Dissolution of Marriage (including modification and enforcement)
  - viii. Extraordinary Writs (if the underlying case is a UFC case)
  - ix. Florida Judgment Modification (including modification and enforcement)
  - x. Partition/Domestic (including modification and enforcement)
  - xi. Paternity (including modification and enforcement)
  - xii. Petition To Enforce Foreign Custody Order (including modification and enforcement)
  - xiii. Petition for Temporary Custody by Extended Family (including modification and enforcement)
  - xiv. Separate Maintenance (including modification and enforcement)
  - xv. Simplified Dissolution of Marriage (including modification and enforcement)
  - xvi. Timesharing for Minor Children (including modification and enforcement)
  - xvii. Title IV-D (including but not limited to Child Support, Child Custody, Paternity, and Uniform Interstate Family Support Act) (including modification and enforcement)

- xviii. Uniform Interstate Family Support Act (including modification and enforcement)

V. **ASSIGNMENT OF CASES TO ACHIEVE ONE FAMILY, ONE JUDGE**

The Circuit, when possible, will assign one family to one judge. If it is not possible to assign one family to one judge, the Trial Court Administrator's UFC Case Management Unit will provide coordinated case management<sup>1</sup> upon notification of the related cases. In order to accomplish this goal, the Clerk will review his case maintenance system at the time a UFC case is filed to determine if a party or child has any other UFC cases. If the Clerk determines there are open UFC cases for a party or child, the case shall be assigned as follows:

a. Delinquency

- i. If a sua sponte shelter hearing is required for a minor to be released from a Department of Juvenile Justice facility or for any other reason and heard by a delinquency judge, the case shall be subsequently assigned to a dependency division.
- ii. If there is an open and pending family case at the time of filing the delinquency case, the case shall be assigned to a delinquency division with coordinated case management provided for both cases.
- iii. If a delinquency case is filed after the dependency case, and the dependency case is closed for less than twelve (12) months, the delinquency case shall be assigned to a dependency division.
- iv. If a delinquency case is filed after the dependency case, and the dependency case is closed for more than twelve (12) months, the delinquency case shall be assigned to a delinquency division.
- v. If there is an open and pending civil domestic violence case at the time of filing the delinquency case, the case shall be assigned to a delinquency division with coordinated case management provided for both cases.
- vi. If there is an open and pending delinquency case at the time of filing the dependency case, the delinquency case shall be transferred to a dependency division unless there is a pending disposition before the delinquency division or a final hearing was commenced.
- vii. If there is an open and pending delinquency case at the time of filing a criminal domestic violence case the case shall be assigned to a criminal domestic violence division with coordinated case management for both cases.

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<sup>1</sup> Coordinated case management is review of pending case by a case manager who will then provide information with regard to the pending cases for a family to the judges hearing the cases for the family.

b. Dependency

- i. If there is an open and pending family case at the time of filing the dependency case, the family case shall be transferred to a dependency division.
- ii. If a family case is filed after the dependency case, and the dependency case is closed for less than twelve (12) months, the family case shall be assigned to the dependency division in which the dependency case was pending.
- iii. If a family case is filed after the dependency case, and the dependency case is closed for more than twelve (12) months, the family case shall be assigned to a family division.
- iv. If there is an open and pending civil domestic violence case at the time of filing the dependency case, the civil domestic violence case shall be assigned to a dependency division.
- v. If a civil domestic violence case is filed after the dependency case, and the dependency case is closed for less than twelve (12) months, the civil domestic violence case shall be assigned to the dependency division in which the dependency case was pending.
- vi. If a civil domestic violence case is filed after the dependency case, as long as the dependency case is closed for more than twelve (12) months, the civil domestic violence case shall be assigned to a civil domestic violence division.
- vii. If there is an open and pending delinquency case at the time of filing the dependency case, the case shall be assigned to a dependency division. The related delinquency case will thereafter be transferred to a dependency division unless there is a pending disposition before the delinquency division or a final hearing was commenced.
- viii. If a delinquency case is filed after the dependency case, and the dependency case is closed for more than twelve (12) months, the delinquency case shall be assigned to a delinquency division.

c. Domestic Violence

- i. If there is an open and pending family case at the time of filing the civil domestic violence case, the civil domestic violence case shall be assigned to the family division in which the family case is pending.
- ii. If a civil domestic violence case is filed after the family case, and the family case is closed for less than twelve (12) months, the civil domestic violence case shall be assigned to the family division in which the family case was assigned.
- iii. If a civil domestic violence case is filed after the family case, and the family case is closed for more than twelve (12) months, the civil

domestic violence case shall be assigned to a civil domestic violence division.

- iv. If there is an open and pending dependency case at the time of filing the civil domestic violence case, the case shall be assigned to a dependency division.
- v. If a civil domestic violence case is filed after the dependency case, as long as the dependency case was closed within the last twelve (12) months, the civil domestic violence case shall be assigned to a dependency division.
- vi. If a civil domestic violence case is filed after the dependency case, and the dependency case is closed for more than twelve (12) months, the civil domestic violence case shall be assigned to a civil domestic violence division.
- vii. If there is an open and pending delinquency case at the time of filing the civil domestic violence case, the case shall be assigned to a civil domestic violence division with coordinated case management provided for both cases.
- viii. Criminal domestic violence cases shall be assigned a criminal domestic division.

d. Family

- i. If there is no open and pending UFC case at the time of filing the family case it shall be assigned to a family division.
- ii. If there is an open and pending dependency case at the time of filing the family case, the case shall be assigned to a dependency division.
- iii. If a family case is filed after the dependency case, and the dependency case is closed for less than twelve (12) months, the family case shall be assigned to a dependency division.
- iv. If a family case is filed after the dependency case, and the dependency case is closed for more than twelve (12) months, the family case shall be assigned to a family division.
- v. If a civil domestic violence case is filed after the family case, as long as the family case is closed for less than twelve (12) months, the civil domestic violence case shall be assigned to family division in which the family case was pending.
- vi. If a civil domestic violence case is filed after the family case, as long as the family case is closed for more than twelve (12) months, the civil domestic violence case shall be assigned to a civil domestic violence division.
- vii. If there is an open and pending delinquency case at the time of filing the family case, the case shall be assigned to a family division with coordinated case management provided for both cases.

**VI. TRANSFER OF CASES BETWEEN UFC DIVISIONS TO ACHIEVE ONE FAMILY, ONE JUDGE**

- a. If at any time a judge assigned to a UFC division is advised that a family has more than one (1) pending UFC case a transfer order shall be entered by the judge. Transfer of cases occurs as follows:
  - i. If there is an open dependency case then all other civil domestic violence, delinquency and family cases shall be transferred to the dependency division to which the case is pending.
  - ii. If there is an open family case then all other civil domestic violence and dependency cases shall be transferred to the dependency division to which the case is pending.
- b. All parties to a UFC case have an obligation to advise any judge assigned an UFC case if there is more than one (1) pending case for a family.
- c. This plan shall not preclude the assigned judges from conferring between themselves and deviating from the assignments of cases set forth herein to meet the best interests of the family. The Chairpersons of the Delinquency, Dependency, and Family Divisions may enter transfer orders as needed for these cases.

**VII. ASSIGNMENT OF CASES/TRANSFER OF CASES BETWEEN DELINQUENCY DIVISIONS**

It is in the best interest of a minor for one judge to dispose of all delinquency proceedings. This will alleviate the possibility of conflicting orders if a minor's cases are not heard by one judge and confusion by the child and parents as to hearing dates.

- a. If a minor has an open and pending case at the time a new case is filed, the new filed case shall be assigned to the same division as the open and pending case. This shall include minors whose case reached a disposition but have not completed probation or commitment supervision.
- b. If a minor has more than one case in which probation or conditional release was ordered but not completed then all cases shall be transferred to the division with the oldest case number.
- c. If more than one minor has a case filed arising from the same incident all companion cases shall be assigned to the division with the oldest case number. The determination of the oldest case numbers for all minors shall be determined first by an open and pending probation case for any of the companion minors. If there is not an open and pending probation case then by an open conditional release case for any of the companion minors. If there is not an open and pending conditional release case for any companion minor then by an open and pending case for any of the companion minors.

- d. All companion cases for which the minors receive probation, commitment or is on conditional release shall be assigned to the division with the oldest case number.

If any delinquency division receives assignment/transfer of cases in excess of the percentages established by Administrative Order there shall be no adjustment of caseloads due to the procedures to secure one judge for one minor's delinquency proceedings.

If there are pending delinquency cases with other UFC cases the judges shall confer to determine if an order of transfer of cases shall be entered or if the cases shall receive coordinated case management.

**VIII. DELINQUENCY DETENTIONS, ARRAIGNMENTS, AND HEARINGS**

All minors who are charged with a crime arising from the same incident shall be set for a hearing on the same day, before the same judge, determined by the division assignment.

**IX. COURT RECORDS**

The Clerk shall maintain court records as required by law or rule. All court records related to a family shall be delivered by the Clerk to the presiding judge at the time of a hearing.

**X. CHILD SUPPORT ENFORCEMENT**

The Plan invokes Florida Family Law Rule of Procedure 12.491 as to Title IV-D and non Title IV-D child support enforcement proceedings.

**XI. THE FAMILY LAW ADVISORY GROUP (FLAG)**

FLAG is an ad hoc committee of stakeholders established pursuant to the recommendations of the Florida State Family Court Steering Committee. FLAG is chaired by the UFC Administrative Judge and members include judges, general magistrates, court administration employees, Clerk of Court staff attorneys, social service providers, and other community stakeholders. FLAG seeks to ensure effective communication between stakeholders while supporting the judicial branch.

**XII. TRIAL COURT ADMINISTRATOR PROGRAMS.**

The Circuit's Trial Court Administrator shall provide, if funding is available, the following programs for UFC.

- a. Case Management
- b. Juvenile Alternative Sanctions
- c. Mediation

- d. Court Projects
- e. Court Reporting for court proceedings as required by statute, rule of procedure, or case law
- f. Interpreters as required by law

**XIII. CLERK OF COURTS PROGRAMS.**

- a. Pro Se Self Help Unit
- b. Domestic Violence Intake Unit
- c. Depository (non Title IV-D cases and alimony cases)

**XIV. STATE OF FLORIDA RESOURCES.**

- a. Florida Guardian Ad Litem Program
- b. Department of Revenue (interstate and intrastate child support matters)

**XV. OTHER RESOURCES.**

- a. Supervised Visitation Programs
- b. Parenting Education and Family Stabilization Courses. All parents who are parties to dissolution of marriage or paternity case are ordered to attend a course pursuant to §61.21, Florida Statutes. Information as to courses is available from the Clerk or the Department of Children and Families Website  
(<http://www.dcf.state.fl.us/programs/childwelfare/docs/ParentEducationAndFamilyStabilization.pdf>)
- c. Seventeenth Judicial Circuit webpage ([www.17th.flcourts.org](http://www.17th.flcourts.org))
- d. Florida State Courts web page ([www.flcourts.org](http://www.flcourts.org))
- e. Clerk web page ([www.browardclerk.org](http://www.browardclerk.org))