

**IN THE COURTS OF SANTA ROSA COUNTY  
IN AND FOR THE STATE OF FLORIDA**

**ADMINISTRATIVE DIRECTIVE SRCAD 1993-01**

**IN RE: DOMESTIC RELATIONS POLICIES AND PROCEDURES OF THE  
CIRCUIT COURT, SANTA ROSA COUNTY, FLORIDA**

WHEREAS, it is necessary to establish uniform policies and procedures for domestic relation proceedings;

WHEREAS, domestic relations proceedings include: dissolutions of marriage, paternity, any matters relating to child support, custody, and visitation, URESAs, adoptions, repeat violence, domestic violence, name changes, and modifications of final judgments of dissolutions of marriage; it is

ORDERED AND ADJUDGED:

1. **EFFECTIVE DATE:** These administrative policies and procedures shall be effective February 1, 1993.
2. **APPLICABILITY:** This administrative directive applies to all domestic relation proceedings filed in the Circuit Court, First Judicial Circuit, Santa Rosa County, Florida. Parties representing themselves and counsel for parties shall abide by these policies and procedures. Whenever the term "counsel" appears in this directive, it is defined to include parties representing themselves.
3. **MEDIATION:** With the exception of dependency proceedings, mediation will be fully utilized as authorized by sections 44.102 and 61.183, *Florida Statutes* and *Florida Rules of Civil Procedure* 1.700 - 1.740. In all domestic relation proceedings where child custody or child visitation is at issue, referral to mediation will be made pursuant to the Order of Court dated May 1, 1991. When an agreement is reached through mediation, counsel for the petitioner shall present a copy of that agreement to the Court at the appropriate hearing.
4. **TEMPORARY INJUNCTIONS WITHOUT NOTICE:** Applications for temporary injunctions without notice shall be in compliance with *Florida Rules of Civil Procedure* Rule 1.610 and may follow substantially the form provided in that rule. Further, counsel should be familiar with the case *Hathcock v. Hathcock*, 533 So.2d 802 (Fla. 1<sup>st</sup> DCA 1988). Independent applications for temporary injunctions on domestic or repeat violence should be in compliance with applicable statutory law.

5. **UNIFORM CHILD CUSTODY JURISDICTION ACT STATEMENTS AND ALLEGATIONS:** In every custody proceeding (including dependency, repeat violence and domestic violence where the custody of minor children are involved), each party shall comply with Florida Statutes §61.132 which requires a party, in his/her first pleading or in an affidavit attached to that pleading, to provide information mandated by the Uniform Child Custody Jurisdiction Act. This requirement applies to all dissolution of marriage cases involving minor children, whether contested or uncontested, and any other custody proceedings addressed by the Act.
  
6. **FINANCIAL AFFIDAVITS:** When required by Florida Statutes §61.30(12) and *Florida Rules of Civil Procedure* Rule 1.611(a), financial affidavits must be timely filed by both parties. The financial affidavit must be in the form required by *Florida Rules of Civil Procedure* Rule 1.975. If a party fails or refuses to file a financial affidavit when required, opposing counsel may move *ex parte* for an order requirement the party to do so.  
  
Financial affidavits shall be filed in uncontested dissolutions, whether represented by counsel or not, even though child support or alimony has been agreed upon in a marital settlement agreement. If the parties' financial circumstances change during the pendency of the proceedings, amended updated financial affidavits must be filed prior to or at the time of hearings or trials.
  
7. **CHILD SUPPORT GUIDELINE WORKSHEETS:** A child support guideline worksheet must be prepared and presented to the Court by any party requesting an award of child support whether at a temporary hearing, contested trial, modification of child support hearing or uncontested final hearing where a marital settlement agreement has been reached. If the opposing party does not stipulate to the correctness of the worksheet submitted, he or she must present a separate worksheet.
  
8. **INCOME DEDUCTION ORDERS:** An Income Deduction Order and Notice to Payor (in compliance with Section 61.1301, *Florida Statutes*) must be prepared and presented to the Court before it will enter an order establishing, enforcing or modifying an alimony or child support obligation. This requirement will only be waived upon a showing that an income deduction order would be impractical.
  
9. **MOTIONS TO COMPEL DISCOVERY:** Motions to compel discovery will not be heard unless the motion or the notice of hearing bears a certificate of the moving counsel to the effect that he or she has contacted opposing counsel and attempted to resolve the matter without a hearing but that the matter could not be resolved. When a motion to compel alleges a complete failure to respond or object to discovery, and there has been no request for extension, an *ex parte* order may be entered requiring compliance with the original discovery demand within ten (10) days of the signing of the order. The movant shall submit the proposed order and the necessary number of envelopes.

10. **MOTIONS FOR CONTINUANCE:** Florida Rules of Judicial Administration Rule 2.085(c) requires that any motion for continuance be in writing and signed by the party making it as well as the attorney. A stipulation for continuance does not automatically continue as case.
11. **CROSS-NOTICING MOTIONS:** There will be no cross-noticing of motions or “piggybacking” of one or more motions upon a previously scheduled motion unless counsel first contacts the judge’s judicial assistant to confirm that the calendar will accommodate the hearing of such additional matters at the scheduled time.
12. **WRITTEN CALCULATION OF ARREARAGE:** Whenever enforcement of delinquent child support, alimony or other money payment arrearage is sought, moving counsel must present to the Court, with a copy handed to opposing counsel or party, a written calculation sheet showing how the arrearage was calculated. If payments were required to be made through the Clerk of the Court, a clerk’s certificate current as of the date of the last payment due prior to the hearing shall be obtained and presented to the Court with a copy handed to opposing counsel or party. If interest on the arrearage is requested, its amount and method of computation must likewise be shown on the written calculation sheet.
13. **COPIES OF PROPOSED ORDERS:** Copies of all orders directly affecting the parties, e.g., temporary relief, contempt, income deduction orders, and all judgments, shall be mailed or delivered to counsel. The attorney preparing the proposed order or judgment shall furnish the Court with a sufficient number of copies for this purpose. If certified copies are sought from the clerk, the transmittal letter should so indicate that only the original is being sent for signature and certified copies are being requested from the clerk.
14. **INDIVIDUAL JUDGES MISCELLANEOUS POLICIES AND PROCEDURES:** Each judge has his or her own policies and procedures regarding such miscellaneous matters as case management procedures, telephone hearings, in-camera interview of child witnesses, motions for rehearing, etc. Counsel desiring to ascertain the judge’s policy or procedure on such a matter may make inquiry of the judge or the judicial assistant.

DONE AND ORDERED in Chambers, Santa Rosa County Courthouse, Milton, Florida  
on this 26<sup>th</sup> day of January, 1993.

Signed by: Paul Rasmussen, Administrative Judge