

**IN THE COURTS OF THE FIRST JUDICIAL CIRCUIT  
ADMINISTRATIVE ORDER NO. 2020-31**

**RE: STANDING FAMILY LAW ORDER**

**WHEREAS**, the Chief Judge is required to develop an administrative plan for the efficient and proper administration of all courts within the circuit pursuant to Fla. R. Jud. Admin. 2.215(b)(3); and

**WHEREAS**, the family law divisions in the First Judicial Circuit are committed to resolving family disputes in a fair, timely, efficient, and cost-effective manner; and

**WHEREAS**, it is the responsibility of the court to equitably divide marital property, determine financial issues attendant to the marriage, and determine time-sharing matters in the best interest of the children of the marriage; and

**WHEREAS**, it is in the best interests of the parties in all family law cases to be aware of their duties and responsibilities;

**NOW, THEREFORE**; pursuant to the authority of the Chief Judge, under section 43.26, Florida Statutes, and Florida Rule of Judicial Administration 2.215,

**IT IS HEREBY ORDERED:**

1. The Standing Family Court Order (“Standing Order”) attached hereto as “Exhibit A” shall be issued by the Clerk of Court in original actions for dissolution of marriage filed on or after September 1, 2020.
2. The Standing Order shall be effective as to the Petitioner at the time of filing.
3. The Petitioner must serve a copy of the attached Standing Order with the Summons and the Petition. The Standing Order will be effective as to the Respondent on the date of service of the Petition, or upon execution of a waiver of service of process.

4. The Standing Order shall remain in full force and effect during the pendency of the action unless and until modified or terminated by court order.
5. Failure to comply with the Standing Order is punishable by contempt, and may result in imposition of any sanctions permissible by law, and deemed appropriate by the court.

**DONE AND ORDERED** in Pensacola, Escambia County, Florida this 17<sup>th</sup> day of August, 2020.

  
\_\_\_\_\_  
**JOHN L. MILLER**  
CHIEF JUDGE

Copies furnished to:

Honorable Mary Polson, First Judicial Circuit Administrative Family Law Judge  
Honorable Stephen Pitre, Circuit Judge  
Honorable Terrence Ketchel, Circuit Judge  
Honorable Ross Goodman, Circuit Judge  
Honorable Jeffrey Lewis, Circuit Judge  
All Judges, First Judicial Circuit  
All Clerks, First Judicial Circuit  
Robin Wright, Trial Court Administrator  
For Broadcast by: Escambia-Santa Rosa Bar Association  
For Broadcast by: Okaloosa County Bar Association  
For Broadcast by: Walton County Bar Association  
For Posting at [www.FirstJudicialCircuit.org](http://www.FirstJudicialCircuit.org)

**EXHIBIT A**

**IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA**

**IN RE: The Marriage Of**

Petitioner,

**CASE**

**And**

Respondent.

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**FAMILY LAW STANDING PRETRIAL ORDER FOR DISSOLUTION OF MARRIAGE  
ORIGINAL ACTIONS**

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The following Family Law Standing Pretrial Order (“Order”) shall apply to both parties in an original action for dissolution of marriage. Service of this Order shall be made with service of process of a Petition for Dissolution of Marriage and shall be effective with regard to the Petitioner upon filing of the petition, and with regard to the Respondent upon service of the summons and Petition for Dissolution of Marriage or upon waiver and acceptance of service. This Order shall remain in place during the pendency of this action, unless modified, terminated or amended by further order of the Court upon motion of either party.

It is hereby **ORDERED** as follows:

**I. ALL PARTIES TO A DISSOLUTION OF MARRIAGE ACTION MUST ABIDE BY THE FOLLOWING:**

A. Neither party shall sell, transfer, encumber, conceal, assign, remove or in any way dispose of, without the consent of the other in writing, or without an order of the Court, any disputed property, individually or jointly held by parties, except in the usual course of business, for customary and usual household expenses or for reasonable attorney’s fees and costs in connection with this action. This provision is not to be interpreted to control property which is co-owned with a third party. In such case, either party may file an appropriate motion with the Court with notice to all whose property rights may be affected.

- B. Neither party shall incur any unreasonable or unnecessary debts, including but not limited to, further borrowing against any credit line secured by the family residence, further encumbering any assets, or unreasonable use of credit cards or cash advances against credit or bank cards.
- C. Neither party may conceal from the other or destroy any family records, business records, or any records of income, debt, or other obligations. Each party who has traditionally paid the following: life insurance, automobile insurance, homeowner's or renter's insurance policies, shall continue to maintain same and keep in full force and effect. Neither party shall change the beneficiaries of any existing life insurance policies.
- D. Neither party shall cause the other party of the marriage to be removed from any medical, hospital and/or dental insurance coverage, and each party shall maintain the existing medical, hospital and dental insurance coverage in full force and effect.

**II. ALL PARTIES TO A DISSOLUTION OF MARRIAGE ACTION INVOLVING MINOR CHILD(REN) COMMON TO THE PARTIES MUST ABIDE BY THE FOLLOWING:**

- A. Neither party shall remove, cause to be removed, nor permit the removal of any minor child(ren) from their current county of residence *for residential purposes* without the written agreement of both parties or an order of this Court.
- B. It is the law that, in general, contact with both parents is in the children's best interest, and that children are entitled to frequent and continuing contact with both parents when the parents separate or divorce. Further, the parent who is or wants to be the parent with the majority of the timesharing has an affirmative obligation to encourage and nurture a relationship between the children and the alternative residential parent. A parent who 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 not be designated the parent with the majority of the timesharing. Such a parent is not acting in the children's best interest and is not following the law. In nearly all cases, the Court orders shared parenting of the minor children by the parents. This means the parents must confer with each other and agree upon all parenting decisions.

The parties are encouraged to determine a timesharing schedule for the minor child(ren) based on the minor child(ren)'s best interests. Any timesharing schedule should be established in writing. If the parents cannot agree on any issue, then the Court will decide. For cases in which child abuse and/or neglect is alleged by a party against the other parent, that party shall promptly file the appropriate pleadings with the Court to seek immediate relief from this Order.

1. The law expects parents to put aside their feelings and cooperate on all decisions involving the children. The following guidelines are appropriate in most cases:
  - a. Children have a 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.
  - b. Neither parent may alienate a child's affection for the other parent.
  - c. Parents must separate any bad feeling 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.
  - d. Children have the right to never hear a parent, or a relative or a friend of a parent, belittle or degrade the other parent.
  - e. Children have the right to be free of guilt as the parents have decided to separate. They are entitled to honest answers to questions about changes taking place in the family makeup. However, information regarding the divorce case should not be discussed with the children.
  - f. Parents should never 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.
  - g. Each parent should openly, honestly, respectfully and regularly communicate with the other parent to avoid misunderstandings. They should never argue about the children in front of them.
  - h. Parents should discuss all the differences between them regarding their separation, financial issues 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.
  - i. Children have the right to regular and continuing contact with both parents. Parents should arrange all visitation and exchanges between themselves and not through the children. The children should never be the messenger between the parents.
  - j. Visitation 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.

2. Common Courtesies (politeness, promptness, readiness, calling to notify if one is going to be late) should always be observed when picking up and dropping off the children. These times can be very stressful to the children, so it is imperative that parents always behave as responsible adults.
  - a. Between visits, children should be encouraged to contact the absent parent by letter, email and phone, frequently and continuously.
  - b. Parent/child access and child support, while they may be emotionally connected, are separate and distinct under the law. Accordingly, a child's right to access to his or her parent does not depend on the payment of child support.
  - c. A child should never be the delivery person for support payments or other communications between the parents.
  - d. Both parents are entitled to participate in and attend all special activities in which their children are engaged, such as religious activities, school programs, sports events and other extracurricular activities and programs.
  - e. Parents should share information concerning children's activities and school information.
- C. The child's school attendance zone shall be where he/she has customarily attended unless neither party resides in that zone. If the child has not attended school anywhere (grades K-12) at the time of filing, then the child shall attend the school in the district in which the parties last resided together as a family unit for at least sixty (60) days. In the event neither party resides in the same school attendance zone, then the child shall attend school in the zone in which he/she has primarily resided for the sixty (60) days preceding the start of school. The parties may agree otherwise in writing as appropriate to the needs of their minor child(ren) in compliance with school attendance zoning guidelines.
- D. In general, the law requires child support to be paid from the date the parties separated, which is nearly always a date before the petition was filed. Therefore, to avoid building up an arrearage in child support, the parent with whom the child(ren) are not residing the majority of the time must make voluntary payments of child support to the parent

the child(ren) reside with the majority of the time prior to the entry of an order requiring payment of support. Should the parties follow a 50/50 timesharing plan, then the parent with the higher income will likely be responsible for child support to the parent with the lower income. Waiting for an order can be very expensive because child support can be ordered from the date of separation. If child support is paid in excess of that required by the statute, the paying parent may ask for a refund. If child support is ordered, it will be in accordance with the child support guidelines, pursuant to section 61.30, Florida Statutes. Therefore, it is in both parties' best interests to determine the correct amount of child support quickly and begin paying promptly.

- E. Neither party shall cause the child(ren) of the marriage to be removed from any medical, hospital and/or dental insurance coverage, and each party shall maintain the existing medical, hospital and dental insurance coverage in full force and effect.
- F. If the parties have child(ren), a party moving out of the family residence shall notify the other party or the other party's attorney, in writing, within forty-eight (48) hours of such move, of an address and telephone number where the relocated party can receive communication. This provision does not apply if there is a conflicting court order, such as a domestic violence injunction.
- G. Failure to obey this Order may be punishable by contempt of court. If you wish to modify this Order, you must file an appropriate motion with the Clerk's Office.

**DONE AND ORDERED** in \_\_\_\_\_ County, Florida this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

CIRCUIT JUDGE

Conformed copies to:  
Petitioner/Attorney:  
Respondent/Attorney: