

**IN THE SECOND JUDICIAL CIRCUIT
OF FLORIDA**

OFFICE OF THE CHIEF JUDGE

**ADMINISTRATIVE ORDER 2020-09
FIRST AMENDMENT**

IN RE: STANDING FAMILY LAW PRE-TRIAL COURT ORDER

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

WHEREAS, the Second Judicial Circuit is committed to effectively resolving disputes involving children and families and providing procedural fairness to all parties, while saving time and expense through active case management and the use of alternatives to litigation; and

WHEREAS, the Second Judicial Circuit is committed, when practicable, to enabling court coordination of related cases and proceedings to avoid multiple appearances by the same parties on the same or similar issues and to avoid inconsistent court orders; and

WHEREAS, it is in the best interest of the parties in a family law case to learn about their duties and responsibilities and to ensure the parties preserve their assets and comply with the court rules; and

WHEREAS, the establishment of a Standing Family Law Pre-Trial Court Order addressing the parties' responsibilities in original actions of dissolution of marriage, as well as actions for alimony, paternity determination, parental responsibility and timesharing, and supplemental proceedings related thereto, is necessary for the efficient and proper administration of justice; and

WHEREAS, the Second Judicial Circuit shall abide by the principles announced in In Re: Amendments to the Florida Family Law Rules of Procedure, 132 So.3d 1114 (Fla. 2014); it is

IT IS HEREBY ORDERED, effective March 1, 2024, that:

I. STANDING FAMILY LAW PRE-TRIAL COURT ORDER

A. A Standing Family Law Pre-Trial Court Order ("Standing Order") will be issued by the Clerk of Court in original actions of dissolution of marriage, as well as actions for alimony, paternity determination, parental responsibility and timesharing, and supplemental proceedings, including modifications, related thereto. The current Standing Order is attached hereto. The Standing Order and any future amendments thereto will be located on the Second Judicial Circuit website.

B. The Petitioner must serve a copy of the Standing Order with the Summons and the Petition in any of the above-mentioned family law actions.

II. PARENTING EVALUATORS

A. The parties may be ordered to confer with a mental health professional for an independent evaluation pursuant to Florida Family Law Rules of Procedure, Rule 12.363 at any time during the pendency of their case.

B. Absent an agreement or order of the Court, each party shall pay one-half of the cost of the evaluation pending a temporary hearing or final hearing determination. Costs of an evaluation shall be an item addressed in the Final Judgment.

III. PARENT EDUCATION AND FAMILY STABILIZATION COURSE

A. Pursuant to section 61.21(4)(a), Florida Statutes, all parties to dissolution of marriage with minor children or a paternity action that involves issues of parental responsibility shall be required to complete the Parent Education and Family Stabilization Course prior to the entry of the Final Judgment.

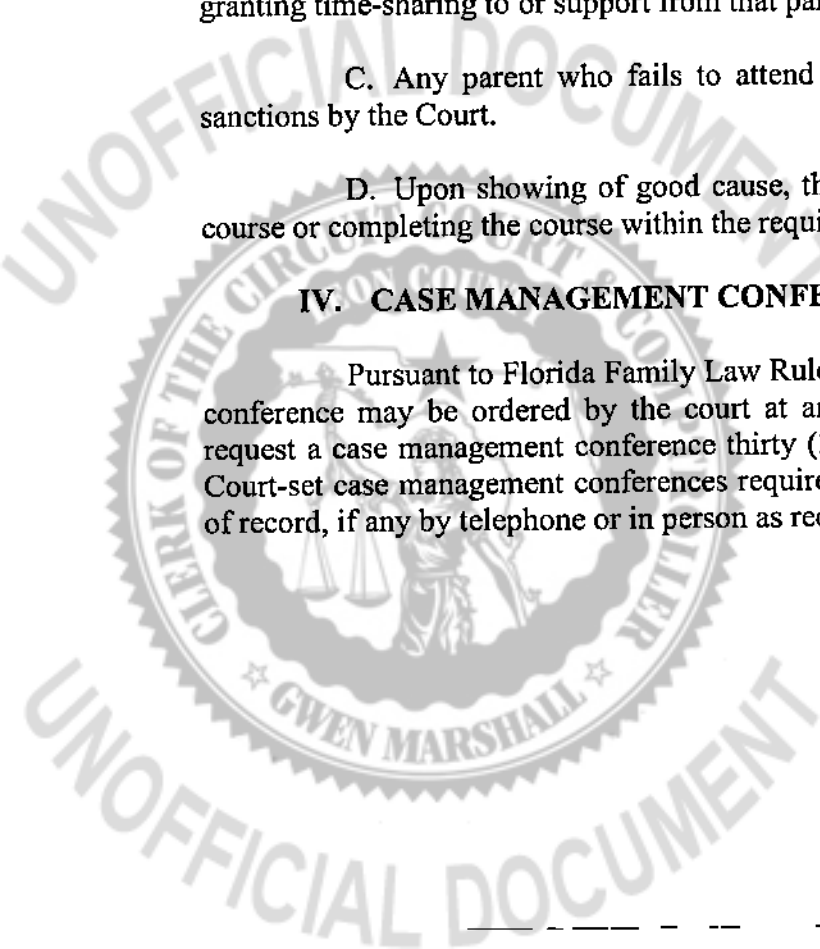
B. Pursuant to section 61.21(5), Florida Statutes, for dissolution of marriage actions, the Petitioner shall complete the course within forty-five (45) days after filing the petition and the other party must complete the course within forty-five (45) days after service of the petition. For paternity actions, the Petitioner must complete the course within forty-five (45) days of filing the petition and any other party must complete the course within forty-five (45) days after an acknowledgment of paternity by that party, an adjudication of paternity of that party or an order granting time-sharing to or support from that party.

C. Any parent who fails to attend a required parenting course may be subject to sanctions by the Court.

D. Upon showing of good cause, the court may excuse a parent from attending the course or completing the course within the required timeframes mentioned above.

IV. CASE MANAGEMENT CONFERENCES

Pursuant to Florida Family Law Rules of Procedure, Rule 12.200, 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. Court-set case management conferences require the attendance of both parties and their counsel of record, if any by telephone or in person as required by the Court.



V. NOTICE OF RELATED CASES

Pursuant to Florida Rules of General Practice and Judicial Administration, Rule 2.545(d), the Petitioner is required to file and serve on all parties a Notice of Related Family Cases. The Petitioner must indicate all known related cases or if no related cases are known.

VI. SETTING TRIAL

A. Actions shall be set for trial in accordance with Florida Family Law Rules of Procedure, Rule 12.440.

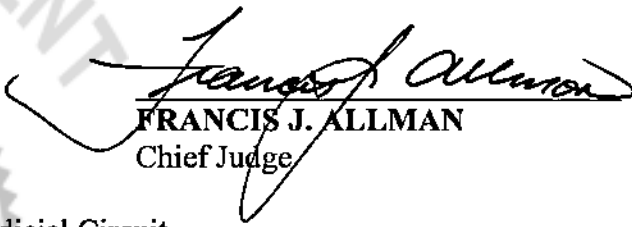
B. Mediation is required in all cases in accordance with Administrative Order 2004-01, as governed by this standing order, unless excused by the Court.

C. If the case is not resolved at mediation or otherwise, the Court may schedule, or a party may request, a fifteen (15) minute pre-trial conference. If scheduled, the conference should occur no later than thirty (30) days before a final hearing. 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, Rule 12.200(b).

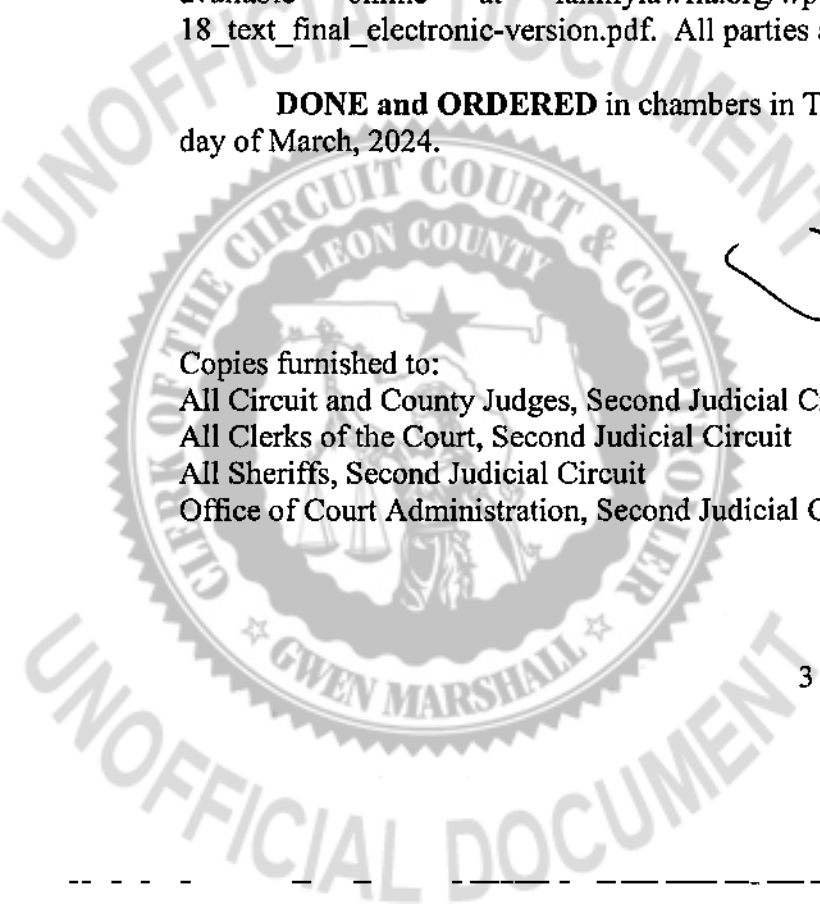
VII. PROFESSIONALISM

All counsel appearing before this Court shall strictly adhere to the Florida Supreme Court Rules Regulating the Florida Bar, Guidelines of Professional Conduct, Professionalism Expectations as promulgated by the Florida Bar Board of Governors, and the Creed of Professionalism to which all attorneys are bound. The Court strongly suggests all Family Law Attorneys become familiar with the tenets of the *Bounds of Advocacy: Goals for Family Lawyers (May 2004)*, which was published by the American Academy of Matrimonial Lawyers and is available online at familylawfla.org/wp-content/uploads/2018/05/Fla-Bar-Magazine_5-18_text_final_electronic-version.pdf. All parties and counsel shall fully comply with this order.

DONE and ORDERED in chambers in Tallahassee, Leon County, Florida, this 1 day of March, 2024.


FRANCIS J. ALLMAN
Chief Judge

Copies furnished to:
All Circuit and County Judges, Second Judicial Circuit
All Clerks of the Court, Second Judicial Circuit
All Sheriffs, Second Judicial Circuit
Office of Court Administration, Second Judicial Circuit



IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT OF THE STATE OF FLORIDA

Case Number:

Petitioner

vs

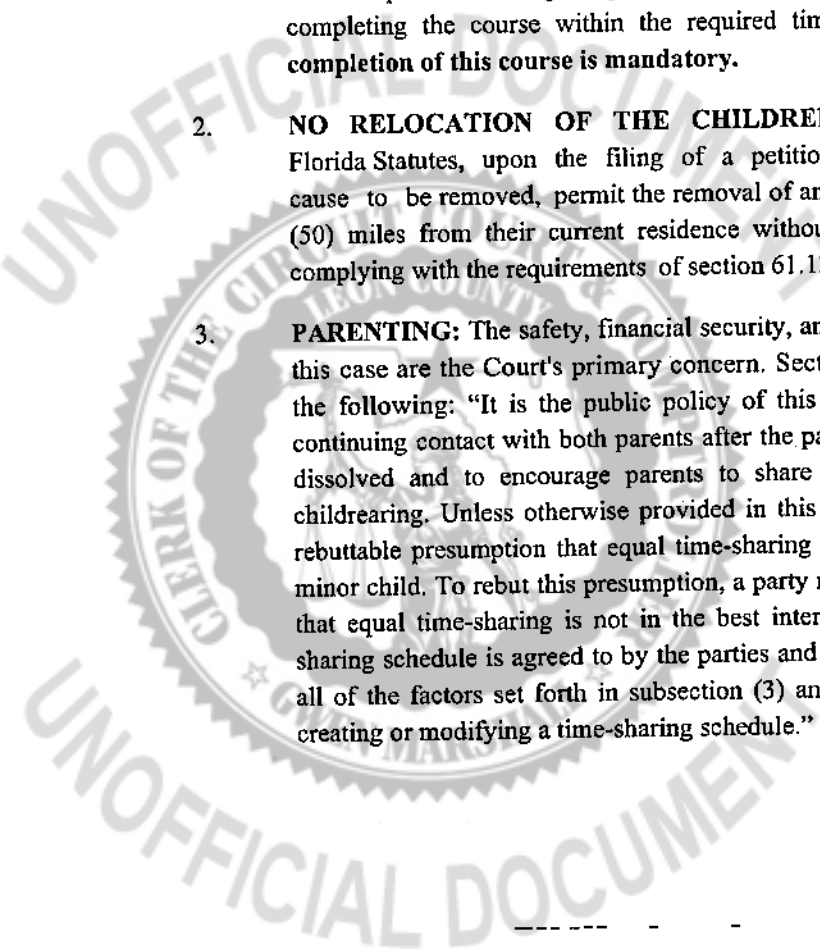
Respondent

STANDING FAMILY LAW PRE-TRIAL COURT ORDER

The following Standing Family Law Pre-Trial Court Order (Order) shall apply to both parties in any original action for dissolution of marriage, separate maintenance, annulment, alimony, paternity determination, parental responsibility and time-sharing and any supplemental proceeding relating thereto and is necessary for the efficient and proper administration of justice.

This Order 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 or upon waiver and acceptance of service. This Order shall remain in place during the pendency of the action, unless modified, terminated or amended by further order of the Court upon motion of either of the parties.

1. **PARENTING COURSE:** If the parties have minor children, each party is required to attend and successfully complete a parent education and stabilization course as required by Florida Law (section 61.21, Florida Statutes). A list of approved providers may be obtained from the Clerk of Court. The Petitioner shall complete the course within forty-five (45) days after the filing of the petition. The Respondent shall complete the course within forty-five (45) days after service of the petition. All parties must file a copy of their certificate of completion with the Court. Upon a showing of good cause, the Court may excuse a parent from attending or completing the course within the required time frames set forth above. **Absent excusal, completion of this course is mandatory.**
2. **NO RELOCATION OF THE CHILDREN:** In accordance with section 61.13001, Florida Statutes, upon the filing of a petition, neither party may permanently remove, cause to be removed, permit the removal of any minor children of the parties more than fifty (50) miles from their current residence without the written agreement of both parents or complying with the requirements of section 61.13001, Florida Statutes.
3. **PARENTING:** The safety, financial security, and well-being of the minor children involved in this case are the Court's primary concern. Section 61.13(2)(c)(1), Florida Statutes provides the following: "It is the public policy of this state that each minor child has frequent and continuing contact with both parents after the parents separate or the marriage of the parties is dissolved and to encourage parents to share the rights and responsibilities, and joys, of childrearing. Unless otherwise provided in this section or agreed to by the parties, there is a rebuttable presumption that equal time-sharing of a minor child is in the best interests of the minor child. To rebut this presumption, a party must prove by a preponderance of the evidence that equal time-sharing is not in the best interests of the minor child. Except when a time-sharing schedule is agreed to by the parties and approved by the court, the court must evaluate all of the factors set forth in subsection (3) and make specific written findings of fact when creating or modifying a time-sharing schedule."



It is the law, except in certain rare circumstances, that both parents will share parental responsibility for any minor children in this case. The law requires parents to share the minor children's time and to participate together in make all important decisions concerning the minor children. If the parents choose to live apart while this action is pending, both parents must assist the minor children in having personal, telephonic and written contact with the other party. Neither party shall take any action which is intended or would reasonably be expected to result in an alienation of affection by a child for the other parent.

4. **CHANGE OF ADDRESS:** If the parties have a child or children in common, both parties shall notify the other party or other party's attorney, in writing, within forty-eight (48) hours of any change of residence, which shall include the complete mailing address where the party can receive communication, e-mail address and telephone number.
5. **DESIGNATION OF CURRENT MAILING AND E-MAIL ADDRESS:** Pursuant to the Florida Rules of General Practice and Judicial Administration, Rule 2.516(b)(1)(C)&(D), a party not represented by an attorney is *required* to designate a primary *e-mail address* for service unless excused by the Clerk of Court or unless the party is in jail. In order to request to be excused, a party must complete Florida Rule of General Practice and Judicial Administration, Form 2.601 and under penalty of perjury declare that the party does not have an e-mail account or does not have regular access to the internet. Form 2.601 shall be submitted to the Clerk of Court for consideration.
6. **FINANCIAL DISCLOSURE:** Pursuant to Florida Family Law Rules of Procedure, Rule 12.285, each party must file a Family Law Financial Affidavit with the Clerk of Court, ten (10) days prior to the first hearing where financial relief is sought by either party, or ten (10) days prior to a case management conference, whichever is first. Both parties shall also file a Certificate of Compliance with Mandatory Disclosure according to the specified timeframes. Both parties are expected to comply with the rule's requirements and timeframes without the necessity of court intervention. A party's failure to comply without good cause may result in the imposition of sanctions.
7. **CASE MANAGEMENT CONFERENCES:** Pursuant to Florida Family Law Rules of Procedure, Rule 12.200, 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 the petition or complaint.
8. **MEDIATION:** The parties are required to complete mediation no later than sixty (60) days prior to trial. The parties shall participate in mediation in good faith. Failure to schedule or attend mediation will in all likelihood result in the case being removed from the trial calendar and/or sanctions being imposed on the non-attending party.
9. **SETTING TRIAL:** Actions shall be set for trial in accordance with Florida Family Law Rules of Procedure, Rule 12.440. Once the parties agree on the date and amount of time necessary to conduct and complete the trial, the Court will enter an Order Setting Non-Jury Trial. Both parties shall comply with the requirements set forth in the Order and shall be subject to the sanctions set forth in the Order.
10. **SETTLEMENT:** If the parties reach a settlement and there is a scheduled hearing or trial, the parties shall immediately notify the judge's office.
11. **SERVICE AND APPLICATION OF THIS ORDER:** The Clerk of Court shall docket and provide each Petitioner with a copy of this Order. The Petitioner shall serve a copy of this Order with the petition.

**IN ADDITION TO THE FOREGOING REQUIREMENTS, THE FOLLOWING
APPLIES TO ALL DISSOLUTION OF MARRIAGE ACTIONS:**

- 12. **DISPOSITION OF ASSETS/ACCOUNTING:** Neither party shall sell, transfer, encumber, conceal, assign, remove or in any way dispose: of any property, individually or jointly held by the parties, without the written consent of the other party, or without an order of the Court, except in the usual course of business, for customary and usual household expenses or for reasonable attorney's fees in connection with this action. The use of funds or income after separation must be accounted for and justified as reasonable for the necessities of the party or to preserve marital assets or pay marital debt. Both parties are accountable for all money and property in their possession during the marriage and after separation.

- 13. **ADDITIONAL DEBT:** Neither party shall incur additional debt which would bind the other spouse nor tie up assets, except by written consent of the parties or order of this Court. This shall include any action by either party resulting in a decreased ability to pay, or increased need for support or family expenses. The parties are strongly urged to temporarily refrain from using joint credit cards except for absolute necessities and only as a last resort. Any party using a joint credit card after separation must be prepared to justify all charges as reasonable and necessary.

- 14. **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 of the filing of the petition may not be terminated, allowed to lapse, concealed, modified, borrowed against, pledged or otherwise encumbered by either or the parties, or at the direction of either party. This includes medical, dental, hospital insurance for the other party of the minor children. Neither party shall change the beneficiaries of any existing life insurance, homeowner's or renter's insurance policies in full force and effect. The parties shall continue to pay all premiums on a timely basis, unless there is written consent by both parties or an order of the Court.

SANCTIONS

ALL PARTIES AND COUNSEL MUST 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 AND ANY OTHER SANCTIONS DEEMED APPROPRIATE BY THE COURT.

DONE AND ORDERED in Chambers at Tallahassee, Leon County, Florida this 1 day of March, 2024.

Francis J. Allwood
CHIEF JUDGE

