

Compendium of Family Court Practices From the 2004 and 2005 Annual Family Court Reports

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If you would like to know which judicial circuit is doing one of the family court practices included in the compendium, contact John Couch at (850) 410-1527.

Family Law Advisory Group (FLAG)

- One FLAG accomplished the following tasks:
 - developed and distributed new visitation guidelines;
 - developed and established procedures for pro se packets for parents of children in need of services; and
 - distributed new forms for all pro se cases including a Judicial Waiver of Parental Notification of Termination of Pregnancy.
- A noteworthy accomplishment of one circuit's FLAG was the pursuit of funding through the Children's Trust for key social services to benefit families and children in high conflict cases in the family, domestic violence, and complex litigation divisions.
- One FLAG established new procedures to identify at-risk children and the needed services at the inception of a court case or a shelter stay to minimize conflict and the concomitant ill effects on children.
- One circuit created a FLAG web page that provides information such as parenting courses, parenting coordinators' names, general information about unified family court (UFC), and other useful materials.
- An accomplishment of one FLAG was the implementation of the CourtCare model currently in place at one of the circuit's courthouse centers which provides a safe space for children while their parents are in court hearings regarding parental conflict and domestic violence. This intervention and prevention program is a safe haven for children and a source of information regarding other community services for children to parents.
- One county's FLAG held its first meeting on February, 2005. The concept of UFC was shared with all stakeholders. Great strides have been taken with the collaboration of the clerk's office to coordinate companion cases and provide them in court hearings. Thirteen evaluations were ordered, six completed, and seven were voluntarily settled prior to evaluation.
- One FLAG developed the Crossover Case Identification Sheet System—Families with more than one case active in the courts now have a “red”

sheet of paper placed in their court file. The sheet identifies all cases involving the family. Most of this information is researched by court staff; however, the clerk has also started assisting with this.

- One FLAG focused on issues related to families in crisis with significant attention directed toward assisting families dealing with parenting problems. Parenting evaluation issues brought focus on the SIEVE Model. This being a process where rather than an expensive, full-blown parenting evaluation being conducted, specific portions of an evaluation would be accomplished to obtain a positive plan with less cost. There are four basic aspects of the SIEVE model, (1) educational, (2) therapeutic, (3) non-binding adjudicative and meditative (4) evaluative. Parties would be directed to select and engage in a facet of the model that would best fit their circumstance. Additional attention was given to defining the role of the mental health professional in court. This is based on the necessity for the professional to be viewed as a neutral evaluator rather than an advocate. Concern was also expressed relative to professionals being trained to deal with matters of domestic violence and substance abuse.
- One FLAG has had much discussion regarding the Children's Advocacy Center (CAC). The dream is to build or move into a facility where all services can be provided under one roof. After collaborating with many stakeholders, Mid-Florida Community Services has offered the CAC the opportunity to come under their umbrella; Mid-Florida Community Services will provide office space, grants management accounting, auditing/financial compliance, and legal services.
- A FLAG reviewed current procedures regarding service on respondents of both temporary orders and post judgment pleadings and how to improve this process.
- A FLAG discussed:
 - developing a formal written procedure for the collection of firearms and providing proof of compliance for the surrender of firearms in domestic violence cases;
 - the matter of increasing the number of referrals to certified Batterer's Intervention Programs in misdemeanor battery cases; and
 - concerns about security issues during domestic violence cases.
- A FLAG was instrumental in securing a military grant of \$350,000 over a two year period through the Battered Women's Justice Program.

- At a FLAG meeting, one of the judges noted the absence of a domestic violence advocate during his court hearings. The FLAG took action and now the case manager will notify the DV shelter directors if there are any DV return hearings scheduled on the docket.
- One FLAG created a Family Resource Service to provide a collection of services available to family law litigants. Now litigants have access to a template parenting plan, a list of parenting coordinators in the area, a listing of courses to help litigants create a parenting plan, as well as courses designed to resolve high conflict parenting issues.
- In a county that did not previously have magistrates, one of the major topics discussed at each FLAG meeting was the process and procedure for handling cases that are heard by magistrates. With much persistence and explanation, the concept is finally taking hold and each of the magistrates has become quite busy in hearing family law cases. The local legal assistants in the county seemed to be the most concerned with following the correct procedures related to the use of the magistrate. In an effort to assist them in understanding the magistrate's role and other new procedures, court staff have decided to host an afternoon workshop for local legal secretaries.
- A FLAG helped the Department of Children and Families (DCF) and the Department of Juvenile Justice (DJJ) to develop, establish, and implement procedures to allow for better coordination of lockout juveniles held at the detention center.
- Program providers made a presentation at a FLAG meeting regarding the Family Custody Investigation Program. Issues regarding the program were discussed and improvements to the program were suggested and implemented.
- One FLAG created a Uniform Temporary Custody Packet that will be used by families that have individuals leaving for military duty.
- One FLAG proposed a model for dividing the duties and roles that are often shared or closely connected between case management and the clerks.
- As a result of one of the FLAG meetings and small group meetings, The Department of Revenue (DOR) is in the process of determining whether

the office of vital statistics is accurately and timely receiving information to update their records when paternity is found in a dependency case. This is due to the cooperation of the courts, the clerk, DOR and other vital participants.

- The attendees of one FLAG brought up the concern and problems regarding grandparents raising grandchildren and their many frustrations. A committee was formed to research the issue and made the development of a Kinship Care Program a priority. A collaborative effort has been developed with Kids Central, Inc., the circuit, Florida Kinship Care, and the Department of Elder Affairs to seek funding through a grant to implement a Senior Legal Hotline. The Senior Legal Hotline is a great resource for Florida's older adults who have questions about legal issues. This helpline will be a convenient way for seniors to get connected to information, no matter where they live in the state. Kids Central Inc. is currently seeking funds for this particular circuit in order to bring this same and much needed resource to other counties in the circuit by the end of 2007.
- A FLAG Pro Se Committee recruited volunteer attorneys to begin conducting pro se clinics/workshops to assist litigants with family cases. Once the clinics/workshops are well established, the committee will concentrate on finding volunteer attorneys to provide unbundled legal services for pro se litigants.
- A FLAG Pro Se Committee worked on topics that included:
 - making local forms available on the clerk's office website;
 - assessing the possibility of developing interactive document assembly software for use by pro se litigants; and
 - drafting and/or updating written information on procedures and resources for pro se litigants.
- An ad hoc committee of a FLAG developed a formal procedure to correct the problem of the respondent leaving the courtroom without signing and accepting service of the Final Judgment for Injunction for Protection Against Domestic Violence.
- A domestic violence subcommittee of a FLAG completed and distributed the 2004 Domestic Violence Mortality Report, an examination of domestic violence homicides in a specific county from January 1, 2004 through December 31, 2004. The committee submitted its own report from data

that they have collected over the past six years and did not include the FDLE mortality information. The sub-committee reported that the numbers of intimate relationship homicide cases had decreased significantly. The services provided at the Center for the Prevention of Domestic Violence “one stop shop” and by other agencies were credited with contributing to this decrease in homicides.

- A FLAG Domestic Violence Committee proposed an increase in hours for accepting petitions for injunctions for protection against violence by the clerk’s office. This was approved and changed by administrative directive.
- One FLAG’s Domestic Violence Subcommittee reviewed procedures regarding the issuance of domestic violence injunctions. The subcommittee developed strategies for working with the clerk’s office on taking affidavits until five o’clock p.m.
- A FLAG Domestic Violence Committee worked on issues related to:
 - coordination of services between the clerk, law enforcement, public defender’s office and other agencies;
 - establishing uniform practices for civil injunctions throughout the circuit; and
 - protocols for handling firearms for local injunctions and out of state orders.
- A new FLAG subcommittee was formed to deal with Juvenile Sexual Offender issues.
- A FLAG Juvenile Committee discussed:
 - issues related to determining delinquency commitment programs versus commitment levels by judges;
 - the need for guardians ad litem in delinquency cases;
 - the role of DJJ to question detention orders;
 - dependency court facilitation; and
 - the statewide goal of providing a guardian ad litem for every dependency case.
- A Family Law Committee drafted a standing pre trial order that was approved by the chief judge. This order provides uniform rules and safeguards for the parties in a dissolution action, pending their final hearing.

- A General Family Law Committee of a FLAG developed a flow chart of court processes to identify existing procedures, strengths and weaknesses. The committee is looking at ways to work with the judiciary to make procedures more uniform and consistent among the family court divisions in the circuit.

- Various subcommittees of a FLAG discussed the following issues:
 - the importance of keeping children who are in foster care in the same school district;
 - the difficulty in obtaining sufficient information for the judges on psychiatric evaluations and mental health medications for children;
 - the creation of the county's first domestic violence fatality review board; and
 - the need for funding for supervision of juveniles placed on home detention.

Delinquency Court Practices

- One circuit has juvenile mental health courts; it has proven to be a valuable resource for the many juveniles in the delinquency system with mental health problems.
- A judge initiated an expedited scheduling for juvenile delinquents taken into custody on violation of probation. The cases are scheduled for an adjudicatory hearing within 21 days of the detention hearing.
- A family court manager, a teacher, and students from a local high school worked in conjunction to produce a video related to juvenile crime. The video is used as an aide in presentations to high schools and middle schools about the juvenile court system.
- Delinquency court liaisons were designated to facilitate information exchange and follow-up between the court and DJJ for all delinquency hearings. Office space is provided at the courthouse for convenience and ready access to court hearings
- A circuit received grant funding to employ a mental health facilitator to provide case management services for children with extensive mental health needs in the delinquency system. This person monitors and facilitates treatment, schedules regular reviews with the court, attends dispositions and placement coordination meetings, and provides the court with information that is crucial to appropriate sentencing and follow-up.
- In one circuit, the timeframe from arrest to arraignment has been reduced from 28 to 21 days and excessive case management hearings have been eliminated to provide faster disposition of delinquency cases.

Dependency Court Practices

- A judge in one circuit's juvenile dependency division conducts "Family First Fridays" one day each month. "Family First Fridays" are modeled after National Adoption Day. The judge usually finalizes 15-20 children into permanent adoptive homes on these dates. Permanent families were created for 54 children in one afternoon alone. The judge began to set these special sessions when he learned access to the court was an issue, so he agreed with the CEO of Family Support Services to open his calendar to anyone with an adoption issue during this block of time each month. These sessions are, for the most part, final hearings on petitions for adoption.
- In one circuit, exit interviews with children leaving the foster care system revealed that the number one complaint about foster care is that these children felt that no one ever listen to them. "Open Mike Thursday" is a monthly session where any child over age ten in foster care can come in and address the court, about any topic. There are some restrictions in that the judge cannot discuss a pending case that has yet to be decided, but almost any other topic is allowed.
- A judge in one circuit has taken a very aggressive position in seeing that children in foster care who are eligible and awaiting adoption have their cases concluded as quickly as possible. Beginning in 2005, along with partners at Family Support Services and the agencies under their direction, the judge started conducting adoption status hearings every two weeks to discuss with case workers, guardians ad litem, and prospective parents how the red tape can be cut and move these children into permanent families through adoption.
- In 2005, Foster Care Town Hall Meetings were conducted in one circuit. Foster parents are able to dialogue with a panel of representatives from each of the agencies, and the judge serves as moderator. These meetings are held in different venues and at different times, such as a large private dining room at a cafeteria restaurant on a Saturday morning, or as the monthly program at the local chapter of the Foster Parents Associations. Everyone involved has high expectations for improved communication and creative solutions to challenges faced by foster care families. So far, participants all walk away from these meetings knowing something they

never knew before and with at least some improvement in communications.

- “Kids in court” has been implemented in the dependency section of a circuit. Children are encouraged to attend hearings to review their independent living process. If a scheduling conflict precludes personal appearance by the juvenile, the juvenile can attend the hearing telephonically.
- The Dependency Court Outcome Enhancement Project, although in its infancy, shows potential for significantly decreasing the time to disposition and permanency for children in the dependency system. The comprehensive assessment of the family allows mental health and relationship needs of the parents and children to be specifically addressed in the case plan. Frequent court monitoring of case plan compliance, and use of interventions aimed at engaging families in constructive, supportive relationships are the cornerstones for success of this program. .
- All of the adoption cases in a particular county (the largest in the circuit) are heard by one judge. The hearings are attended by the family division staff attorney who is available to deal with legal issues that arise during the course of the proceeding. That attorney reviews all files when the petitions are filed and is aware of the issues involved in each one. Through careful case management, the time from the filing of a petition for adoption until a hearing is now 30 - 60 days.
- One circuit developed instructional videos to assist families involved in dependency and family cases and made them available at courthouses. Families involved in dependency actions are required to view videos regarding shelter, case planning, and court expectations and requirements.
- To bring attention to the foster-care system and the need for adoptive placement within the community, one county’s participation in National Adoption Day resulted in approximately 26 adoptions performed by the judges in their private circuit court chambers.
- A “Dependency Benchbook” was prepared and distributed to all judges who are not assigned to the dependency court section but are assigned ‘emergency / advisory’ duty.

- A Juvenile Dependency Drug Treatment Division received a federal grant that allowed program capacity to increase.
- Designated “child friendly” waiting areas for children awaiting appearances in dependency court hearings were constructed in two counties in a circuit.

Child Support Court Practices

- In order to avoid the issuance of conflicting or duplicative child support orders, the juvenile division has established a partnership with the SAO, Child Support Enforcement (CSE) Division, to verify that no other outstanding orders exist prior to the court entering an order of support in a Dependency case. Once verification has been received, the juvenile case manager faxes the case information, and a case is formally initiated in the CSE Division, without the litigant having to make a separate trip there for this purpose. Furthermore, the partnership provides for continuing communication in terms of monitoring compliance with child support payments. Cross-training also took place this past year so that the family, domestic violence, and complex litigation Divisions could replicate this process.
- A family court manager worked in conjunction with the local DOR child support office and their legal service provider to develop a series of flow charts which outline the procedures for processing Title IV-D child support cases. The flow charts were assembled in a notebook and were distributed to court staff, the clerk of court, DOR/CSE representatives, the legal service provider for DOR/CSE, the child support hearing officer and local family law attorneys. The workbook clarified many unanswered questions by allowing everyone who processes these cases to have the same information and follow the same procedures. The time spent answering questions is now used to process the cases in a more expedited fashion.
- One county has utilized “The Pay or Appear Program” which has generated monies for children and families from parents reticent to abide by court orders requiring payment of child support. The program is designed to maximize support payments and minimize judicial time. Each week the program has 200 participating parties who have not made their child support payments by Wednesday at 5:00 pm. Those individuals are then required to appear in court on the following Friday at 2:00 pm for a contempt hearing. To date, the program has generated the payment of \$2,109,000 in child support at a cost of \$104,000.
- In addition, ongoing meetings have taken place throughout the year to further coordinate the issuance of child support orders by the complex

litigation division to provide operational conformity with the CSE and central depository. A liaison from the CSE Division has been designated for this purpose.

- The SAO, DOR, DCF, and the clerk's office implemented a procedure to ensure birth certificates were updated upon establishment of paternity.
- Court administration has begun offering a brief explanatory video to the parties involved in the DOR support cases. The video presents an administrative judge of the family division, explaining a brief overview of the process. The video is utilized for child support hearings and may be viewed in English, Spanish or Creole.
- The availability of foreign language interpreter services for litigants at court was expanded beyond juvenile delinquency and dependency cases to include child support and domestic violence cases.

Domestic Violence Court Practices

A circuit updated and printed brochures that provide instructions to the public on how to petition for and enforce an injunction for protection against violence, how to file a case in family court, and community resources available to assist litigants, children and families.

- For greater security, judges hold domestic violence hearings in a highly secure courtroom. The Chief Judge, the Administrative Family Division Judge, and the Sheriff have developed safety procedures for domestic violence cases that include separating petitioners and respondents before and during the hearing, monitoring hallways outside the courtroom, and providing staggered departure times for the parties when an injunction is entered.
- In one circuit, two case managers were assigned to work in the Center for the Prevention of Domestic Violence to assist litigants in filing post judgment actions and identify related cases. The center is unique because, in addition to filing for a protection order, it offers security, advocacy, and case management services.
- A Domestic Violence Judicial Review Process was established to monitor respondents' compliance with the final judgment. The purpose of the process is to monitor, enforce and provide the petitioner the opportunity to be heard if the respondent has failed to comply with the court order. Whenever a final judgment is entered requiring the respondent to attend a batterer's intervention program, obtain a substance abuse evaluation or a mental health evaluation, and/or ordered to pay child support the party must appear before a magistrate/child support hearing officer 30 days and 60 days after the issuance of the order. The 30/60 day judicial review hearings are held every Monday and Thursday. At the review hearing compliance is confirmed by documentation submitted by the party. Respondents who fail to comply may be found in contempt of court. An order of civil contempt and writ of attachment are issued for those who fail to appear.
- Family judges have established a procedure by which domestic violence victims, who are afraid to appear at the return hearing due to extreme intimidation by the respondent, may apply to the court for a "remote"

appearance. A letter is filed with the court stating the desire for a remote court appearance. If the request is granted, the petitioner meets a domestic violence advocate who accompanies the petitioner to a confidential, secure location where they appear by video stream to the courtroom in which the hearing is being held. The respondent sees the petitioner via video; however, the petitioner sees only the judge and hears the respondent and respondent's counsel.

- A circuit launched a domestic violence pilot in one section of the UFC. For the zip codes in the one section, the judge automatically is assigned all regular and repeat domestic violence cases involving children, even if there is no other connecting case. This project was piloted to assess effectiveness in connecting more cases with children to resources and to gauge impact of this change on the typical section caseload.
- Refuge House, a non-profit organization for victims of domestic violence, has an office located in the courthouse next to the clerk of court, Family Law Division where Refuge House staff perform intakes for all injunction cases. This helps to make the process of completion of injunction pleadings, obtaining necessary referrals for services, and filing of the injunction pleadings easier for litigants and reduces the number of locations the litigant has to go to in order to file for an injunction.
- Collaboration among court administration, the clerk of court, and the county domestic violence council resulted in the development of information packets for petitioners and respondents involved in civil domestic violence proceedings.
- Injunctions for Protection Against Domestic Violence were translated into Spanish and Creole so that petitioners fully understand the document they are filing.
- In the past, domestic violence petitions in one circuit were reviewed by any judge who was available at the time the petition was filed. This was inefficient because one judge was presiding over all the return hearings, so that judge also had to read all the petitions. Now, most of the domestic violence petitions are reviewed by the same judge who presides over the hearings. A system has been set up with the ex parte judge so that he can be called on his beeper any time during the work day even if he is on the bench. He will take a break at an appropriate time to deal with the petitions. This has been working very well. It helps staff to know that there

is one judge to go to and it helps with the use of judicial time because the petitions are only reviewed once by a judge.

- Judges, case management staff, the clerk's office, and the Sheriff's Office met in a continued effort to effect service of process as well as uniformity of orders for enforcement purposes in domestic violence cases.
- Domestic violence court practices in two particular counties are highly systematized and include:
 - immediate service of orders to litigants in court;
 - tracking and monitoring batterers' intervention treatment;
 - setting status hearings to review compliance;
 - community outreach on how to file for an injunction; and
 - instructional information for both petitioners and respondents.
- A circuit populated a database system to track batterer's intervention treatment and provide systematic reports to the assigned judges in domestic violence cases. An automated system of progressively more serious responses to noncompliance with court ordered treatment was developed.
- A circuit amended the administrative order related to the time period for petitioning for injunctions and developed a protocol for the transition between business hours and after hours.
- A county courthouse set up a child-friendly room to insure a place for children to stay while a parent completes a petition for an injunction or attends a domestic violence or other family court hearing.
- Computer availability in courtrooms was expanded during domestic violence hearings to allow staff to check local criminal records, compute child support, and print additional orders as needed.
- Domestic Violence University (DVU), an in-house training institute for court staff, designed to provide comprehensive, educational training on the handling of domestic violence related matters, was expanded to serve other court divisions.

Dissolution of Marriage Court Practices

- One circuit initiated Preparation of Temporary Standing Orders in domestic relation cases with and without minors at issue was initiated. The order considers such matters as dissipation of marital assets, treatment of children, parenting class and visitation issues. Upon effective service, an order is prepared by the case manager for the family law judge's signature. Since this procedure was implemented there has been a decline in the number of 'emergency' motions filed by the parties.
- As a result of the statewide family court conference, one circuit has implemented the Special Interrogatory Form used by the 20th Judicial Circuit. This form allows for the waiver of a formal final hearing in dissolution cases. All of the family law attorneys who have used this form and procedure are pleased with the process.
- Domestic relations case management functions were expanded and improved upon to include a review of all cases filed and pending 30 or more days, 60 or more days, 90 or more days and pending over 120 days. Upon review of the court files and taking into consideration appropriate timelines, the cases are identified for referral to mediation, parenting classes, case management conferences, etc.
- A case management docket was created for the family division cases in one county. Prior to the start up of this docket, the presiding family court judges, the family court manager, and family court staff met with members of the local family bar to explain the new case processing system. Individual meetings were held with the clerk to ensure that the new procedures and calendars were understood. Before the first case management docket was scheduled, an inventory was taken of all open cases. Case managers found that many cases were inactive, pleadings were incomplete, and most did not have a pending court date. After the first case management docket was held, one third of all open cases were resolved. By the end of this docket's first year of use, the average time to disposition was reduced by 50%. Reports from the family bar members indicate that the case management system has improved access to court, and the use of special magistrates in family court has increased available hearing time significantly.

- In one circuit, a family case management program was established in one of the family divisions to monitor dissolution of marriage cases from filing to disposition and to measure case progress against established time standards. As a result of initial successes, the program was expanded to include all domestic relations initial pleadings. The principal idea behind the case management project is for the court, not the attorneys or litigants, to control the progress of cases. Some aspects of the project include:
1. Case managers receive a report of new cases filed that is generated through the clerk's office and e-mailed to case managers on a daily basis. This allows the court to obtain early control of the case and maintain control until disposition. Using this report, the case manager identifies all domestic relations cases, except DOR and injunction cases, and prepares Notices to Appear at a case management conference for each case. Case managers also determine if the case is appropriate for the judge or the general magistrate.
 2. Prior to case management conferences, the case manager reviews each case using the clerk's information system and document imaging system to obtain information to better advise the court of the progress of the case as well as time standards status. The case manager also provides the court with a summary of companion case orders such as child support, visitation, custody, and orders regarding contact between the parties to ensure no contradicting orders are issued. This coordination of related issues avoids conflicting results.
 3. Case managers appear at the case management conference with a laptop computer that enables them to provide immediate access to case information as well as the mediator's calendar. The case manager also prepares the case management order during the hearing to ensure everyone leaves the conference either with a final disposition or the next court event scheduled. Establishment of the next meaningful court event prior to parties leaving facilitates the continuous and steady progress of the case.
 4. At the case management conference, possible outcomes assisting in the progression of the case include, issuing a final judgment, scheduling of discovery, setting another case management conference, referring the case to mediation, custody evaluation or the general magistrate and/or scheduling a trial.
 5. Recognizing that most cases are disposed of without trial, each case is given a primary and secondary date for trial. This method is used to avoid wasted time for the court or the litigants. Both the primary and

secondary case must appear on the scheduled date ready to proceed unless they have notified the court of a settlement.

6. Since the commencement of the Family Case Management Program, the pending dissolution of marriage caseload in one division has been reduced from 237 to 121 in six months, a reduction of 49%.

- A new “Standing Order” is distributed in all dissolution cases to advise parties what to expect during their proceeding and to inform them of proper courtroom decorum.
- Due to the Guardian ad Litem Program being overburdened with dependency cases, a judge requested the local county bar to establish a list of volunteer attorneys who would act as guardians ad litem in domestic relations cases. The county bar established a program to provide guardian ad litem services in domestic relations cases to protect the best interest of the children.
- One county has initiated a compliance docket. Parties that fail to comply with standing orders and court directives are required to cure any deficiency by a specific time or appear at a docket hearing and answer for not completing their required action. Failure to appear at the compliance docket may result in the issuance of an Order to Show Cause against the offending party.
- In one circuit, family case management has improved with increased review of post-judgment and pre-judgment pleadings. Post-judgment pleadings are reviewed by case management staff and either scheduled for a mediation conference or referred to a magistrate. Pre-judgment requests, i.e. motions for temporary relief, are referred to the magistrate in lieu of requiring judicial involvement.

Assistance to Self-Represented Parties

- One circuit developed an instruction sheet to assist respondents in pro se cases. This information sheet is attached and served with the pleadings to provide information about requirements, procedures, and court process.
- A circuit reviewed and updated case management procedures for pro se actions with pending dependency cases to provide a mechanism for the judge to appoint an attorney prior to the initial hearing, thereby reducing the number of hearings needed.
- One circuit provides monthly status conferences for pro se litigants to review the case file and ensure that all required pleadings have been filed, signed, and properly notarized. If the file is complete and the parties are ready for the final hearing, they will proceed to the final hearing immediately following the status conference. These conferences help reduce the amount of court time for each case and reduce the number of court appearances for the litigants.
- With the allocation of dedicated paralegal positions, the Family Court Self-Help Program now serves as an integral portal to the Complex Litigation Division. Procedures were developed for the paralegals to screen cases at the time of intake to provide for front-end identification and coordination of related cases, and direct filing of qualifying matters into the Complex Litigation Division. This function is particularly critical in this particular circuit, since over 80% of Domestic Relations cases are filed by pro se litigants, who are mandated to file through the Self-Help Program. Prior to the allocation of this additional staff, due to a lack of resources, staff had to rely upon self-reporting and/or any documents presented by the litigant, as opposed to researching the system to determine if any related cases exist. It is anticipated that there will be an increase in the number of cases transferred into the Complex Litigation Division in the coming year as training continues on some of the more complex searches, and this procedure becomes further institutionalized.
- The 2005 FLAG project "Family Law in a Nutshell" in DVD and CD Rom was produced and distributed free to attorneys and pro se litigants. Also known as "Florida Family Law for the non-lawyer," the video presentations were incorporated into the circuit's website and the clerk's website as well. In addition, the video was distributed to local libraries. Local news media,

both print and electronic, reported on the project. A local television channel hosted an outreach program for the courts and also featured the “Family Law in a Nutshell.” The Nutshell series is intended to educate the non-lawyer about the basic legal principles affecting divorce, custody, child support, and visitation, and tells litigants how to access the court system, find inexpensive legal advice, and conduct themselves in court.

- A circuit developed a pro se packet to allow families to petition the court on custody and visitation matters when their only existing case is a dependency case, and protective services supervision has been terminated by the court.
- One circuit created DVDs containing Pro Se education along with an overview of the family court process – DVD’s will be made available to litigants.

Identifying and Coordinating Related Cases

- A county criminal domestic violence section was created in one circuit. Realizing that there could be pending, case-related injunctions for protective relief in a civil case, and in order to avoid duplication or conflicting court orders, existing case management duties were expanded to provide information to the county court judge about any existing injunctions related to the criminal cases.
- The Court entered an administrative order which provides that if there are dependency and dissolution of marriage or paternity cases pending simultaneously involving the same family, then all children's issues shall be heard by the dependency judge. This order also provides that if there are dependency and delinquency cases pending simultaneously involving the same family, there shall be a consolidated hearing before the dependency judge, if said judge makes the determination it is in the best interest of the minor child to do so.
- Domestic violence case management was established in one circuit. Injunction cases are now screened for crossover cases for family, juvenile, and criminal companion cases. Case managers provide the judges with information on the cases, and coordinate with Victim Services and Legal Aid so parties are aware of outcomes and services available.
- The court has partnered with DCF to provide to the presiding judge a status report at the domestic violence court hearings information on any open cases that involve the children in specific DV cases.
- A database was built to assist the case managers in tracking court compliance and crossover cases. Although this database requires each case to be entered separately, hopefully with the purchase of a new clerk's software tracking system, previously entered data will be automatically extracted from the clerk's database directly into the software system. Case managers research on a monthly basis approximately 5,000 cases using weekly dockets from two judges, a magistrate, and a hearing officer to coordinate companion cases being assigned to the presiding judge and to provide a status report to the judge on all companion cases involving the same family.
- Case managers now monitor crossover cases on a monthly basis via "Crossover Roster" in one circuit.

- A case management unit was established in one circuit by combining the family intake unit and the dependency case management program. As a result each family law and dependency judge has a case manager assigned to their division. In addition a UFC case manager was established.
 - The case manager researches all cases listed on the shelter docket as well as all new cases filed in family law divisions. In addition, any dependency or delinquency case that is identified as having active cases in both divisions is researched further to determine if any other family case is active.
 - The case manager prepares a log that includes any family that has more than one case active in the four unified divisions (family, dependency, domestic violence, and delinquency).
 - The case managers assigned to each division receive a list of their division's cases. That case manager keeps up to date on each of their division cases – communicating with the division judge and the parties as needed.

- In order to better inform attorneys about transferring cases to the complex litigation division in accordance with the circuit's administrative order, a notice was created for publication in the Daily Business Review. The division has experienced an ongoing response by the legal community to this notification, resulting in the identification of additional related cases for transfer and coordination. In addition, the chief judge has written letters to the local bar associations to provide them with information on the notice and how to go about transferring qualifying cases.

- A case manager in one circuit:
 - reviews daily and weekly reports identifying crossover cases and prepares case status memoranda which is distributed to the parties;
 - monitors, tracks, and coordinates case scheduling to ensure that crossover matters are set at the same time or in succession before the presiding judge to whom the crossover cases are assigned;
 - assures that crossover cases are heard within respective time frames;
 - provides community-based referral information to the court and parties and acts as a liaison between the court and the parties; and
 - maintains statistics and prepares case flow reports for crossover cases.

Access to Services

- The “Court Care Center” concept that was being explored in one circuit and has been implemented as the Family Resource Program. This program currently operates behind the scenes, providing information and generating statistical data on referrals. The Resource Program provides:
 - A list of parenting coordinators. The list is revised, then provided to the judges and posted on the court’s website as changes occur.
 - Parenting courses that provide additional assistance to high conflict families have been developed and are now offered in our community. A second course type was designed to assist parents in preparing their parenting plans in domestic relations cases.
 - A parenting plan template that includes shared parenting contact and visitation guidelines has been approved by the circuit. It is available on the court’s website and in the Family Resource Program.
 - The case management unit has developed a pamphlet of community services. This pamphlet is available in the Resource Program and in the courtrooms during the case management conferences.
- A community services registry has been updated and has now been added to a circuit’s website. The public has access to available community partners and resources and the information is broken down by specific county.
- A resource center in one circuit contains brochures from many community service providers, a community-based resource book, and other books of interest. The center is staffed by case managers who are available to meet with parties referred by the court for services. The resource book contains information about the services available from community providers, fee rates, and contact information. Case managers link the parties with appropriate services.

- A circuit printed and disseminated brochures that provide instructions to the public on how to petition for and enforce an injunction for protection, as well as other related community resources that are available.
- One circuit has expanded the education programs for parents essential element to include education for all litigants, support staff, and frontline staff. In addition to a quarterly newsletter for deputy clerks and judicial assistants, several of the courthouses display informational brochures which are furnished by court administration through the Family Court Support Unit. The displays contain brochures created by the Family Court Support Unit, Legal Services, and others that have been purchased primarily from the Association of Family and Conciliation Courts. The topics range from parenting issues, how divorce affects debts/credit, community resources, domestic violence and general family court information.

Continuing Education for Judges and Court Staff

- One circuit hosted a Fundamentals of Caseflow Management workshop using the National Center for State Courts faculty. The workshop took place over a five day period and the course objectives included: providing an understanding of principles of caseload and case flow management; an evaluation of our current case flow and calendaring system; a determination of what data to collect and use in an effective manner; to consider differentiated case management options; to identify recommended best practices for unified family case management; and to develop 3-5 suggestions for judges. The workshop was attended by family and dependency mediation staff, judicial assistants, magistrates, administrative secretaries, and case management staff.
- A comprehensive magistrate benchbook was created containing references to governing Florida law, resource guides, case management flowcharts, standard orders and forms, sample reports and orders, and collaborative partners for coordination and referral.
- One circuit continues to hold a local dependency summit twice a year, to bring all participants of the dependency arena together to exchange ideas and to learn about new programs in the field. In April, 2004 over 70 participants attended the summit, and in January, 2005 (the fall summit had to be rescheduled due to the hurricanes) 90 people were in attendance.
- A circuit hosted the Custody Evaluation and Parent Coordination Conference using the National Conference of Juvenile and Family Court Judges as well as local mental health professionals and attorneys, for faculty. The objective of the conference was to provide a more thorough understanding of evaluation and visitation. The conference was attended by judges, magistrates, child support hearing officers, attorneys, custody evaluators, family and dependency mediation staff, and case managers. Education and training was provided on several subjects such as childhood development, which explores the development of relationships between children and parents and the ways in which parents influence their children's development. Solutions on how to better this situation were also discussed such as what steps can be taken to minimize the adverse effects of separation/divorce on child development and adjustment. A program segment included the effects of domestic violence

on children. Faculty provided information on the developmental impact such abuse can have on children. With the help of this course, participants were taught how to evaluate this impact in the long-term. In addition, participants were taught commonly used methods and tools for assessing children exposed to violence as well as appropriate services and interventions for child victims. The issue of safety and accountability in custody cases where there is domestic violence was also discussed. In this discussion we explored why domestic violence must be relevant in determining custody and also discussed some of the myths that surround domestic violence allegations in custody disputes. The primary focus of the conference was custody evaluations: components and standards. Participants learned the relevant components of child custody evaluations, ethical issues, and training requirements. Other topics included standards for an initial determination vs. modification, determining if there is ever a time when a custody evaluation is not helpful, and who should be doing evaluations. Participants learned how to broaden their understanding of these critical issues. The complexities that surround child custody cases involving allegations of sexual abuse were also discussed. This workshop presented information on the organizational structure of a complex child custody evaluation.

- In one circuit, any time a new judge is assigned to the family law division, the family court manager and the case manager schedule a meeting with the judge and perform a court administration orientation. They provide him/her with information on whom to contact for the various programs available and explain in depth each program available, when it is to be used, and how procedurally to order the program. Each judge receives a forms book, a family law resource directory, as well as phone list of all internal numbers. The family court manager and case manager explain the services and assistance they can provide the judge, and let him or her know they are available. This puts faces to names and introduces the judge to many of the forms and programs available.
- The family court manager, working with a local family law administrative judge, created a family law form book for all family law judges. The form book includes the orders and local forms most used by the family law judges. The form book is a good reference for the family law judges and judicial assistants as well as a learning tool for new judges.
- In one circuit, judges and support staff conducted a “hands on” training session for judges, attorneys and staff providing an insight to the practical application of the Family Court Toolkit.

Alternative Dispute Resolution

- One circuit implemented a family mediation model. The circuit recruited 27 family mediators who were offered annual contracts to provide mediations services for \$300.00 per case. Each case is scheduled for up to three hours. If the mediation is not canceled within 48 hours of the scheduled mediation date/time, the mediator may submit an invoice for a \$50.00 cancellation fee. The model significantly changed how staff processes the mediation cases.
At the entry point to mediation (stipulation, motion, or case management conference), parties are sent instructions that explain the procedures for court provided mediation services and private mediation services.
- One circuit has become actively involved in a peer mediation program for school children ranging from the third to twelfth grade. The executive committee of the program is comprised of personnel from the local university, the county School Board, Court Administration, the Dispute Resolution Center of the Supreme Court of Florida, and other notable professionals. The program conducts an annual gala for Mediation Day; including an open house party the evening before and on Mediation Day; it sponsors an educational conference for peer mediators. It currently serves the county, but expansion is planned to service schools throughout the circuit. Last year over 100 school age children participated.
- A specialized Order of Referral to Mediation was created for use by the Complex Litigation Division, combining the referral orders utilized in both Domestic Relations and Juvenile cases.
- Juvenile Restitution Mediations are scheduled by the State Attorney and Public Defender on dates provided by the Court. The program began with the hope of reducing the judicial time required for these cases. The result has been outstanding with a settlement rate of approximately 77%. There is no cost to the participants for the mediation services. The three juvenile judges each schedule a separate date each month for restitution hearings, and the parties are sent directly to mediation on those hearing days. In the first nine months of the program, 243 cases were referred to mediation.

- Teen court services and resources were expanded late in 2005 as a result of the change to section 938.19, Florida Statutes, and the enactment of a county ordinance allowing for the fees and creating appropriate accounts for teen court funding. Additional staff were hired in late 2005 and early 2006, including a teen court manager, administrative assistant and case manager. The additional staff substantially increases the number of cases which may be diverted to teen court.
- One county acquired new funding through the Juvenile Welfare Board to launch a Truancy Magistrate Program in area middle schools with the aim of bridging the gap between early juvenile diversion programs and regular truancy court proceedings.
- In one circuit, a new computer program was launched which integrated all of the mediation programs into one system. The system replaced a number of older systems that were used for separate programs into a streamlined, efficient system that greatly improved the intake and scheduling system, accounting system, word processing system, statistics, and other processes.
- A change in case management assignment and docketing has had very positive results judging by customer surveys, case manager efficiency, and quality of work in one circuit. The Juvenile Diversion Program (JDP) continues to offer a free shoplifting seminar to any juvenile in one county charged with retail theft, Shock Ed for youths and their parents whether criminally involved or not, and is a resource for parents in general. The program is receiving at least a dozen calls each day requesting resources. A grant to bring a substance abuse specialist into Arbitration was submitted to the National Institute on Drug Abuse (NIDA) and represents collaboration between the Administrative Office of the Courts, the local university, and a substance abuse treatment researcher.
- Peer Court began in one circuit and is a unique combination of mediation and arbitration. A panel of youth volunteers presides over the cases, usually two per week, which are selected from Teen Court referrals by the advisor/mentor who is a 12 year volunteer in JDP. A volunteer recognition event took place for adult and student volunteers in Teen Court. It was attended by the administrative judge of the juvenile division, chief of juvenile for the SAO, new county sheriff, and the president of the local crime watch Assoc. Two scholarships were presented to outstanding fall semester student attorneys, funded by the Young Lawyers Division of The local county bar.

- In one circuit, the “Fast Track” hearing process has been emphasized to allow parties an alternate method for resolving domestic disputes. The use of evening hearings where volunteer attorneys handle domestic issues (support, visitation, medical bills) has reduced the necessity for judicial intervention.

Technology

- With the implementation of several technological advances, one circuit has been able to offer its citizens a higher level of performance within the court system. Video conferencing is available in each courtroom as well as from each county jail facility. For defendants arrested on outstanding orders of attachments for non-payment of child support, they can easily be heard within the required forty-eight hours from one of many courtrooms that offers teleconferencing. Not only is the video conferencing useful for those litigants who are in custody, but it can also be used for remote expert witness testimony. For those children who may be intimidated by the courtroom experience yet must provide testimony, video conferencing is most beneficial.
- In one circuit, significant enhancements have been made in the area of court technology. The expansion of the digital court reporting system has improved resource allocation for producing an official record of family court activity. The family case management database provides data collection and sharing among all interested family case management personnel. Relevant statistical data are available allowing improved case flow, monitoring, and management.
- One circuit installed *Court Smart* digital recording technology in additional courtrooms. This system provides a much higher quality of recording and allows ready access to transcript information for litigants and the courts.
- The Family Court Case Management System (FCCMS) program was recently upgraded to incorporate the UFC Division and to include all family law departments within a particular circuit. The FCCMS program went into production in early 2005 when Citrix was first introduced to the court. Today, all family court services and mediation staff utilize the system. The FCCMS has the ability to: identify and attach related cases; assign numbers to related cases; generate computer template forms (including general magistrate reports,) case management (related case) forms, and statistical reports; and attorney of record information. In addition, the FCCMS provides a tickler system to alert a user when action needs to be taken on a case, orders and reorders cases from the clerk of courts, tracks case information, and allows a user to upload any and all

written communication from family court service to a litigant. Case managers can provide litigants with an accurate status of their case, print any information that was sent to them by their case manager, and give the litigant an up-to-date status and an account of the progress of their case through the case notes on the FCCMS, all without having a hard-copy of the file. The technical liaison continues to maintain the access of employees to restricted components of case management software, including form templates and security clearances. This keeps family court services' cost low, as ITD has not had to continuously make changes to the system as changes in staffing occurs. Extensive FCCMS training was offered by the technical liaison to all court employees, including domestic violence, juvenile dependency, and family court service case managers, judicial assistants, child support hearing officers (CSHO), mediation administrative assistants, county mediators and the Family Court Manager. Follow-up training on standard and customized software, including word processing, spreadsheet, file transfer, file extraction, advanced case management software, and the clerk of court's case tracking computer software will be offered in 2006.

- The Domestic Violence Unit, in conjunction with court technology staff, has created a program called the "DV Daily Schedule". This web-based program has access restricted to DV unit staff and judicial assistants of family law judges. The computer program allows for calendaring daily appointments and inputting case results. Positive effects have been identified throughout the DV case management process. These effects include: improved and increased staff communication, reduced time to calendar appointments, reduced amount of inquiry time required for staff and judicial assistants to check or verify scheduled appointments. The UFC approach is enhanced, as intake specialists are informed of the existence of related cases, counter cases, service issues, and family law matters. Employee safety concerns are addressed, as the program allows for the entry of information regarding the necessity for special safety precautions. Additionally, the program has reduced the response time for answering client inquiries, thus improving delivery of services to the public.
- A technology seminar was conducted with members of the family law bar. The goal was to anticipate the technology needs of attorneys as they relate to family practice. Suggestions from this seminar were presented to the chief judge for consideration as part of the circuit's long range technology plan. In connection with the seminar, the court's information technology staff demonstrated the use of a multi-media presentation cart

for use in the courtroom. The cart is available to enhance the attorney's presentation of evidence, contains an overhead projector, internet connectivity, audio and video playback. The equipment will prove especially helpful in complicated equitable distribution and alimony cases as it will permit real time adjustments of asset values, income, and liability assumptions.

- Digital Court Reporting was installed in all of the courtrooms of a circuit. This technology allows the litigants quicker access to prior days' testimony. Pro se litigants and attorneys can request an audio CD of the proceedings and have a court reporter of their choice provide a written transcript of the proceedings. This new technology has been especially helpful in hearings held with the child support hearing officer and the general magistrate.
- Judicial Information Systems (JIS), the information services office of court administration, is developing databases to assist case managers in maintaining data, tracking and monitoring cases, and preparing reports and statistics. A data warehouse will be used to receive data dumps from the clerk of court databases, from which case management database fields will be populated with information accordingly. This technology will greatly reduce data input and significantly enhance the case manager's ability to review a case without necessarily having to physically open the court file, dependent upon the type of review being conducted by the case manager. In addition, statistics and reports will be more readily available. Upon full implementation of the clerk's and JIS database warehouse(s), all related cases will be immediately identified, properly assigned, and tracked.
- One circuit installed additional computers into courtrooms for checking service, incarceration, and criminal history, as well as computing child support and printing orders.
- A circuit set up a family court video room and a system for referring litigants to view videos on dissolution, modification and enforcement actions. These videos provide information on requirements, procedures, issues to be considered, and other matters to educate unrepresented parties - and help them to move their case to a final hearing.
- Court technology in one circuit installed video conferencing equipment that allows judges and court staff to conduct meetings and share information across counties, conserving judicial time as well as travel expenses.

- In one county, through joint collaboration between the clerk's office and the court, staff is able to access records electronically and see all cases involving named litigants.
- Judges have been provided laptops in the courtrooms so that information may be retrieved and orders completed as appropriate. This circuit also has the electronic court reporting program in place and fully functional.
- A circuit increased the use of speakerphones for appearances by out-of-town parties, as suggested by Rule 2.071.
- One judge created a website for family law litigants in his division. This website provides information regarding parenting classes, contacting the clerk's office, referral assistance for self-represented litigants, visitation schedules, and child support guidelines.
- One circuit created a Resource Center – an intranet service for the judiciary and administrative office. This center provides an electronic means for sharing current research findings and professional articles on children and family issues. It also allows for comments on postings and discussion of issues; there is the potential to provide this service to non-court participants.
- Case managers in a particular county were given access to the clerk's records through *Ocations*, a software program which displays an image of each pleading filed in a case. The use of this system has allowed case managers to make more efficient use of their time as most questions from pro se litigants or family law attorneys can now be answered immediately without having to have the clerk's office pull the file and forward the case to the case manager.

Other Court Practices

- A pilot program for monitored exchange services for custodial and non-custodial parents was implemented in one county. The program was designed to minimize the amount of time a child will spend in the courthouse, as follows: the non-custodial parent arrives 15 minutes before the scheduled exchange. The custodial parent and child arrive at the court-ordered time and the exchange takes place. The non-custodial parent and child leave the courthouse immediately while the custodial parent remains behind for 15 minutes. Families are referred to the program by court order for those cases in which contact causes conflict between the adults but not the child.
- A circuit contracted with three attorneys to act as family law general magistrates to serve when the staff general magistrates are sick, have emergencies and/or are on vacation. Each contracted general magistrate received at least one hour's training in each area on processes and procedures and each contracted general magistrate was required to "shadow" a staff general magistrate for several hours in each area of family law for which he or she would fill in. The contracted general magistrates are trained to hear cases in the areas of dissolution, child support, visitation issues, dependency, and probate.
- The coordination of custody, psychological, and mental health evaluations have been centralized in one unit for more efficient and effective management and timely follow-up of the status of pending evaluations.