

**IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT  
OF THE STATE OF FLORIDA, IN AND FOR CITRUS COUNTY**

**SECOND AMENDED ADMINISTRATIVE ORDER #C2007-22-B**

**RE: STANDING FAMILY LAW PRETRIAL COURT ORDER**

WHEREAS, Rule 2.21 5(b)(3), Rules of Judicial Administration, directs the chief judge ensure the efficient and proper administration of all courts within the circuit;

WHEREAS, Rule 2.215(b)(5), Rules of Judicial Administration, allows the chief judge to designate a judge in any court or court division of circuit or county courts as "administrative judge" of any court or division to assist with the administrative supervision of the court or division;

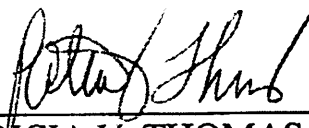
WHEREAS, the Supreme Court of Florida endorsed the implementation of a unified family division consistent with the "Coordinated Management" model in the circuit court of Florida In re: Report of the Family Court Steering Committee, 794 So. 2nd 518 (Fla. 2001);

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

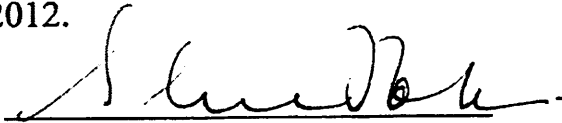
WHEREAS, it is necessary to establish procedures which will effectively resolve disputes involving children and families in a fair and efficient manner;

Now therefore, it is ORDERED and ADJUDGED that the attached **Amended Standing Family Law Pretrial Court Orders**, and the necessary attachments, shall be used in all family law cases in Citrus County.

DONE AND ORDERED in Chambers at Inverness, Citrus County,  
Florida this 9 day of April, 2012.

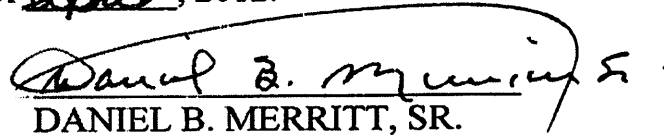
  
\_\_\_\_\_  
PATRICIA V. THOMAS  
ADMINISTRATIVE JUDGE  
CITRUS COUNTY

DONE AND ORDERED in Chambers at Ocala, Marion County, Florida this  
11 day of April, 2012.



S. SUE ROBBINS  
ADMINISTRATIVE FAMILY LAW JUDGE  
FIFTH JUDICIAL CIRCUIT

DONE AND ORDERED in Chambers at Brooksville, Hernando County,  
Florida this 5 day of April, 2012.



DANIEL B. MERRITT, SR.  
CHIEF JUDGE  
FIFTH JUDICIAL CIRCUIT

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT  
OF THE STATE OF FLORIDA, IN AND FOR CITRUS COUNTY

\_\_\_\_\_  
Petitioner,

vs.

Case No.: \_\_\_\_\_

\_\_\_\_\_  
Respondent.

**AMENDED STANDING FAMILY LAW  
PRETRIAL COURT ORDER  
(WITHOUT CHILDREN)**

It is in the best interest of the parties in a family law case to learn about their duties and responsibilities and that the parties preserve their assets and comply with court rules. This Order is entered for the purpose of economically and expeditiously resolving initial dissolutions of marriage, supplemental proceedings for modification and other proceedings. It is therefore, ORDERED as follows:

**1. SERVICE, APPLICATION, AND TERM OF THIS ORDER:**

1.1 This Standing Family Law Pretrial Court Order shall be utilized and complied with immediately upon filing of this action, except in cases where there is a written agreement by the parties to the contrary before or after this order takes effect.

1.2 The Clerk of Court shall docket and provide a copy of this Standing Family Law Pretrial Order to the Petitioner or to the Petitioner's counsel at the time the Petitioner files the original or supplemental petition.

1.3 In addition, the Petitioner shall deliver a copy of this Order to the process server to be served on the Respondent with the original petition or supplemental petition.

1.4 This Order is binding on the Petitioner upon the filing of this action and on the Respondent upon service of this order. The party serving the order shall complete and file in the Court file a Certificate of Service for Standing Family Law Pretrial Court Order (see Attachment "A").

1.5 This Order shall not supersede or modify any existing domestic violence injunction or other order by a court having jurisdiction over the parties.

1.6 This Order shall remain in full force and effect until further order of the Court such as the entry of a final judgment, a dismissal of this cause, or until the entry of a subsequent temporary order, whichever shall occur first. This Order does not preclude a Judge from modifying or amending this Order in individual cases where the Judge deems necessary. Any part of this order not changed by a subsequent order shall remain in effect.

2. DISPOSITION OF ASSETS:

Neither party may conceal, damage, or dispose of any asset, whether marital or non-marital, and neither party may dissipate the value of an asset, for example, by adding a mortgage to real estate or by failing to take care of an asset. Neither party may dispose of any asset other than in the customary conduct of business and personal affairs. The parties may spend their incomes in the ordinary course of the personal and family affairs. Neither party may conceal, hoard, or waste jointly owned funds, whether in the form of cash, bank accounts, or other liquid assets, except funds may be spent for the necessities of life. The use of funds or income after separation must be accounted for and justified as reasonable and necessary for the necessities of the party or to preserve marital assets or pay marital debts. Both parties are accountable for all money or property in their possession during the marriage and after separation. Attorney's fees and costs are necessities and must be accounted for in the calculation of equitable distribution.

3. 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 the petition for dissolution was filed may not be terminated, allowed to lapse, concealed, modified, borrowed against, pledged, or otherwise encumbered by either of the parties or at the direction of either party. All insurance policies of every kind may not be changed, except by written agreement signed by the parties or order of the court. The parties shall continue to pay all premiums on a timely basis unless there is a written consent by both parties or an order of the court.

4. ADDITIONAL DEBT:

Neither party will incur additional debt which would bind the other party nor tie up any assets, except by written consent of the parties or order of this court. The parties are urged to temporarily stop using joint credit cards, except for absolute necessities and only as a last resort. Joint credit cards may be used only for the necessities of life, and any party using a joint credit card after separation must be prepared to justify all charges as reasonable and necessary for necessities.

5. MEDIATION:

5.1 When an answer is filed in a case and the answer contests any issue in the petition, the parties will be required to seek the services of a Florida Supreme Court Certified mediator to mediate the issues of their case.

5.2 Mediation is an informal and non-adversarial process whereby a neutral third party facilitates a resolution to a dispute between two parties. The objective is to obtain a mutually acceptable and voluntary agreement.

5.3 If the parties cannot agree on the selection of a mediator, upon request of the court, the court will select one for them.

5.4 The mediator and parties shall schedule the mediation conference and within fifteen (15) days of selection or appointment by the court, written notice of the date, time and place of the first mediation conference shall be sent to all parties and the court. Absent good cause, the first mediation conference shall be held within sixty (60) days of the selection of the mediator.

5.5 All parties are required to personally attend the mediation conference and shall be completely prepared to mediate in good faith.

5.6 The parties may be assisted by counsel at the mediation conference; however, if a party is not represented by counsel, the presence of counsel at mediation is not required.

5.7 If a party either fails to appear or cancels a duly noticed mediation conference less than forty-eight (48) hours before, without good cause, the court, upon motion, shall impose sanctions including, but not limited to, an award of mediator and/or attorney's fees.

5.8 The mediator's report shall be submitted to the court within (10) days of completion of mediation.

5.9 Upon motion to request of a party, the court shall not refer any case to mediation if it finds there has been a history of domestic violence that would compromise the mediation process.

5.10 Mediation may be waived if a default has been entered.

## 6. MANDATORY DISCLOSURE:

Both parties must file and exchange financial affidavits and comply with mandatory disclosure pursuant to Florida Family Law Rules of Procedure 12.285.

## 7. NOTIFICATION OF RELATED CASES:

Attorneys and parties shall notify the court as soon as it becomes evident to them of the existence of any court proceeding in any jurisdiction that may be relevant to the subject matter before the court. A copy of any relevant orders shall be provided to the court. This obligation shall be continuing in nature throughout the proceeding.

## 8. EMERGENCY MOTIONS:

If either party feels he or she has an "emergency" requiring immediate action, the party or the party's counsel must file a motion for emergency relief, concurrently serve a copy on the other party, and deliver or fax a copy to the court. The court will decide if the matter is an emergency by reviewing the motion. If it is an emergency, expedited hearing time will be given and the moving party shall serve the other party with the Notice of Hearing and the Motion either by facsimile or email, and provide a copy to the court.

## 9. TEMPORARY HEARINGS:

At any temporary hearing in which there is a disputed issue of alimony or attorney's fees, both parties shall comply with Mandatory Financial Disclosure for

temporary relief as required under Florida Family Law Rules of Procedure 12.285(b). Ten (10) days prior to the hearing on a motion for temporary relief, a party seeking relief shall file a "Notice of Specific Relief Requested" and shall include the amount of alimony and attorney's fees requested.

**10. CASE MANAGEMENT CONFERENCES:**

10.1 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. Issues addressed in the Conference shall be pursuant to Florida Family Law Rules of Procedure 12.200.

10.2 A fifteen minute pretrial conference shall be scheduled at least thirty (30) days before a final hearing. Twenty (20) days notice shall be given for a pretrial conference. 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 12.200. The Pretrial Catalogue of each party MUST be filed prior to the conference. Failure of counsel or a party to fully and completely comply with this process may result in the imposition of sanctions including, but not limited to, cancellation of the trial date with costs assessed to the offending party, the striking of pleadings, the entry of default, or dismissal of this action.

**11. SETTING TRIAL:**

11.1 Mediation is required in all cases prior to trial unless the court has waived mediation.

11.2 The pretrial conference and the final hearing cannot be cancelled by either party. Either party can file a Motion for Continuance and a hearing will be held to determine if the request is valid.

**12. WITNESS AND EXHIBIT LISTS:**

12.1 If this case is not resolved by mediation or otherwise, a witness and exhibit list shall be filed no later than four (4) weeks prior to the final hearing.

12.2 The witness list shall identify each witness to be called at trial by name, address and telephone number with a brief synopsis of anticipated testimony. The exhibit list shall sufficiently identify each item of tangible evidence to be introduced at trial. The parties are expected to allow inspection and/or copies of evidence prior to trial.

12.3 Absent a showing of extreme good cause, failure to list a witness or exhibit will in all likelihood preclude testimony of the witness or admission of the evidence at trial.

**13. DISCOVERY:**

All discovery shall be completed fourteen (14) days prior to trial and shall be allowed thereafter only upon agreement of counsel and upon showing of good cause. If one party requests the deposition of a witness listed in the Witness List and the other

party does not cooperate in scheduling the same, the Court shall consider any sanctions, including excluding the witness. The parties shall fully comply with disclosure and discovery provisions of the Florida Family Law Rules of Procedure and the applicable Florida Rules of Civil Procedure, unless waived or modified in writing by the parties pursuant to Florida Family Law Rules of Procedure 12.285(a)(1).

#### 14. COURTROOM CONDUCT AND BEHAVIOR

**All courtroom proceedings shall be conducted with dignity, decorum, courtesy and civility.**

**14.1 Dress Appropriately.** Court business is very important. People who do not dress or groom properly might give the wrong impression. Their dress and appearance may show a lack of interest in the case or a lack of respect for the court. Judges may ban persons not appropriately dressed.

**14.2 Speaking and talking.** A court proceeding is not a free for all where anyone, parties and lawyers alike, can say whatever they want whenever they feel like it. A party who is called as a witness must answer only the questions asked and may not volunteer information or make argument while testifying.

Parties may not talk unless they are directed by the Judge or a lawyer to speak, and then they may speak only to the Judge or a lawyer. A party must never talk directly to the other spouse in court. Judges may remove anyone who hinders the orderly conduct of business from the courtroom, including parties and lawyers.

Interruptions, sarcasm and insults will not be tolerated. Do not start arguments with or threaten anyone.

**14.3 Disruptive behavior.** While it is not unusual that parties may be upset when they come to court, all parties are expected to keep their anger and behavior under control in the courthouse and everywhere else.

It is improper to make any kind of physical gesture or facial expression that shows sarcasm, disbelief or disrespect.

**14.4 Bounds of Advocacy.** All counsel appearing before the court are expected to read and should adhere to the standards of professionalism set forth in the "Bounds of Advocacy" published by the Family Law Section of The Florida Bar, copies of which may be obtained from The Florida Bar.

**14.5 Appearing in Court without a lawyer.** A "Pro Se" litigant, a party without a lawyer, is not entitled to special treatment or privileges and must follow the same rules of procedure and ethical regulations that govern practicing lawyers.

**14.6 The court must treat a pro se party the same way it treats a lawyer.** Pro se litigants, although not expected to be as skilled and knowledgeable as lawyers, are nevertheless subject to all laws, rules and regulations of a lawyer.

Judges and their assistants are forbidden by law from giving any advice or help to unrepresented parties. Judges and their assistants must remain entirely neutral and impartial. Judges and their assistants also may not give unrepresented parties special treatment.

**14.7 What Judges and their assistants cannot do.** Neither the Judge or the Judge's assistant can give a pro se litigant legal advice, practice tips or help in preparing

court papers. Most questions that ask how to do something cannot be answered by the Judge's assistant or the Judge and should not be asked.

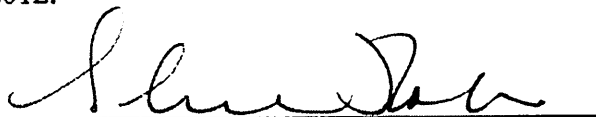
14.8 **Contact with the Judge's office.** A pro se party is authorized to contact the Judge's office by telephone to set hearings on the court's schedule. Personal visits to the office are discouraged because it disrupts the working routine in the office. Judicial Assistants assist Judges. It is not their job to advise or assist the parties with their case.

If any party telephones the Judicial Assistant and persists in talking about unauthorized subjects after being warned, Judicial Assistants are instructed to hang up the telephone. All requests to speak to the Judge on the telephone or have a private conference will be refused. If a party has a matter to be considered, a motion and notice of hearing must be filed in the court file by delivery to the clerk of the court and a copy of the motion and notice of hearing must be sent to the other party or the other party's lawyer, if the other party has a lawyer. Letters should not be written to the Judge. All letters addressed to the Judge are filed in the court file and copies are sent to the parties. The Judge can only consider motions filed in the court file, copies of which have been delivered to all other parties in the action with a notice of hearing, and can receive evidence about a case only at a hearing in the courtroom with all parties notified of the hearing.

15. SANCTIONS:

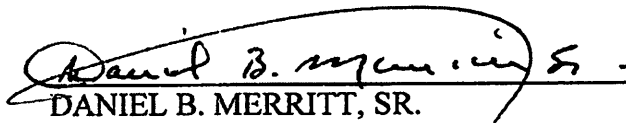
All parties and counsel must strictly comply with this order. Failure of counsel or a party to fully and completely comply with this order may result in the imposition of sanctions including, but not limited to, cancellation of the trial date with costs assessed to the offending party, the striking of pleadings, the entry of default, or dismissal of this action.

**DONE AND ORDERED** in chambers at Ocala, Marion County, Florida on this 11 day of April, 2012.



S. SUE ROBBINS  
ADMINISTRATIVE FAMILY LAW JUDGE  
FIFTH JUDICIAL CIRCUIT

**DONE AND ORDERED** in chambers at Brooksville, Hernando County, Florida on this 3 day of April, 2012.



DANIEL B. MERRITT, SR.  
CHIEF JUDGE  
FIFTH JUDICIAL CIRCUIT