

**Unified Family Court**



**Ariana Fajardo Orshan**  
Administrative Circuit Court Judge  
Unified Family Court Division  
11<sup>th</sup> Judicial Circuit of Florida

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**Unified Family Court**

*History of Initiative*

- ❖ Florida's Family Court initiative began in 1988.
- ❖ In 1991, the Legislature's Commission on Family Courts recommended the creation of family divisions.
- ❖ Between 1991 and 1994, three Florida Supreme Court opinions were issued emphasizing the need for an improved family court system to protect children and resolve family problems.

- ✓ *Family Courts I, 588 So.2d 586 (Fla. 1991);*
- ✓ *Family Courts II, 633 So.2d 14 (Fla. 1994);*
- ✓ *Family Courts III, 646 So.2d 178 (Fla. 1994).*

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**Unified Family Court**

*History...*

- ◆ In May 2001, the Florida Supreme Court issued a fourth and unanimous opinion adopting the recommendations of the Family Court Steering Committee, describing key characteristics of a "model family court", and providing a framework for Florida's version of unified family court. *In re Report of Steering Committee, 794 So.2d 518 (Fla. 2001).*
- ◆ In May 2014, the Florida Supreme Court reiterated its 2001 opinion and mandated the change to be implemented statewide. *In re Amendments to the Florida Rules of Judicial Administration, 132 So.3d 1114 (Fla. 2014).*

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### Unified Family Court

#### Concept behind UFC

- "One Family, One Judge" Model
- Rule 12.003(a)(1) states that "all related family cases must be handled before one judge unless impractical."




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### Unified Family Court

#### Purpose of UFC

- A less adversarial approach to handling family cases that focuses on minimizing harm to the child while balancing due process concerns.
- Collaboration between the judiciary and community resources to provide access to an array of services for families based on need.




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### Unified Family Court

#### UFC Guiding principals

- ❖ Children should live in safe and permanent homes.
- ❖ Needs and best interests of children are primary consideration.
- ❖ All persons treated with objectivity, sensitivity, dignity and respect.




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### Unified Family Court

*UFC Guiding principals ...*

- ❖ Cases with interrelated family issues should be consolidated or coordinated.
- ❖ The court should utilize means to differentiate cases through case management techniques.
- ❖ Empower parties to select ways to address their individual case.

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### Unified Family Court

*Therapeutic  
Jurisprudence*



TJ is a process that attempts to address the family's interrelated legal and nonlegal problems to produce a result that improves the family's functioning, and empowers families through skills development, assists them resolve their own disputes, provides access to appropriate services, and offers a variety of dispute resolution forums where the family can resolve problems without additional emotional trauma.

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### Unified Family Court

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| • Dissolution of Marriage  | • Adoption   |
| • Division and distribution of property arising out of a dissolution of marriage | • Name change  |
| • Annulment  | • Declaratory judgment actions related to premarital, marital, post marital agreements |
| • Support unconnected with dissolution of marriage                               | • Civil Domestic and Repeat Violence Injunctions                                       |
| • Paternity  | • Juvenile Dependency  |
| • Child Support  | • Termination of Parental Rights   |
| • URESA/UIFSA  | • Juvenile delinquency   |
| • Custodial care of an access to children  | • Emancipation of a minor  |
|  | • CINS/FINS  |

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### Unified Family Court

*Does your case qualify for UFC under AO 16-02?*

- Need two or more OPEN pending cases in the Family, Juvenile or Domestic Violence Divisions, for example:
  - Family/DV
  - Dependency/DV
  - Family/Dependency or delinquency
  - Dependency/Delinquency
- If you believe your case qualifies, you need to advise UFC AOC (305) 679-1660 who will verify & transfer case.
- "Once UFC, Always UFC"

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### Unified Family Court

*Professionals in UFC*

- ◆ Mental health and financial professionals are used in UFC
- ◆ Role of GAL:
  - ❖ GAL under F.S. §61 is different from role under F.S. §39
  - ❖ The F.S. §39 GAL
    - ❖ Does not investigate allegations
    - ❖ GALs info is confidential - cannot testify on the family matters
    - ❖ GAL does not question children - trained not to ask specific questions about the abuse, abandonment or neglect
    - ❖ The GALs position fluctuates based on the needs of the child
    - ❖ GAL have a GAL attorney that must be present when GAL is interviewed

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### Unified Family Court




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**THE ELEVENTH JUDICIAL CIRCUIT  
MIAMI-DADE COUNTY, FLORIDA**

**CASE NO. 16-1  
(Court Administration)**

<b>IN RE: REAFFIRMATION OF UNIFIED )</b>	<b>ADMINISTRATIVE ORDER</b>
<b>FAMILY COURT PLAN AND )</b>	<b>NO. 16-02</b>
<b>ESTABLISHMENT OF PROCEDURES )</b>	<b>(Rescinding Administrative Order</b>
<b>FOR UNIFIED FAMILY COURT DIVISION) )</b>	<b>Nos. 02-03, 02-14, 02-14-A1, 02-14-A2,</b>
<b>IN THE ELEVENTH JUDICIAL CIRCUIT )</b>	<b>03-15, and 10-08)</b>
<b>OF FLORIDA )</b>	<b>(Companion to AO No. 16-03)</b>

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**WHEREAS**, the Florida Supreme Court, in *In re Report of the Commission of Family Courts*, 588 So. 2d. 586 (Fla. 1991), directed each judicial circuit to develop a local rule establishing a Family Court, or a means to coordinate family law matters that affect one family if the circuit or part thereof is of such limited size that it is unable to administratively justify such a court; and

**WHEREAS**, the Florida Supreme Court in *In re Report of the Commission on Family Courts*, 633 So. 2d 14 (Fla. 1994) provisionally approved the local rules and administrative orders submitted by the respective circuits giving the opportunity to review and revise the plans in accordance with this opinion in the context of local rule requirements; and

**WHEREAS**, the Florida Supreme Court, in *In re Report of the Commission of Family Courts*, 646 So.2d 178 (Fla. 1994) approved such Administrative Orders and Local Rules submitted by the circuits; and

**WHEREAS**, the Florida Supreme Court, in *In re Report of the Family Court Steering Committee*, 794 So. 2d 518 (Fla. 2001), endorsed the guiding principles and characteristics of the model family court developed by the Family Court Steering Committee and reaffirmed its goal of the creation of a fully integrated, comprehensive approach to handling all cases involving children and families; and

**WHEREAS**, the Florida Supreme Court, in *In re Amendments to the Florida Rules of Judicial Administration and In re Florida Family Law Rules of Procedure*, 132 So. 3d 1114 (Fla. 2014), adopted proposed amendments of the Steering Committee providing for case management of open related family cases through the filing of a Notice of Related Cases, for all related family cases involving the same family and/or children to be handled before one judge ("one family, one judge"), for a more formal manner of coordination of related cases and hearings, and for the access and review of related family files by the judiciary and parties; and

**WHEREAS**, pursuant to Administrative Order No. 01-16, dated October 19, 2001, the Unified Family Court for the Eleventh Judicial Circuit of Florida was established to provide a comprehensive, coordinated approach to addressing family law matters; and

**WHEREAS**, pursuant to Administrative Order 03-15, the Unified Family Court Plan was reaffirmed and the Complex Litigation Section (formerly known as Complex Litigation Division) was established to implement the Unified Family Court in the Eleventh Judicial Circuit of Florida to provide a comprehensive, coordinated approach to addressing family law matters, thereby rescinding Administrative Order 01-16; and

**WHEREAS**, the policies and procedures outlined in Administrative Order 03-15 were meant to be elastic so as to provide the greatest degree of flexibility and allow for fine-tuning to the extent necessary to effectuate efficient and proper procedures for the Eleventh Judicial Circuit Court and thus subject to change at any time; and

**NOW, THEREFORE**, pursuant to the authority vested in me as Chief Judge of the Eleventh Judicial Circuit of Florida under Rule 2.215 of the Florida Rules of Judicial Administration, it is hereby ordered that:

**I. UNIFIED FAMILY COURT DIVISION STRUCTURE AND JURISDICTION**

**A.** The following types of Related Cases are included in the Unified Family Court Division:

1. dissolution of marriage
2. division and distribution of property arising out of a dissolution of marriage
3. annulment
4. support unconnected with dissolution of marriage
5. paternity, including, but not limited to, disestablishment of paternity
6. child support
7. Uniform Reciprocal Enforcement of Support Act/ Uniform Interstate Family Support Act (URESА/UIFSA)
8. custodial care of and access to children, including, but not limited to, relocation and temporary or concurrent custody of minor children by extended family
9. adoption
10. name change
11. declaratory judgment actions related to premarital, marital, or post marital agreements
12. civil domestic, repeat, dating, stalking and sexual violence injunctions
13. juvenile dependency
14. termination of parental rights
15. juvenile delinquency
16. emancipation of a minor

17. Children in Need of Services/ Families in Need of Services (CINS/FINS)
18. truancy
19. modification and enforcement of orders entered in these cases

B. For the purposes of this Administrative Order, the Division traditionally referred to as the Family Division in this Circuit will be referred to as the Domestic Relations Division.

## II. ADMINISTRATION/JUDICIAL ASSIGNMENTS

A. In order to achieve the goals of the model family court endorsed by the Florida Supreme Court in *In re Report of the Family Court Steering Committee*, 794 So. 2d 518 (Fla. 2001), and *In re Amendments to the Florida Rules of Judicial Administration and In re Florida Family Law Rules of Procedure*, 132 So. 2d 1114 (Fla. 2014), the Eleventh Judicial Circuit's Unified Family Court Division will continue to be comprised of Related Cases from the Juvenile, Domestic Violence, and Domestic Relations Divisions of the Court.

B. All Administrative Orders pertaining to the Juvenile, Domestic Violence, and Domestic Relations Divisions will be effective, if applicable, to the cases assigned to the Unified Family Court Division.

C. The Chief Judge of this Circuit or the designated Administrative Judge of the Unified Family Court Division will manage and be responsible for:

1. Ensuring that the Circuit's policy, operating procedures, and administrative orders for implementation of the Unified Family Court Division are followed;
2. Periodically evaluating the progress of the Unified Family Court Division;
3. Coordinating the development of resources that may be required by various courts dealing with family matters, (e.g., guardian ad litem, mediation services, drug referral and treatment, home studies, etc.) and assessing the possible integration of cases regarding involuntary commitments for drug and alcohol, dependency or mental health, and as appropriate, guardianships;
4. Continuing the development and facilitation of communications with court-related entities on policy with respect to family cases, including but not limited to state attorneys, public defenders, the Department of Children and Families, the Department of Revenue,

the Department of Juvenile Justice, community social services entities, Clerk of Courts, and law enforcement agencies; and

5. Developing a means of orienting Judges newly assigned to matters affecting children and families to the family court concept for integrating the Eleventh Judicial Circuit Court's response to cases involving the same family, including directing them to appropriate initial and continuing judicial education offerings and reference materials.
- D. The Chief Judge shall appoint Judges to serve in the Unified Family Court Division located at the Miami-Dade County Children's Courthouse, or another designated location.
  - E. All Judges who are assigned to the Unified Family Court Division for the first time and who have not served a minimum of two years in the Juvenile, Domestic Relations, and Domestic Violence Divisions respectively, must receive mandatory training before assuming the assignment, or preferably within 60 days after assuming the assignment, in accordance with course availability. This training shall consist of the fundamentals of family law, domestic violence, juvenile dependency, juvenile delinquency and child development of both healthy and maltreated children. The training includes, but is not limited to, fundamentals at Phase II of Judicial College, and the 16 hour domestic violence training provided by the Office of the State Courts Administrator, or other state or nationally accredited domestic violence course.
  - F. All judges assigned to the Unified Family Court Division shall be designated as Juvenile, Domestic Relations and Domestic Violence judges for the purposes of hearing all matters addressed in the Unified Family Court Division.

### III. ESSENTIAL ELEMENTS

The following elements are essential or fundamental to the Unified Family Court Division as enumerated in *In re Report of the Family Court Steering Committee*, 794 So. 2d 518 (Fla. 2001):

- A. **Case Management-** Supervising, coordinating, directing, and overseeing the process and progress of a case.
- B. **Self-Help Programs-** Providing intake, screening, and procedural guidance to self-represented litigants in family law cases.



- C. **Domestic Violence-** Ensuring that cases involving domestic violence are identified and managed in a manner that is organized, in compliance with all statutory time frames, and sensitive to the special dynamics involved in these cases.
- D. **Alternative Dispute Resolution (ADR)-** Offering alternatives to reduce the trauma of traditional adversarial litigation process, unless otherwise prohibited by law.
- E. **Guardian ad Litem-** Utilizing guardians ad litem in all family cases involving abused, abandoned or neglected children, and children at risk of harm to the extent such services are available.
- F. **General Magistrates/Hearing Officers-** Using quasi-judicial officers to expedite hearings and expand judicial resources.
- G. **Custody Evaluation-** Providing the court with evaluative information in proceedings involving custody disputes.
- H. **Supervised Visitation-** Promoting the utilization of qualified programs for supervised visitation and/or monitored exchange.
- I. **Education Programs for Parents-** Utilizing education programs for parents involved in family law proceedings.
- J. **Counseling Services/Treatment Programs-** Assuring the availability of crisis intervention and long-term counseling/treatment programs and ensuring that compliance is monitored when such services are court ordered.
- K. **Security-** Providing adequate and sufficient security personnel and equipment to ensure that family divisions are safe environments for judges, non-judicial staff, and the public.
- L. **Technology-** Providing computer hardware, systems, and training to access information essential to case management and coordination, to print forms and notices immediately, and to generate statistical reports, to provide public and interagency access to records, and to allow teleconferencing and appearance of witnesses by electronic means.

#### IV. **OPERATIONAL PROTOCOL, COORDINATION AND TRANSFER OF RELATED CASES**

- A. **Operational Protocol-** The operational protocol for handling Related Cases will be followed as established by the Clerk of Court and

Administrative Office of the Courts (AOC), in conjunction with those protocols established by the Juvenile, Domestic Relations, and Domestic Violence Divisions. However, all protocols of the respective Divisions are subject to revision and modification to effectuate efficient procedures and to ensure that the mandates of the Florida Supreme Court are being followed by this Circuit.

1. **Definition**– A **Related Case** is defined as two or more cases pending in the Juvenile, Domestic Relations, and/or Domestic Violence Divisions which involve any of the same parties, children, or issues. Related Cases involving the same family shall be handled before one judge in order that they shall be coordinated, heard and determined in a manner that will minimize the number of times and places that a family has to appear in court and will minimize the possibility of conflicting determinations of the same or Related Case.
2. **Identification**- Related Cases will be identified by:
  - a. **Notice of Related Cases**– In accordance with Florida Rule of Judicial Administration 2.545(d)(4), a fully completed Notice of Related Cases shall be filed with the initial pleading by the filing attorney or self-represented petitioner in each of the Related Cases that are currently open and pending with the court and served on all other parties in each of the Related Cases. Parties may file joint notices. To the extent that any issues of confidentiality apply, all legal requirements shall be observed, including any requirements as set forth in Florida Rule of Judicial Administration 2.420. Parties shall file supplemental notices as Related Cases become known or reasonably ascertainable.
  - b. The AOC Unified Family Court Division, in conjunction with the Clerk of Court, shall be responsible for identifying Related Cases upon the filing of a new case or one reopened post-judgment when provided with notice or court order. Upon identification, the Clerk's Office shall enter Related Cases into the Related Case and Case Cross Reference fields in Odyssey, and link all Related Cases together in the system.
  - c. Judges and court staff, including, but not limited to, the Family Court Self Help Program.
  - d. System and agency partners.

3. **Notification-** The AOC Unified Family Court Division shall be notified of these Related Cases by any of the methods indicated above in IV.A.2.a-d and will take the appropriate actions as delineated in Section IV.B. of this Administrative Order.
4. **Reassignment/Transfer Timeframes-** Until such time as a Related Case is officially transferred by the Clerk of Court to the Unified Family Court Division, the designated division judge shall continue to hear all matters in that case to ensure compliance with all state and federal statutes, rules, and regulations.
5. **Reassignment/Transfer Order-** A Reassignment/Transfer Order shall be issued only by the Unified Family Court Administrative Judge in instances where Related Cases have not been blind filed into the Unified Family Court Division or assigned pursuant to a Standing Order of Reassignment/Transfer.
6. **Reassignment/Transfer Errors-** If the transfer of a case is conducted in error, upon clarification of no open Related Cases, the case shall be reassigned/transferred to the appropriate division. If a reassignment/transfer order was entered in error, the order shall be vacated and the case shall be reassigned/assigned to the appropriate division.
7. **Resources-** In order to avoid duplication and maximize the efficient use of resources, all reports, evaluations, memoranda and orders pertaining to Related Cases shall be made accessible to the Unified Family Court Judge assigned to such cases, and to all counsel and the parties for purposes of hearings, dispositions and resolution of the matters before the Unified Family Court. To the extent that any issues of confidentiality may apply, all legal requirements shall be observed.
8. **Closed Cases/Post-Judgment Matters-** When all Unified Family Court issues have been resolved, the matter will be closed and remain in the Unified Family Court Division. Any Related Cases that are reopened which are part of the Unified Family Court matter will remain in the Unified Family Court Division through case disposition and for all post-judgment activity.
9. **Subsequent Related Case Filings-** Any subsequent Related Case filings involving the same parties, children, or issues shall be assigned by the Clerk of Court to the same Unified Family Court section, to be handled through case disposition, including when any Related Cases open post-judgment.

**B. Related Case Type Categories – Generally, the operational protocol will be as follows:**

- 1. Domestic Relations /Juvenile Cases** The following types of cases shall be specifically assigned as follows:
  - a. Dependency/TPR case filed where there is an open Domestic Relations case or a Domestic Relations case filed where there is an open Dependency/TPR case.** All Related Cases will be filed in or transferred to the Unified Family Court Division before an assigned Unified Family Court Judge.
  - b. Dependency/TPR case filed where there is a closed Domestic Relations case.** The AOC Unified Family Court Division will facilitate providing the Related Domestic Relations Case information to the Juvenile Dependency Judge, as needed. The Juvenile Dependency Judge shall confer with the Domestic Relations Judge, as applicable.
  - c. Domestic Relations case filed where there is a closed Dependency/TPR case.** The AOC Unified Family Court Division will facilitate providing the Related Dependency/TPR Case information to the Domestic Relations Judge, as needed. The Domestic Relations Judge shall confer with the Juvenile Dependency Judge, as applicable.
  - d. Juvenile Delinquency case filed where there is an open Domestic Relations case or a Domestic Relations case is filed where there is an open Juvenile Delinquency case.** All Related Cases will be filed in or transferred to the Unified Family Court Division before an assigned Unified Family Court Judge.
  - e. Juvenile Delinquency case filed where there is a closed Domestic Relations case.** The AOC Unified Family Court Division will facilitate providing the Related Domestic Relations Case information to the Juvenile Delinquency Judge, as needed. The Juvenile Delinquency Judge shall confer with the Domestic Relations Judge, as applicable.
  - f. Domestic Relations case filed where there is a closed Juvenile Delinquency case.** The AOC Unified Family Court Division will facilitate providing the Related Delinquency Case information to the Domestic Relations Judge, as needed. The

Domestic Relations Judge shall confer with the Juvenile Delinquency Judge, as applicable.

- g. Open Dependency/TPR case where there is a related, open Adoption case filed in the Juvenile Division.** The Adoption case shall be set for hearing before the assigned Juvenile Dependency Judge, to be handled together with the Related Dependency/TPR Case through case disposition and for all post-judgment matters.

**2. Related Domestic Relations/Domestic Violence Injunction Cases-** The following types of cases shall be specifically assigned as follows:

- a. Petition for Injunction filed where there is an open Domestic Relations case (pre or post-judgment) or Domestic Relations case filed where there is an open Injunction for Protection case.** The Injunction for Protection case shall be filed in or transferred to the Unified Family Court Division and set for final hearing before an assigned Unified Family Court Judge. The Domestic Relations case shall be transferred to the Unified Family Court Judge, to be handled together with the Related Injunction Case through case disposition and for all post-judgment matters, including when the Domestic Relations case is open post-judgment.
- b. Petition for Injunction filed where there is a closed Domestic Relations case.** The case shall be set for final hearing in the Domestic Violence Division.
- c. Domestic Relations case filed subsequent to entry of Temporary Injunction but prior to entry of Permanent Injunction.** The Domestic Relations case shall be filed in or transferred to the Unified Family Court Division. The Injunction case shall be transferred to and set for final hearing before the Unified Family Court Judge in accordance with reasonable time constraints, to be handled together through case disposition and for all post-judgment matters, including when the Domestic Relations case is open post-judgment.
- d. Motions for Modification/Extension/Vacating of Permanent Injunction filed where there is an open Domestic Relations case (pre or post-judgment).** The Injunction case shall be set for hearing before the assigned

Domestic Relations Judge, to be handled together with the Related Domestic Relations Case through case disposition and for all post-judgment matters.

- e. **Open Domestic Relations case where there is a related, closed Injunction for Protection case.** The Related Injunction Case may be transferred to the assigned Domestic Relations Judge for purposes of modifying the injunction provisions to comport with orders entered in the Domestic Relations case which involve the same parties, children, or issues.

- 3. **Related Juvenile Dependency/Delinquency Cases** - In order to create administrative coordination between the delinquency and dependency courts, where a juvenile has case(s) in both jurisdictions of the Juvenile Court Division, and to ensure that multiple determinations concerning a juvenile are complementary to, and do not conflict with one another, consistent with the one family, one judge model, these case types will be assigned and handled as follows:

**Juvenile Dependency/TPR case filed where there is an open Juvenile Delinquency case or a Juvenile Delinquency case is filed where there is an open Juvenile Dependency/TPR case.** Both Related Cases shall be filed in or transferred to the Unified Family Court Division on a case-by-case basis, to be heard before an assigned Unified Family Court Judge, and handled together through case disposition and for all post-judgment matters.

- 4. **Related Domestic Violence Injunction / Juvenile Dependency/TPR Cases** - This section shall apply to those cases wherein a matter is pending only in the Domestic Violence and Juvenile Dependency Division. This section does not apply to those cases wherein a case is also pending in the Domestic Relations Division. The following types of cases shall be specifically assigned as follows:

- a. **Petition for Injunction for Protection filed where there is an open Juvenile Dependency/TPR/Chapter 39 Injunction case or Juvenile Dependency/TPR/Chapter 39 Injunction case filed where there is an open Injunction for Protection case.** The Injunction for Protection case shall be filed in or transferred to the Unified Family Court Division and set for final hearing before an assigned Unified Family Court Judge in accordance with

reasonable time constraints. The Dependency/TPR/Chapter 39 Injunction case shall be transferred to that Unified Family Court Judge, to be handled together with the Related Injunction for Protection Case through case disposition and for all post-judgment matters, including when the Dependency/TPR/Chapter 39 Injunction case reopens post-judgment.

- b. Petition for Injunction for Protection filed, except a Chapter 39 Injunction, where there is a closed Juvenile Dependency/TPR case. The case shall be set for final hearing in the Domestic Violence Division.**
- c. Juvenile Dependency case filed subsequent to entry of Temporary Injunction but prior to entry of Permanent Injunction. The Juvenile Dependency case shall be filed in or transferred to the Unified Family Court Division. The Injunction case shall be transferred to and set for final hearing before the Unified Family Court Judge in accordance with reasonable time constraints, to be handled together through case disposition and for all post-judgment matters, including when the Domestic Relations case is open post-judgment.**
- d. Motions for Modification / Extension / Vacating of Permanent Injunction filed where there is an open Juvenile Dependency/TPR case. The Injunction case shall be set for hearing before the assigned Juvenile Dependency Judge, to be handled together with the Related Dependency/TPR Case through case disposition and for all post-judgment matters.**
- e. Open Dependency / TPR case where there is a related, closed Injunction for Protection case. The Related Injunction Case may be transferred to the assigned Juvenile Dependency Judge for purposes of modifying the injunction provisions to comport with orders entered in the Dependency/TPR case which involve the same parties and children.**

**V. INTERDIVISIONAL COOPERATION**

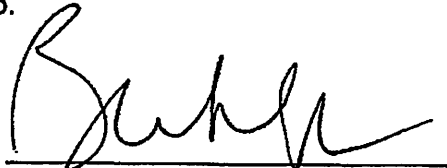
All divisions in the Eleventh Judicial Circuit shall work cooperatively together to ensure that multiple judicial determination concerning a single family do not conflict with one another.

**VI. PERIODIC EVALUATION OF UNIFIED FAMILY COURT**

The Unified Family Court Division shall be evaluated by the Chief Judge, or his/her designee(s), to determine its effectiveness in implementing this Circuit's goal of addressing family law matters in a comprehensive, coordinated manner. Such evaluation may consist of, but not be limited to: (i) a review and analysis of statistical data provided by the AOC Unified Family Court Division Director, in conjunction with Court Information Technology Services (CITeS) detailing the amount and types of Related Cases handled during the quarter and (ii) anecdotal documentation of Related Cases provided by participants in the cases (i.e., judiciary, attorneys, litigants, etc.).

This Order, along with Companion Administrative Order No. 16-03 shall take effect upon execution and shall remain in effect until further order of this Court. Administrative Order Nos. 02-03, 02-14, 02-14-A1, 02-14-A2, 03-15, and 10-08, and any amendments thereto, are hereby rescinded and held for naught. The Clerk of the Court is hereby directed to file a copy of this Administrative Order in Case No. 16-1 (Court Administration).

**DONE and ORDERED** in Chambers at Miami-Dade County, Florida, this 7  
day of February, 2016.



**BERTILA SOTO, CHIEF JUDGE  
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA**



**ELEVENTH JUDICIAL CIRCUIT OF FLORIDA  
UNIFIED FAMILY COURT DIVISION  
Administrative Order #16-02  
SUMMARY GUIDE**

**WHAT IS UFC?**

The Eleventh Judicial Circuit's Unified Family Court (UFC) Division has jurisdiction to handle related family law matters (Family, Juvenile Dependency and Delinquency, and Domestic Violence (DV) Injunction cases) in multiple parts of the court system ("crossover" cases). In accordance with mandates issued by the Florida Supreme Court in May 2001 and January 2014, the Unified Family Court was established as a mechanism to provide a comprehensive, coordinated approach to handling complex related case matters, pursuant to the *One Family, One Judge Model*, with the overall purpose of promoting judicial economy, ensuring consistent rulings, and eliminating duplication of resources.

**DEFINITION OF A RELATED CASE:**

**Two or more OPEN cases pending in the Family, Juvenile, and/or Domestic Violence (DV) Divisions, which involve any of the same parties, children, or issues.**

**NOTICE OF RELATED CASES:**

In accordance with Florida Rule of Judicial Administration 2.545(d)(4), a fully completed Notice of Related Cases shall be filed with the initial pleading in each of the related cases that are currently open and pending with the court, and served on all parties. Parties may file joint notices. To the extent that any issues of confidentiality apply, all legal requirements shall be observed, including those set forth in Florida Rule of Judicial Administration 2.420. Parties shall file supplemental notices as related cases become known or reasonably ascertainable.

**REASSIGNMENT/TRANSFER TIMEFRAMES:**

Until such time as a related case is officially transferred by the Clerk of Court to the UFC Division, the designated (Family, Juvenile, and/or DV) division judge shall continue to hear all matters in that case to ensure compliance with all state and federal statutes and rules.

**SUBSEQUENT (NEW) RELATED CASE FILINGS:**

Any subsequent (new) related case filings involving the same parties, children, or issues, shall be assigned by the Clerk of Court to the same UFC Judge, to be handled through case disposition, including when any related cases open post-judgment.

**CLOSED CASES/POST-JUDGMENT MATTERS ("*Once UFC, Always UFC*"):**

When all UFC issues have been resolved in each related case, the matter will be closed and remain in the UFC Division. Any related cases that are reopened, which are part of the UFC matter, will remain in the UFC Division through case disposition and for all post-judgment activity.

## UFC RELATED CASE TYPE CATEGORIES

Upon identification, the following two or more **OPEN** related cases will be filed in or transferred to the UFC Division before an assigned UFC Judge, to be handled together through case disposition and for all post-judgment matters:

1. **FAMILY & JUVENILE DEPENDENCY**

(Matter may also include other related cases, such as: Termination of Parental Rights (TPR), DV Injunction(s), and/or Juvenile Delinquency)

[Traditionally known as "Core UFC Matters", pursuant to previous UFC AO #03-15]

**Exception:** Related Juvenile Dependency/Juvenile Adoption matters will be handled together before the assigned Juvenile Dependency Judge.

2. **DV INJUNCTION & FAMILY (pre or post-judgment) [\*NEW]**

**NOTE:** Motions for Modification/Extension/Vacating of Permanent Injunction filed where there is an open Family case (pre or post-judgment). The DV Injunction case will be set for hearing before the assigned Family Judge, to be handled together with the related Family case through case disposition and for all post-judgment matters.

3. **DV INJUNCTION & JUVENILE DEPENDENCY [\*NEW]**

(Matter may also include other related cases, such as: TPR and/or Chapter 39 Injunction)

**NOTE:** Motions for Modification/Extension/Vacating of Permanent Injunction filed where there is an open Juvenile Dependency/±TPR case. The DV Injunction case will be set for hearing before the assigned Juvenile Dependency Judge, to be handled together with the related Dependency/±TPR case through case disposition and for all post-judgment matters.

**NOTE:** Only DV Injunction cases filed on or after February 17, 2016, the date of issuance of the new UFC AO, qualify for transfer to the UFC Division in accordance with its criteria. Any *existing* matters where the related DV Injunction case was filed prior to this date will proceed as set before the assigned judge, *regardless of when the companion related case was filed.*

4. **JUVENILE DEPENDENCY & DELINQUENCY [\*NEW]**

Both related cases shall be filed in or transferred to the UFC Division on a case-by-case basis, to be heard before an assigned UFC Judge, and handled together through case disposition and for all post-judgment matters. Matter may also include a related TPR and/or Chapter 39 Injunction case(s).

5. **FAMILY & JUVENILE DELINQUENCY [\*NEW]**

**NOTE:** Only arrests that occurred on or after January 19, 2016, where charges have been filed by the SAO qualify for transfer to UFC in accordance with the criteria set forth in the AO. Any *existing* matters prior to this date will proceed as set before the assigned judge, as well as cases pending Direct File.

## **UNIFIED FAMILY COURT (UFC) DIVISION FREQUENTLY ASKED QUESTIONS**

### **How can someone refer a case for possible transfer to the Unified Family Court?**

Administrative Order (AO) #16-02 establishes procedures for the UFC Division within the Eleventh Judicial Circuit. A potential UFC case may be referred to the Administrative Office of the Courts' (AOC) UFC Division staff using the **Eleventh Judicial Circuit of Florida Related Case Information Sheet**, or by telephone, fax, or e-mail. The UFC Division staff researches the related cases in the circuit-wide case information systems, and also determines if any additional Family, Juvenile Dependency, Juvenile Delinquency, and/or Domestic Violence Injunction cases exist. If a matter qualifies for transfer to UFC pursuant to the UFC AO, an Order of Reassignment will be prepared for signature by the UFC Administrative Judge, and the parties will be noticed to appear for hearing before the assigned UFC Judge. All orders will remain in effect until such time as this hearing.

**Note: A formal motion does not need to be filed before the presiding judge in a related case to transfer a case to UFC.** The Related Case Information Sheet should be sent to the UFC Division staff in order that the matter be researched and a determination be made as to whether the matter qualifies for transfer pursuant to the criteria set forth in the UFC AO.

Additionally, in accordance with Florida Rule of Judicial Administration 2.545(d)(4), a **Notice of Related Cases** must be filed and served on the parties with the initial pleading, in each of the related cases that are currently open and pending with the court.

### **What types of matters qualify for transfer into Unified Family Court?**

A matter may qualify for transfer to the UFC Division when two or more open related cases which involve any of the same parties, children, or issues, are filed and/or pending in the Family, Juvenile and/or Domestic Violence Divisions.

### **What types of cases fall under the jurisdiction of the UFC?**

The jurisdiction of the UFC is extensive. It includes the following types of Family, Juvenile Dependency and Delinquency, and Domestic Violence Injunction cases:

- ▼ Dissolution of Marriage
- ▼ Division and distribution of property arising out of a Dissolution of Marriage
- ▼ Annulment
- ▼ Support unconnected with Dissolution of Marriage
- ▼ Paternity
- ▼ Child Support
- ▼ URESA/UIFSA
- ▼ Custodial care of and access to children
- ▼ Adoption
- ▼ Name change
- ▼ Declaratory judgment actions related to premarital, marital, postmarital agreements
- ▼ Civil Domestic and Repeat Violence Injunctions
- ▼ Juvenile Dependency
- ▼ Termination of Parental Rights
- ▼ Juvenile Delinquency
- ▼ Emancipation of a Minor
- ▼ CINS/FINS
- ▼ Truancy
- ▼ Modification and enforcement of orders

**Note:** In accordance with the Florida Supreme Court mandate, Criminal cases are not included within the jurisdiction of the UFC Division. However, UFC Judges will be informed of all related, pending Criminal cases for case coordination purposes, and to ensure the consistency of court orders involving contact and access.

**What case number(s) should I include on my pleadings?**

If you are the attorney of record, list the assigned case number(s) of all cases in which you represent your client. The court may issue orders in your case that list other related case numbers which comprise the UFC matter, if applicable. Case numbers are not consolidated in UFC matters. Each case travels under its individual case number. However, cases are linked together in the system upon the issuance of an Order of Reassignment to UFC identifying related cases involving a family that comprise a UFC matter.

**How do I place a case on Motion Calendar, and/or set a hearing before a UFC Judge?**

Contact the UFC Judge's Judicial Assistant to set a hearing or have a case set on the assigned UFC Judge's motion calendar. All UFC Judges have a weekly motion calendar scheduled. All motions and hearings set must be properly noticed to all parties.

**How does Mediation work in UFC cases?**

The court may order the parties to Mediation in UFC cases on multiple issues simultaneously involving two or more related cases, or on individual case issues, depending on the circumstances of the UFC matter. The court has designated Mediators who are cross-trained and certified to conduct mediation on various related case types simultaneously.

**Does the Administrative Order provide for coordination of cases that are not transferred into UFC?**

Yes. The Administrative Order provides for coordination of matters where there is an open case pending with a related closed case in multiple jurisdictions of the court. UFC Judges review orders entered in closed related cases as well to avoid the entry of conflicting orders and the duplication of resources and services. Additionally, judges may share case information between divisions for this purpose.

**UFC DIVISION PHONE NUMBERS**

**Miami-Dade Children's Courthouse, 155 N.W. 3<sup>rd</sup> Street, Miami 33128**

<b>Administrative Office of the Courts, UFC Division Operations</b>			<b>(305) 679-1660</b>
<b>Honorable Ariana Fajardo Orshan, Administrative Judge</b>	<b>UF 201</b>	<b>Krystle Reyna</b>	<b>(305) 679-1778</b>
<b>Honorable Marcia Caballero</b>	<b>UF 202</b>	<b>Martha Miguelez</b>	<b>(305) 679-1750</b>
<b>Honorable Rosa Figarola</b>	<b>UF 203</b>	<b>Herlinda Viera-Sanchez</b>	<b>(305) 679-1752</b>

**Chapter 39 Quick Reference Guide for Family Law Attorney's  
Practicing in the UFC Division Handling Dependency Petitions**

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**Removal / Shelter / Detention Hearing**

(Within 24 hrs of removal of children)

This is a probable cause hearing



**Arraignment / Sounding Hearing**

(Within 28 days of shelter or private petition being filed)

(Parents are informed of formal charges filed against them)



If admit / plea to charges

If deny charges

**Disposition Hearing**

(within 15 days of plea to determine where kids will be placed while parents receive services)



**Adjudication Hearing / Trial /  
Trial Commencement**

(30 days from arraignment)



**Disposition Hearing**  
(within 15 days of adjudicatory order)



**Case Plan Hearing**

(within 30 days of plea or adjudicatory order)



**Judicial Review Hearing**

(Mandatory every 6 months)



**Permanency Hearing**

(Goal is for kids to be back with parent within 12 months)



**Termination of Supervision Hearing**

Note: Mediation is available.