

## FLORIDA FAMILY COURT TRIAL NOTEBOOK/JUDICIAL BENCHCARD

### One Family, One Judge

TOPIC	FAMILY (includes Paternity Chapter 742)	DOMESTIC VIOLENCE	DELINQUENCY	DEPENDENCY	NOTES
<b>DEFINITION OF "RELATED FAMILY CASES"</b>	<p>Rule 2.545(d) <b>Fla. R. Jud. Admin.</b></p> <p>Rule 12.004 <b>Fla. Fam. R.P.</b></p>	<p>Rule 2.545(d) <b>Fla. R. Jud. Admin.</b></p> <p>Rule 12.004 <b>Fla. Fam. R.P.</b></p>	<p>Rule 2.545(d) <b>Fla. R. Jud. Admin.</b></p> <p>Rule 12.004 <b>Fla. Fam. R.P.</b></p>	<p>Rule 2.545(d) <b>Fla. R. Jud. Admin.</b></p> <p>Rule 12.004 <b>Fla. Fam. R.P.</b></p>	<p>(2) "<b>Family cases</b>" include dissolution of marriage, annulment, support unconnected with dissolution of marriage, paternity, child support, UIFSA, custodial care of and access to children, proceedings for temporary or concurrent custody of minor children by extended family, adoption, name change, declaratory judgment actions related to premarital, marital, or post-marital agreements, civil domestic, repeat violence, dating violence, stalking, and sexual violence injunctions, juvenile dependency, termination of parental rights, juvenile delinquency, emancipation of a minor, CINS/FINS, truancy, and modification and enforcement of orders entered in these cases.</p>
<b>RELATED CASES/ FILING COPIES OF ORDERS FROM OTHER CASES</b>	<p>Rule 12.006 <b>Fla. Fam. R.P.</b></p>			<p>Rule 8.260 <b>Fla. R. Juv. P.</b></p>	<p><u>Note:</u> <b>Rule 8.260 Fla. R. Juv. P.</b> requires Orders entered in a Dependency action to be filed in any Dissolution or "other custody action" or proceeding involving the same child.</p>
<b>CHILDREN'S NAMES VS. INITIALS See Rule 2.425(a)(1) Fla. R. Jud. Admin.</b>	<p>Rule 2.425(b)(5) <b>Fla. R. Jud. Admin.</b></p> <p>Exception to use of initials of child's name involving any order relating to parental responsibility, time-sharing, or child support</p>	<p>Rule 2.425(b)(5) <b>Fla. R. Jud. Admin.</b></p> <p>See exception to use of initials</p>	Initials	<p>Rule 8.505(C) <b>Fla. R. Juv. P.</b></p> <p>TPR: Constructive Service Notice of Action to identify child by initials only</p>	<p>Minor children's names and dates of birth are needed for purposes of child support and are essential identifiers for UFC cases.</p>

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<b>CONFIDENTIALITY OF RELATED CASES</b>	Rules 12.271, 12.004, & 12.271 <b>Fla. Fam. R.P.</b>	Rules 12.271, 12.004, & 12.271 <b>Fla. Fam. R.P.</b>	Rules 12.271, 12.004, & 12.271 <b>Fla. Fam. R.P.</b>	Rules 12.271, 12.004, & 12.271 <b>Fla. Fam. R.P.</b>  Rule 8.245 <b>Fla. R. Juv. P.</b>	<u>Note:</u> Termination of Parental Rights and Adoptions are closed proceedings.
<b>CONFIDENTIALITY OF RECORDS AND PROCEEDINGS</b>	Rule 12.400 <b>Fla. Fam. R.P.</b>	Rule 2.420 <b>Fla. R. Jud. Admin.</b>	Rule 2.420 <b>Fla. R. Jud. Admin.</b>	Rule 2.420 <b>Fla. R. Jud. Admin.</b>	Check local circuit Administrative Orders.
<b>PRECEDENCE OF ORDERS:  CHAPTER 61 ACTIONS &amp; CHAPTER 741 DOMESTIC VIOLENCE ACTIONS</b>	<b>§61.125(3)</b> Parent Coordination No referral of DV cases to Parent Coordinator without consent of both parties  <b>§61.125(3)(m)- (n)</b> Consideration of DV (or false reporting) in establishing or modifying responsibility and parenting plan	<b>§741.30(1)(C)</b> Inconsistent provisions of subsequently filed Chapter 61 Orders take precedence over DV Orders (i.e., parenting plans)	N/A	N/A	
<b>DISCOVERY</b>	Rule 12.280- 12.351 <b>Fla. Fam. R.P.</b>	Rules 12.290, 12.340, 12.350, & 12.360 <b>Fla. Fam. R.P.</b> (Same as family except for Mandatory Disclosure)	Rule 8.060 <b>Fla. R. Juv. P.</b>	Rule 8.245 <b>Fla. R. Juv. P.</b>	

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<b>DOMESTIC VIOLENCE &amp; JUVENILE DELINQUENCY</b>			<a href="#">§985.255(2)</a>		Detention criteria for juvenile charged with DV.
<b>PRECEDENCE OF ORDERS:  CHAPTER 39 DEPENDENCY OVER CHAPTER 61 DISSOLUTION OF MARRIAGE</b>				<a href="#">§39.013(4)</a> & <a href="#">§39.521(3)(b) 1</a> Rule 8.260(d) <a href="#">Fla. R. Juv. P.</a>	<a href="#">§39.013(4)</a> Rule 8.260 <a href="#">Fla R. Juv. P.</a> Requires Orders in Dependency TO BE FILED in any dissolution or “other custody action” or proceeding involving the same child. <u>Note:</u> Dependency Order takes precedence over family/civil orders, unless court has terminated jurisdiction in Dependency matter.
<b>DOMESTIC VIOLENCE &amp; JUVENILE DEPENDENCY</b>				See Forms 8.962 & 8.963 <a href="#">Fla. R. Juv. P.</a>	<u>Note:</u> <a href="#">§39.901-908</a> refer to Domestic Violence but are not specific to Dependency.
<b>DOMESTIC VIOLENCE &amp; CONFIDENTIALITY OF ADDRESSES</b>	Rule 12.007 <a href="#">Fla. Fam. R.P.</a> Form 12.980(h) <a href="#">Fla. Fam. R.P.</a>	<a href="#">§741.401-741.465</a> 12.610(B) <a href="#">Fla. Fam. R.P.</a> Rule 2.420 <a href="#">Fla. R. Jud. Admin.</a>			
<b>EVALUATION OF CHILD</b>	Rule 12.363 (b)(1) <a href="#">Fla. Fam. R.P.</a>		<a href="#">§985.18-985.185</a>	Rule 8.250 <a href="#">Fla. R. Juv. P. 39.304 39.307</a>	
<b>FAMILY LAW COVER SHEET</b>	Rule 12.928 <a href="#">Fla. Fam. R.P.</a>		Rule 8.003 <a href="#">Fla. R. Juv. P.</a>	Rule 8.003 <a href="#">Fla. R. Juv. P.</a>	Cover sheet is Form 12.928 <a href="#">Fla. Fam. R.P.</a>
<b>GUARDIAN AD LITEM</b>	<a href="#">§61.403-61.405</a> Form 12.942(a) Form 12.942(b) <a href="#">Fla. R. Fam. P.</a>		Rule 8.170 <a href="#">Fla. R. Juv. P.</a>	<a href="#">§39.820-39.8298</a> Rule 8.215 <a href="#">Fla. R. Juv. P.</a> TPRs: Rule 8.510(a)(2)(c) <a href="#">Fla. R. Juv. P. §39.807(2)</a>	

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<b>NOTICE OF RELATED CASES</b>	Rule 12.900(h) <b>Fla. Fam. R.P.</b> Rule 2.545(b)(d) <b>Fla. R. Jud.</b> <b>Admin.</b>	Rule 12.900(h) <b>Fla. Fam. R.P.</b> Rule 2.545(b)(d) <b>Fla. R. Jud.</b> <b>Admin.</b>	Rule 12.900(h) <b>Fla. Fam. R.P.</b> Rule 2.545(b)(d) <b>Fla. R. Jud.</b> <b>Admin.</b>	Rule 12.900(h) <b>Fla. Fam. R.P.</b> Rule 2.545(b)(d) <b>Fla. R. Jud.</b> <b>Admin.</b>	
<b>PARENTING COURSE</b>	<b>§61.21</b>	<b>§741.30(6)(a)(5)</b> Limited to Respondents only	<b>§985.513</b> May Order parents of juvenile to participate in family counseling and other professional counseling	<b>§39.407(15)</b>	
<b>EVALUATIONS</b>	Rules 12.360, 12.363, & 12.364 (social investigations) <b>Fla. Fam. R. P. §61.20 &amp; §61.122</b>	<b>§741.30(6)(a)(5)</b> Limited to Respondents only	<b>§985.18 &amp; §985.185</b> Rule 8.115 <b>Fla. R. Juv. P.</b>	Rule 8.250(b) <b>Fla. R. Juv. P. §39.407(15)</b>	
<b>SUBSTANCE ABUSE EVALUATIONS</b>		<b>§741.30(6)(a)(5)</b> Limited to Respondents only	<b>§985.135(7)</b> Juvenile Assessment Centers <b>Rule 8.115</b> <b>Fla. R. Juv. P.</b> (dispositions)	<b>§39.407(15)</b> Rule 8.250(b) <b>Fla. R. Juv. P.</b>	
<b>SOCIAL SECURITY NUMBERS</b>	Form 12.902(j) <b>Fla. R. Fam. P. §61.052(7)</b>				This serves as an identifier in UFC identification.

Adapted with great appreciation from *Florida Family Court Benchcard- One Family, One Judge*, created by Judge Christine H. Greider, Twentieth Judicial Circuit, FL