

IN THE CIRCUIT COURT OF THE
NINETEENTH JUDICIAL CIRCUIT
IN AND FOR INDIAN RIVER, MARTIN
OKEECHOBEE AND ST. LUCIE COUNTIES

IN RE: DOMESTIC VIOLENCE PLANS

ADMINISTRATIVE ORDER 92-1

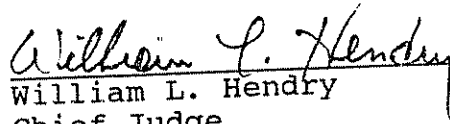
Pursuant to Chapter 91-210, Laws of Florida and Administrative Order 85-6, the following procedures are to be followed in Domestic Violence Cases and First Appearance Hearings in the Nineteenth Judicial Circuit and will be effective January 3, 1992:

- 1). The resident Circuit and County Judges of each County are to establish a set time, location, and schedule for First Appearance Hearings and review of Ex-Parte Injunctions for protection from Domestic Violence, on weekends and holidays. The Clerk of the Court and Law Enforcement Agencies will be notified of the time and location set by the Judges so that the public may attend as per Administrative Order 85-6.
- 2). All Law Enforcement Agencies within the Nineteenth Judicial Circuit will train their officers in Florida Statute 741.30. Law Enforcement personnel will distribute information as to services and facilities available to victims of domestic violence. Injunctions for protection shall be served without delay.
- 3). Each Clerk of the Court shall make the arrangements to provide assistance to domestic violence victims in filling out Injunctions for protection seven days a week. The Clerk may request and obtain assistance from outside agencies, such as Safe Space, in assisting domestic violence victims to fill out petitions. Arrangements for interpreters shall be made by the Clerk of the Court when needed.
- 4). Ex-parte Injunction for protection cases shall be handled by the judge assigned those type of cases during the week and by the judge assigned to First Appearances on weekends and holidays, unless other arrangements are made by the Judges within each County.

5). The following attachments are the individual plans established by each county within the Nineteenth Judicial Circuit to carry out the above requirements and a uniform petition to be utilized in each county.

6). Each plan may be modified or amended by a unanimous vote by the resident judges of each county, and subject to the approval of the Chief Judge.

DONE AND ORDERED in quadruplicate in Okeechobee, Okeechobee County, Florida this 2nd day of *January* 1992.



William L. Hendry
Chief Judge

DOMESTIC VIOLENCE PLAN FOR INDIAN RIVER COUNTY

The following procedures are to be followed in Domestic Violence cases under Chapter 91-210, Laws of Florida effective January 3, 1992.

A. The Clerk of the Court will assign personnel to assist the petitioner for Injunctions both during the week and between 9:00 AM and 10:30 AM on weekends and holidays. An outside agency, such as Safe Space, may be requested to assist if the Clerk so desires.

B. The judge assigned would be available at the courthouse for First Appearance Hearings at 10:30 AM on weekends and holidays, and to review any petitions for Injunctions.

C. The judges hearing First Appearance hearings will remain in the courthouse until all domestic violence petitions have been reviewed and ruled on.

D. If the judge normally assigned to handle Ex-parte Injunctions for protection is on vacation or otherwise knows he will not be available, it is his or her responsibility to procure a judge to cover for him.

E. The judicial assistant of the judge assigned to handle Ex-parte Injunctions for protection shall be responsible for providing a list of hearing dates to the Clerk of the Court for review of the Ex-parte Injunctions. The clerk shall notify the judicial assistant of all review hearings set at First Appearance hearings.

DOMESTIC VIOLENCE PLAN FOR MARTIN COUNTY

The following procedures are to be followed in Domestic Violence Cases under Chapter 91-210, Laws of Florida effective January 3, 1992.

A. The Clerk of the Court will assign personnel to assist the petitioner for Injunctions both during the week and between 8:30 AM and 10:00 AM on weekends and holidays. An outside agency, such as Safe Space, may be requested to assist if the Clerk desires.

B. The judges assigned to First Appearances on weekends and holidays will hold the hearings some time between 8:30 AM and 10:00 AM. If the judge normally assigned to handle Ex-parte Injunctions for protection is on vacation or otherwise knows he will not be available, it is his or her responsibility to procure a judge to cover for him.

C. The judicial assistant of the judge assigned to handle Ex-parte Injunctions for protection shall be responsible for providing a list of hearing dates to the Clerk of the Court for review of the Ex-parte Injunctions. The clerk shall notify the judicial assistant of all review hearings set at First Appearance hearings.

D. The judges hearing First Appearance hearings will remain in the courthouse until all domestic violence petitions have been reviewed and ruled on.

E. If the victim currently has a Domestic Relations case pending, the Clerk will assign the same number to the Injunction. A new civil case Domestic Relations number will be assigned new Ex-parte Injunctions for protection. Arrests for violations of Injunctions will be assigned Circuit Criminal case numbers and be handled in every way as a felony case.

F. Alleged violations of Ex-parte Injunctions will be referred to the State Attorney's Office for further action.

G. Victims who come into the clerk's office to report a violation of injunction where no arrest has been made will be referred to the State Attorney's Office for assistance.

H. The Sheriff's Office will have the appropriate paperwork, which may include arrest affidavits, to the Court by 8:30 AM.

DOMESTIC VIOLENCE PLAN FOR OKEECHOBEE COUNTY

The following procedures are to be followed in Domestic Violence cases under Chapter 91-210, Laws of Florida effective January 3, 1992.

A. The judge handling First Appearances on the weekends and holidays will handle any Ex-parte Injunctions for protection at the Okeechobee County Jail at such time as he holds First Appearance hearings, ie. 8:00 AM to 9:00 AM.

B. The judicial assistant of the judge assigned to handle Ex-parte Injunctions for protection shall be responsible for providing a list of hearing dates to the Jail Booking Desk for review of the Ex-parte Injunctions.

C. It is the responsibility of the issuing judge to see that the original Affidavit and Order are transmitted to the Judicial Assistant of the Judge assigned to the hearing so that she may make proper entry of the cause and its hearing date on the judge's calendar and then see that they are filed with the Clerk of the Court.

D. If the judge normally assigned to handle Ex-parte Injunctions for protection is on vacation or otherwise knows he will not be available, it is his or her responsibility to procure a judge to cover for him.

E. A supply of necessary forms will be kept on hand at the Okeechobee County Jail.

F. The Clerk of the Court will assign personnel to assist the petitioner for Injunctions both during the week and on weekends and holidays. An outside agency, such as Martha's House, may be requested to assist if the Clerk desires.

DOMESTIC VIOLENCE PLAN FOR ST. LUCIE COUNTY

The following procedures are to be followed in Domestic Violence Cases under Chapter 91-210, Laws of Florida effective January 3, 1992.

A. The St. Lucie County Courthouse will be open to the public for the filing of Domestic Violence complaints between 8:00 AM and at least 8:30 AM on all weekends and holidays. There may be times when First Appearance hearings and Detention Hearings run late and at those times the courthouse will remain open to the public until these hearings have concluded.

B. During the time that the courthouse remains open to the public the Clerk will make available sufficient personnel to assist alleged victims in the preparation and filing of complaints seeking Ex-parte Injunctions against domestic violence. No other matters will be heard or considered.

C. The judges hearing First Appearance hearings will remain in the courthouse until all domestic violence petitions have been reviewed and ruled on.

D. If the judge normally assigned to handle Ex-parte Injunctions for protection is on vacation or otherwise knows he will not be available, it is his or her responsibility to procure a judge to cover for him.

E. The judicial assistant of the judge assigned to handle Ex-parte Injunctions for protection shall be responsible for providing a list of hearing dates to the Clerk of the Court for review of the Ex-parte Injunctions. The clerk shall notify the judicial assistant of all review hearings set at First Appearance hearings.

IN THE CIRCUIT COURT OF THE
NINETEENTH JUDICIAL CIRCUIT
IN AND FOR _____ COUNTY,
FLORIDA.

CASE NO. _____

Petitioner

vs.

Respondent

PETITION FOR
INJUNCTION FOR PROTECTION
AGAINST DOMESTIC VIOLENCE

Before me, the undersigned authority, personally appeared
Petitioner _____, who has been sworn and
says that the following statements are true:

- (a) Petitioner resides at: _____

- (b) Rental agreement, lease or Mortgage on home/apartment or
condominium is in the name of _____.
- (c) Respondent resides at: _____

- (d) Respondents last known place of employment: _____

- (e) Physical description of respondent:
Race: _____ Sex: _____ Date of Birth: _____
Height: _____ Weight: _____ Eye Color: _____
Hair Color: _____ Distinguishing marks or scars: _____

- (f) Aliases of Respondent: _____
- (g) Respondent is the spouse or former spouse of the petitioner or is any other person related by blood or marriage to the petitioner or is any other person who is or was residing within a single dwelling unit with the petitioner, as if a family or is a person with whom the petitioner has a child in common, regardless of whether the petitioner and respondent are or were married or residing together, as if a family.
- (h) The following describes any other cause of action currently pending between the petitioner and respondent: _____

_____.

The petitioner should also describe any previous or pending attempts by the petitioner to obtain an injunction for protection against domestic violence in this or any other circuit, and the results of that attempt: _____

_____.

Case numbers should be included if available.

- (i) Petitioner has suffered or has reasonable cause to fear domestic violence because respondent has: _____
- _____.
- (j) Petitioner alleges the following additional specific facts: (Mark appropriate sections).

_____ Petitioner is the custodian of a minor child or children whose names and ages are as follows: _____

_____.

_____ Petitioner needs the exclusive use and possession of the dwelling that the parties share.

_____ Petitioner is unable to obtain safe alternative housing because: _____

_____.

_____ Petitioner genuinely fears that respondent will abuse, remove, or hide the minor child or children from petitioner because: _____
_____.

- (k) Petitioner genuinely fears domestic violence by respondent.
(l) Petitioner seeks an injunction: (mark appropriate section or sections)

_____ Immediately restraining the respondent from committing any acts of domestic violence.

_____ Restraining the respondent from committing any acts of domestic violence.

_____ Awarding to the petitioner the temporary exclusive use and possession of the dwelling that the parties share and excluding the respondent from the residence of the petitioner.

_____ Awarding temporary custody of, or temporary visitation rights with regard to, the minor child or children of the parties.

_____ Establishing temporary support for the minor child or children or the petitioner.

_____ Directing the respondent to participate in a batterer's intervention program or other treatment pursuant to s. 415.601.

_____ Providing any terms the court deems necessary for the protection of a victim of domestic violence, including any injunctions or directives to law enforcement agencies.

Signature of Petitioner

SWORN TO AND SUBSCRIBED BEFORE ME

THIS ____ DAY OF _____, 19__.

CLERK OF COURT

BY: _____
Deputy Clerk