

IN THE CIRCUIT COURT OF
THE EIGHTEENTH JUDICIAL
CIRCUIT, IN AND FOR
SEMINOLE COUNTY FLORIDA

ADMINISTRATIVE ORDER NO.
AMENDED 90-97-Ci-S

IN RE: PROCEDURE TO PROCESS OBJECTIONS FILED IN SEMINOLE
COUNTY PURSUANT TO F.S. 61.14(5)(C)

The Court has been made aware that F.S. 61.14 (Enforcement and modification of support, maintenance, or alimony agreements, or orders) has been declared constitutional by the Supreme Court of Florida. State exrel. Pittman v. Stanleski, 562 So.2d 673 (Fla. 1990). Implementation of that statute has caused questions of location application. In order to implement a local procedure to efficiently process objections filed pursuant to F.S. 61.14(5)(c),

IT IS ADJUDGED:

1. All hearings on objections filed in Seminole County pursuant to F.S. 61.14(5)(c) are referred to the General Master as authorized by Administrative Orders 88-47-Ci(S); 89-1-Ci(S); 89-12-Ci(S) and 89-13-Ci(S). The General Master shall provide the Clerk of the Court and HRS with hearing times to schedule objections for hearings.
2. The Clerk of the Court shall receive, file and docket all F.S. 61.14(5)(c) objections and shall prepare and serve by certified mail, return receipt requested, notices of hearing on non-HRS cases attempted to be heard within fifteen (15) days from the date of receipt of the objection.
3. The Department of Health and Rehabilitative Services shall prepare and serve notices of hearing by certified mail, return receipt requested, on HRS cases attempted to be heard within fifteen (15) days from the date the clerk receives the objection.

4. The Clerk of the Court shall review objections before noticing them for hearing. The following objections shall not be scheduled for hearing if the objecting party provides the required information:

A. The parties have married or are cohabiting together.

The obligee may provide written evidence of this fact by a notarized statement.

B. The child receiving support has been adopted by another person.

The obligee may provide a copy of the Final Judgment of Adoption. The obligee shall state if there are any arrearage up to the date of the Final Judgment of Adoption, and if there are any arrearage, documentation to support that arrearage have been waived.

C. The obligor has made direct payments and there are no arrearage.

The obligee may provide written evidence of the amount received by a notarized statement.

D. The child receiving support is now living with the obligor and there are no arrearage.

The obligor may provide written evidence of this fact by a notarized statement showing the date of the custody change.

E. The amount due is incorrect.

The obligor may contact the support enforcement clerk and provide proof of payment through cancelled checks, money order stubs, or the like, or the obligee may provide written evidence of the amount received by a notarized statement.

F. Support obligations have ceased because a minor child has married, achieved majority, entered the armed services or has died and there are no arrearage.

The obligor may provide written evidence of this fact by a notarized statement.

- G. The former spouse has remarried or died and the alimony obligations have ceased and there are no arrearage.

The obligor may provide written evidence of this fact by a notarized statement. If written evidence is received by the clerk as described in paragraphs 4A-4G above, the clerk may make the necessary corrections and credit the appropriate account. A clerk's certificate of credit shall be filed in the court file and docketed.

5. The clerk shall forward files containing objections that require a hearing to the General Master who upon conclusion of the scheduled hearing shall prepare an appropriate order and forward the file to the judge assigned to the case.
6. In the event that it is established in non-HRS cases that the obligee has regularly received direct payments, the court may order no further payments through the clerk's depository.
7. The Clerk of the Court shall show the amount of support due on original orders or judgments to be zero as of the time the order or judgement is filed unless the order or judgment specifically states otherwise.
8. Orders or Judgments which establish a duty of support and require payments in variable amounts or other than regular weekly, biweekly, monthly, or twice monthly shall not be paid through the Clerk's depository after the date of this Order.

ORDERED at Sanford, Seminole County, Florida, this 7th day of November, 1990.

O.H. Eaton, Jr.

O. H. EATON, JR.

CHIEF JUDGE

Distribution:

All Eighteenth Circuit and County Judges
Clerk of the Court - Brevard and Seminole Counties
Department of Health and Rehabilitative Services
General Master/Hearing Officer - Brevard and
Seminole Counties
William G. Deitz, Court Administrator

Recorded:

Seminole County 11-28-90 OR Book 2243 Page 1317-1321

Index:

OBJECTIONS - Procedure for filing