

THE EIGHTH JUDICIAL CIRCUIT OF FLORIDA
ADMINISTRATIVE ORDER NO. 9.12

**ASSIGNMENT OF ALACHUA COUNTY DEPARTMENT OF REVENUE DIVISION
N CASES INVOLVING FAMILY MATTERS OTHER THAN
CHILD SUPPORT ISSUES**

In order to provide for the requirements of the Eighth Judicial Circuit with regard to the assignment of Child Support cases; and

WHEREAS, the Eighth Judicial Circuit continues to be actively committed to providing for the fair and efficient administration of justice in all cases involving children and families; and,

WHEREAS, an administrative order is needed to ensure that Department of Revenue child support matters are consistently and uniformly assigned for prompt adjudication; and,

WHEREAS, pursuant to section 409.2563, Florida Statutes, parenting plans may be required to be adjudicated with DOR child support matters,

It is therefore **ORDERED**:

1. Family Law “DR”, Department of Revenue cases (“DOR cases”), dealing only with establishment, enforcement and modification of child support shall be assigned to Division N, as stated in Administrative Order 9.01. Division N was created for the establishment of paternity and child support, and child support enforcement or modification. Division N is not to be used to adjudicate other family law matters.

2. Cases initially assigned to Division N shall not be reassigned based on related cases except by express order of the Court or by the terms of this administrative order. This provision shall not prevent reassignment to Division UFC (“Unified Family Court”) where appropriate.

3. In any Division N case where a party seeks to establish a parenting plan pursuant to section 409.25633, the case shall be designated a family law “DR” case, and it shall be

reassigned by the Clerk from Division N to Division DR1, DR2, DR3, or DR4 as appropriate. No filing fee shall be charged for a petition to establish a parenting plan pursuant to section 409.25633 when the underlying administrative support order was entered on or after January 1, 2018.

4. In any Division N case where a party seeks by motion, counter-petition, supplemental petition, or other pleading, the adjudication of a family issue other than child support or establishment of a parenting plan pursuant to section 409.25633, which exceeds the jurisdiction of the Child Support Hearing Officer, that party shall pay the appropriate filing fee, the case shall be designated a family law “DR” case, and the case shall be reassigned by the Clerk from Division N to Division DR1, DR2, DR3, or DR4 as appropriate. Pleadings requesting relief not previously adjudicated are to be treated as new filings for assessing filing fees.

5. The parties shall provide the Department of Revenue with reasonable notice of proceedings in any family law action in which a DOR case is identified to or by the Court as a related case. The parties shall file a Notice of Related Cases form with the Clerk and shall serve a copy of the form on DOR at the following addresses: 5719 NW 13th Street, Gainesville, Florida 32653-9971; and, email: dor@wsalawfirm.com.

6. The Department of Revenue may move to intervene in any family law case which involves establishment, modification or enforcement of child support. If the Court grants intervention, the case shall not be transferred or reassigned to Division N; rather, it shall remain in the division to which it was originally assigned. If the Department of Revenue contracts with a party for the enforcement of child support in a family law “DR” case, that case shall remain in the original division assigned and shall not be reassigned to Division N. Should the Department of Revenue withdraw from a family law action, it shall not affect the rights of the original parties to seek adjudication of pre-judgment or post-judgment family law matters.

7. Any previous child support order entered in a DOR case may be modified prospectively as provided by law by an order in a related, later filed family law case. Previously ordered child support arrearages established in DOR cases shall not be amended or modified in a later filed family law case unless DOR has been a party to the subsequent proceeding and was

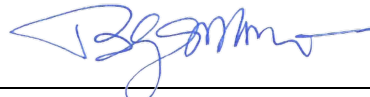
given reasonable notice and an opportunity to be heard regarding such modification.

8. The Department of Revenue may file in any family law case a “Notice of DOR Involvement and Objection to Establishment of Child Support Below Guideline Amount for Current or Retroactive Periods” if it wishes to notify the Court and parties of its representation for those parties on public assistance.

This order replaces and supersedes Administrative Order 9.12(v3), “Assignment of Alachua County Department of Revenue Divisions N Cases Involving Family Matters Other Than Child Support Issues,” entered on April 14, 2014.

The effective date of this Order is January 1, 2018.

ORDERED ON this 23 day of May 2018 at Gainesville, Alachua County, Florida.



Toby S. Monaco, Chief Judge