

General Procedures for Child Support Hearing Officer
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APPEARANCE AT HEARINGS

If you are the Respondent and the hearing is on a Motion for Contempt. FAILURE TO APPEAR AT THE HEARING MAY RESULT IN THE COURT ISSUING A WRIT OF BODILY ATTACHMENT FOR YOUR ARREST. IF YOU ARE ARRESTED, YOU MAY BE HELD IN JAIL UP TO 48 HOURS BEFORE A HEARING IS HELD. See Fla. Fam. L.R.P. 12.615(b). If you are noticed for a hearing and you fail to appear, the hearing will be conducted without your participation.

Behavior in Court

Counsel is expected to be aware of and act according to the principles of outlined in Fifth Judicial Circuit Administrative Order A-2021-58. All appearing before the Court, are expected to:

Dress appropriately. If you are inappropriately dressed, you may not be able to attend the hearing.

Be respectful: Refrain from making disparaging comments or assumptions about a party or the Court. Limit your testimony and argument to the evidence presented.

Display courtesy: by awaiting your turn and not interrupting others appearing before the Court.

SCHEDULING HEARINGS

The pleading must be filed prior to obtaining hearing time. If more than 15 minutes are needed for a hearing the parties will inform Judicial Assistant how much time will be needed for trial/final hearing and the reasons for the time requested. If the parties are both represented by counsel, the attorneys shall contact each other and conference in the Judicial Assistant. A maximum of three dates shall be provided to the parties, should none work, the parties will

choose the least inconvenient date for hearing. If one party is *pro se* the hearing will be scheduled far out enough to provide proper notice to the *pro se* to appear at the hearing. The Court will issue the Notice of Hearing. Communication will be e-mailed to the Judicial Assistant at childsupportorders@circuit5.org.

ZOOM and TELEPHONIC APPEARANCES

Parties are allowed to appear by ZOOM if they are unable to appear in person. Make sure you identify your ZOOM device DISPLAY NAME with your LAST, FIRST name as it appears in the Notice of Hearing.

You are allowed to appear by ZOOM instead of in Person if you respond in the affirmative to any of the questions below:

Question 1: Do you have any of the following symptoms? (excluding those due to a known medical reason):

- Cough
- Shortness of breath or difficulty breathing
- Chills
- Muscle pain
- Sore throat
- New loss of taste or smell
- fever

Question 2: Are you unable to make it to the Courtroom?

- Reside more than 10 miles away from the Courthouse and unable to drive/get a ride to the Courthouse
- Bed bound in a hospital or at home
- Sole caregiver for a minor or adult
- Unavoidable work commitment (Orientation, Job Interview)

Appearance Through Audio Only

Requests to appear through audio only communication equipment are governed by Rule 2.530 of the Florida General Practice & Judicial Administration Rules. All requests must be in writing and notice must be given to the opposing party. Testimony may be taken through audio only communication equipment only if, all parties consent, a notary public or other person authorized to administer oaths in the witness's jurisdiction is present with the witness and administers the oath consistent with the laws of the jurisdiction. The cost for use of the communication equipment is the responsibility of the requesting party.

PROCEDURES FOR CANCELLING/CONTINUING HEARINGS/TRIALS

Unless a Notice of Voluntary Dismissal has been properly filed as to the schedule pleadings, no hearing will be cancelled absent good cause. Requests to continue or cancel a hearing are governed by Rule 2.545(e) of the Florida General Practice & Judicial Administration Rules. If a case has settled and the parties are requesting to cancel the final hearing, please contact the Court. Only the party that scheduled the hearing, or the Court, has the authority to cancel the hearing.

Cross-Noticing Hearings

Cross-noticing a hearing without the Court's approval is not permitted. Before requesting the setting of an additional motion(s) at a previously scheduled hearing, the attorneys must contact our office so the Court can determine whether sufficient time is available to have the additional motion(s) heard.

PROPOSED ORDERS (Applicable only to attorneys)

Proposed orders are not accepted through the Florida Courts E-portal at this time. Proposed orders must be submitted by email and using Word software. Proposed orders may be submitted by email to childsupportorders@circuit5.org, if all parties are represented by counsel. Proposed orders will be submitted no later than 7 calendar days after the hearing.

If there are any *pro se* parties who are not required to designate their email address because they have received a waiver from the Clerk of the Circuit Court, a preaddressed, postage paid envelope must be provided and submitted with the proposed order via U.S. Mail or hand delivery. If submitting a proposed order by email, Word software must be used.

INTRODUCTION OF EVIDENCE

If a party intends to request the introduction of any documentary evidence during a hearing scheduled to occur via Zoom, the items of evidence shall be scanned as a PDF and e-mailed to the Judicial Assistant 5 business days before the hearing at childsupportorders@circuit5.org . The parties and counsel of record are encouraged to confer and stipulate to the admissibility of evidence, if possible, and to determine whether documents already filed within the record may be judicially noticed. Any communication to/with the Judicial Assistant shall include all parties or counsel.

Phone Pictures or Text Messages

Parties will not be allowed to introduce evidence contained on a phone without having the phone introduced as evidence. If you want the Court to consider evidence contained in a phone, you will print

the screens you want to introduce as a PDF and email it to the Judicial Assistant 5 business days before the hearing at childsupportorders@circuit5.org . The parties and counsel of record are encouraged to confer and stipulate to the admissibility of evidence, if possible, and to determine whether documents already filed within the record may be judicially noticed. Any communication to/with the Judicial Assistant shall include all parties or counsel.

Witnesses Appearing by Zoom

On attorney-initiated video proceedings, do not open the meeting with witnesses present. Witnesses shall be placed in the meeting waiting room until called to testify. If you do not have this capability, the Court can initiate the video proceeding upon request by any party.

RECORDING OF HEARINGS

Electronic recording is provided by the Court. A party may provide a court reporter at his/her own expense. Hearings may not be recorded by the parties unless there is an Administrative Order allowing the same. If you need to request an audio copy of a hearing, you can go to the website of the Fifth Judicial Circuit of Florida at www.circuit5.org then go to Programs and Services then Court Reporting.

CHANGE OF ADDRESS IN DOR CASES

Each party must notify DOR Child Support Enforcement, 5431 E. Silver Springs Boulevard, Suite 2, Ocala, Florida 34488, the Clerk of the Circuit Court, Domestic Relations Department, P.O. Box 1030, Ocala, Florida 34478-1030 and the State of Florida

Disbursement Unit, within 7 days of each change of mailing or email address, residence address. Notification of such change must be in writing and will include the correct names, addresses, email address, social security numbers and sources of income of Respondent and Petitioner, as well as case number and the new information being reported.

Mailing of process to the most recent mailing address or email address (if one has been designated) reflected in the records of the clerk will be deemed sufficient service of process for all future proceedings for contempt of court.

Designation of Email Address

Florida Rule of General Practice and Judicial Administration 2.516 require parties (other than those who are incarcerated or have no access to an email account or the internet) to designate an email address to which service must be directed. Designate your email address by filling out the proper form (Florida Family Law Form 12.915) and filing it in this case. The amended form may be accessed and downloaded from the Florida State Courts' website at <https://www.flcourts.gov/Resources-Services/Office-of-Family-Courts/Family-Court-in-Florida/Family-Law-Forms/>

MINOR CHILDREN IN COURT

DO NOT bring minor children to court with you unless authorized by a previous order of the Court.

HEARINGS ARE OPEN TO THE PUBLIC

To observe court proceedings, you may do so by video conferencing. To attend your hearing via video conferencing, you

must have a computer with the internet access and a webcam or a smartphone with video camera capability WHICH YOU CAN CONNECT TO THE ZOOM APP (Meeting ID: 923 2459 7070) OR WEBSITE (<https://zoom.us/j/92324597070>). Parties choosing to connect via ZOOM bear all responsibility for failure of the connection, malfunctioning equipment, and slow internet connection. If you are not participating at a hearing, identify your ZOOM device DISPLAY NAME as OBSERVER.

PERSONS WITH DISABILITIES

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator at the Office of the Trial Court Administrator, Marion County Judicial Center, 110 NW First Avenue, Ocala, Florida 34475, Telephone (352) 401-6710, at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

PERSON NEEDING AN INTERPRETER

The Fifth Judicial Circuit is committed to providing qualified interpreters to limited-English-proficient and deaf persons in order to eliminate communication barriers that may prevent full participation in court proceedings necessary to ensure due process and equal access to the courts.

Para solicitar un intérprete judicial del lenguaje oral, por favor llene el formulario a continuación:

<https://www.circuit5.org/programs-services/interpreting-services/interpreting-services-espanol/>

Pou mande yon entepret tribinal lang, ranpli fom ki anba a:

<https://www.circuit5.org/programs-services/interpreting-services/interpreting-services-creole/>

ASL/Sign Language Accommodation Request Form

<https://www.circuit5.org/programs-services/americans-with-disabilities-ada-services/ada-accommodation-request-form/>