

IN THE CIRCUIT COURT OF THE 16TH
JUDICIAL CIRCUIT OF THE STATE OF
FLORIDA IN AND FOR MONROE COUNTY

ADMINISTRATIVE ORDER 5.004

IN RE:

MANDATORY DISCLOSURE OF
TITLE IV-D CASES PURSUANT
TO THE FAMILY LAW RULES
OF PROCEDURE

_____:

WHEREAS pursuant to *In Re: Family Law Rules of Procedure*, No. 84,337 (Fla. July 7, 1995) and *In Re: Family Law Rules of Procedure*, No. 84,337 (Fla. November 22, 1995), new family law rules have been adopted for family law cases; and

WHEREAS the effective date of implementation is January 1, 1996; and

WHEREAS the vast majority of Title IV-D cases brought before the Court in this circuit are on behalf of Custodial Parents whose income or expenses do not exceed \$50,000; and

WHEREAS the vast majority of Title IV-D cases brought before the Court in this circuit pursuant to URESA are on behalf of Custodial Parents wherein the initiating state does not have mandatory discovery rules;

NOW, THEREFORE, to provide for efficient and proper administration and prosecution of the Title IV-D cases coming before the Court in this circuit, the following procedures shall be implemented:

1. **APPLICABILITY.** These provisions are intended to implement Local Rule Number 2 and shall apply to actions in the Family Law Division of the Circuit Court in and for the 16th Judicial Circuit in addition to any other administrative orders applicable to the Court generally, and are intended to complement the Florida Rules of Civil Procedure, Family Law Rules of Procedure and the Rules of Judicial Administration.

2. **MANDATORY DISCLOSURE IN TITLE IV-D CASES PURSUANT TO THE FAMILY LAW RULES OF PROCEDURE.**

(A) Effective January 1, 1996 the Family Law Rules of Procedure will be implemented throughout the State of Florida.

(B) The Court finds good cause to limit the disclosure requirements of Family Law Rule of Procedure 12.285(c) in Title IV-D cases brought before the Court in this circuit.

(C) On or after January 1, 1996, each Title IV-D case brought before the Court shall be accompanied by the Certificate of

Compliance with Family Law Rule of Procedure 12.285(c) form attached to this order.

(D) This form applies to Title IV-D cases wherein the Department of Revenue, Division of Child Support Enforcement, brings an action on behalf of a party whose income or expenses do not exceed \$50,000.

THUS, pursuant to this Administrative Order, there shall be no necessity for the Department of Revenue, Child Support Enforcement, to disclose discovery documents not otherwise delivered as certified in compliance with the attached form.

DONE AND ORDERED at Key West, Monroe County, Florida, this the 10 day of January, 1996, *nunc pro tunc*.

Richard G. Payne
Chief Judge

Florida Department of Revenue
Division of Child Support Enforcement
o/b/o:

IN THE CIRCUIT COURT OF THE 16TH
JUDICIAL CIRCUIT OF THE STATE OF
FLORIDA, IN AND FOR MONROE COUNTY

_____,
Custodial Parent

SUPPORT IV-D NA/PA
URESAs IV-D NA/PA
CASE NO.:

vs.

_____,
Respondent

_____ /

**CERTIFICATE OF COMPLIANCE WITH
FAMILY LAW RULE OF PROCEDURE 12.285(c)**

COMES NOW, the Custodial Parent/Child Support Enforcement Caseworker and files this Certificate of Compliance pursuant to Family Law Rules of Procedure 12.285(c), 12.285(h) and states as follows:

1. The financial affidavit was filed with the Court and delivered for service on the Respondent on the ____ day of _____, 1995.
2. _____ a. All federal and state income tax returns, gift tax returns, and intangible personal property tax returns filed by the Custodial Parent or on the Custodial Parent's behalf for the past three years were delivered on the ____ day of _____, 1995.
_____ b. The Custodial Parent resides in the State of _____ and federal and state income tax returns, gift tax returns, and intangible personal property tax returns are not provided in URESAs/UIFSA Complaints.
_____ c. The Custodial Parent resides in the State of _____ and the following tax returns have been provided in the URESAs/UIFSA Complaint;
_____ federal income tax returns for the past three years, _____ state income tax returns for the past three years, _____ gift tax returns for the past three years, _____ intangible personal property tax returns filed for the past three years.
_____ d. The Custodial Parent resides in the State of Florida and has provided the following for service on the Respondent; _____ federal income tax returns for the past three years, _____ state income tax returns for the past three years, _____ gift tax returns for the past three years, _____ intangible personal property tax returns filed for the past three years.
3. _____ a. IRS forms, W-2, 1099, and K-1 for the past year, if the income tax return for that year has not been prepared were delivered on the ____ day of _____, 1995.
_____ b. The Custodial Parent resides in the State of _____ and IRS forms W-2, 1099, K-1 are not provided in URESAs/UIFSA Complaints.
_____ c. The Custodial Parent resides in the State of _____ and the

following IRS forms have been provided in URESA/UIFSA Complaint, _____ W-2
_____ 1099, _____ K-1.

_____ d. The Custodial Parent resides in the State of Florida and has provided the following for service on the Respondent; _____ IRS form W-2, _____ IRS form 1099, _____ IRS form K-1 for the past year. The Custodial Parent does not possess the following documents for the reasons stated:

4. _____ a. Pay stubs or other evidence of earned income for the 3 months prior to service of the financial affidavit were delivered on the _____ day of _____, 1995.

_____ b. The Custodial Parent resides in the State of _____ and pay stubs or other evidence of earned income for the 3 months prior to service of the financial affidavit are not provided in URESA/UIFSA Complaints.

_____ c. The Custodial Parent resides in the State of _____ and the attached pay stubs or other evidence of earned income for the 3 months prior to service of the financial affidavit have been provided in the URESA/UIFSA Complaint.

_____ d. The Custodial Parent resides in the State of Florida and does not possess pay stubs or other evidence of earned income for the 3 months prior to service of the financial affidavit for the reasons stated: _____

5. _____ a. All income and its source received by the Custodial Parent during the 3 weeks preceding the service of the financial affidavit not reflected on the ay stubs produced was from the following: _____

_____ b. The Custodial Parent resides in the State of _____ and statements of income received from any source not reflected in the financial affidavit are not provided in URESA/UIFSA Complaints.

_____ c. The Custodial Parent resides in the State of _____ and all income and its source received by the Custodial Parent during the 3 months preceding the service of the financial affidavit are not provided in URESA/UIFSA Complaints.

_____ d. The Custodial Parent resides in the State of Florida and does not possess other evidence of income from any source for the 3 months prior to service of the financial affidavit for the reasons stated: _____

6. _____ a. All loan applications and financial statements prepared or used by the Custodial Parent within the 3 years preceding service of the financial affidavit were delivered on the _____ day of _____, 1995.

_____ b. The Custodial Parent resides in the State of _____ and loan applications and financial statements are not provided in the URESA/UIFSA

Complaints.

_____c. The Custodial Parent resides in the State of _____ and all loan applications and financial statements prepared or used by the Custodial Parent within the 3 years preceding service of the financial affidavit was provided in the URESA/UIFSA Complaint.

___d. The Custodial Parent resides in the State of Florida and does not possess loan applications and financial statements prepared or use within the 3 years preceding service of the financial affidavit for the reasons stated: _____

STATE OF FLORIDA)

COUNTY OF MONROE)

BEFORE ME, the undersigned authority, personally appeared _____, Custodial Parent or _____, Child Support Enforcement Caseworker, known to me personally or who presented _____ as identification and who executed the foregoing, and he/she acknowledged to me that he/she executed the same for the purposes therein expressed and the documents were delivered to the below named attorney for delivery to the Respondent on the date below written.

Custodial Parent/Child Support Enforcement Caseworker

NOTARY PUBLIC
My Commission Expires

Sworn to and Subscribed before me
this ____ day of _____, 1996.

FINANCIAL AFFIDAVIT DISCLAIMER

BY MY SIGNATURE BELOW, I certify that I have carefully examined the attached Financial Affidavit and the source documents which support it. The information reflected is true and correct to the best of my information and belief.

Custodial Parent

THE REPRESENTATIONS PROVIDED in the attached Financial Affidavit were derived solely from custodial parent information. The undersigned attorney does not assume and hereby disclaims all responsibility for the accuracy of the data herein as it was provided by others and is presented in a good faith reliance thereon.

Attorney for DOR/CSE