

IN THE CIRCUIT COURT OF THE SEVENTEENTH
JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA

Administrative Order 2020-30-Temp

**ADMINISTRATIVE ORDER
PARENTING IN DOMESTIC RELATIONS CASES**

(a) Pursuant to Article V, section 2(d) of the Florida Constitution, and section 43.26, Florida Statutes, the chief judge of each judicial circuit is charged with the authority and the power to do everything necessary to promote the prompt and efficient administration of justice.

(b) The Centers for Disease Control and the Florida Department of Health have advised people to take precautions in light of the Coronavirus Disease 2019 (COVID-19) outbreak, and specifically noting that the best way to prevent illness is to avoid exposure to the virus.

(c) Because of the COVID-19 outbreak, Governor Ron DeSantis declared a State of Emergency on March 1, 2020, Broward County declared a Local State of Emergency on March 10, 2020, and the World Health Organization declared a global pandemic on March 11, 2020.

(d) Since March 17, 2020, the Florida Supreme Court has issued various emergency administrative orders, which may be found at <https://www.floridasupremecourt.org/Emergency>.

(e) Governor DeSantis has announced that all schools will be closed to student until at least April 15, 2020, and that distance learning will begin on Monday, March 30, 2020, for all students.

(f) To reduce the number of “emergency” filings and hearings, it is in the best interests of the parties and children that parents may continue to perform their duties and responsibilities of co-parenting, share the additional responsibilities of parenting through this time, and that the parties comply with all orders and court rules.

(g) In accordance with the authority vested in the chief judge by Article V, section 2(d) of the Florida Constitution, 43.26, Florida Statutes, Florida Rule of Judicial

Administration 2.215, and to promote public safety amidst the current public health emergency, it is hereby **ORDERED, effective immediately**:

I. Applications and Terms of this Order

- A. This Administrative Order is intended for all family law matters regarding parental responsibility and timesharing, to be utilized and complied with immediately in all existing and newly filed Domestic Relations cases in the Seventeenth Judicial Circuit in and for Broward County, Florida. However, this Administrative Order shall not supersede or modify any existing domestic violence injunction, criminal “no contact order” or dependency order which is in conflict with these provisions.
- B. This Administrative Order shall remain in full force and effect until further order of the Court. This Administrative Order does not preclude a judge from modifying or amending this Order in individual cases where the judge deems necessary. Any part of this Order not changed by a subsequent order shall remain in effect.

II. Contact With Both Parents; Shared Parenting

- A. Pursuant to all current final judgments, temporary orders, settlement agreements, or other orders of the court awarding parental responsibility or time-sharing, continued adherence to all orders by all parties is expected.
- B. Unless otherwise prohibited by an existing court order, each parent is prohibited from unreasonably restricting access to the child(ren) to the other parent.
- C. Regular timesharing, as set forth in the parties’ Parenting Plan or applicable court order, shall continue until the last day of the child(ren)’s school, as designated in the parties Parenting Plan. If the child(ren)’s school has ended classes for the 2019-2020 school year prior to the date designated in the school’s 2019-2020 official calendar, the parties shall continue regular timesharing, as though school were still in session, until the date designated as the last day of school in the 2019-2020 official school calendar. Then, summer timesharing shall being as set forth in the parties’ Parenting Plan or applicable court order.

- D. Exchanges that were to take place at a child(ren)'s school or daycare that is not currently open should be arranged between the parents in writing by email, text, or parenting app. In the event the parents cannot agree on an alternate arrangement, the exchanges shall take place at the police station or sheriff's office that is located closest to the school or daycare. The closest police station or sheriff's station shall be determined by the distance shown on Google Maps, Apple Maps, or some other similar mapping program or website. Motions filed related to this subject will likely be ruled upon without hearing.
- E. In the event that the Governor of Florida and/or any other government official issues an order that requires parties or a party to restrict movements as a mass or partial quarantine or suppression strategy to mitigate or slow the spread of COVID-19 (often referred to as "shelter in place" or "stay at home" orders), and including, but not limited to, individual orders to self-quarantine (hereinafter collectively referred to as "any governmental order") the parties are to discuss their family's best methods to meet the requirements of the child(ren)'s school, remain with siblings if possible, and be safe. If regular timesharing and exchanges can occur and be consistent with any governmental orders, then regular timesharing shall continue as Ordered by the Court and, if necessary, as further described above. If there is any governmental order issued that does not allow a parent or parents to move about the community freely, the parent with the majority of timesharing (183 overnights) shall keep the child(ren) until that governmental order is lifted, or a Court Order is entered. The Court will have jurisdiction to consider all appropriate remedial measures, including make-up timesharing, upon the Court's resumption of normal operations. The Parties should assume that any parent losing time because of measures taken for COVID-19 will receive make up timesharing, and that the Court will sanction behavior that it deems unreasonable. Upon the lifting of any governmental order, the parties are to resume their regularly scheduled timesharing. This shall continue until the parties are able to secure hearing time with the Court, but does not bar any party from filing a Motion with the Court in the interim. The parties are strongly encouraged to work cooperatively with each other, and if appropriate, voluntarily agree to a make-up timesharing schedule as a result of any timesharing lost due to COVID-19.
- F. Video-conferencing and phone contact shall be honored as set forth in the parties' Parenting Plan and should be increased to "regular and consistent contact" to alleviate fears and concerns the child(ren) may be experiencing

during this time. Unless previously ordered, video and phone contact should not be monitored or interrupted by the co-parent or any other third party, unless there are specific Court Orders in place as to those issues.

DONE AND ORDERED in Chambers, Fort Lauderdale, Florida, this 2nd day of April, 2020.

/s/ Jack Tuter

Jack Tuter, Chief Judge