

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

ADMINISTRATIVE ORDER NO:
13-38-B
SUPERSEDES 08-33-B

**IN RE: DOMESTIC RELATIONS – FAMILY DIVISION – STANDING TEMPORARY
DOMESTIC RELATIONS ORDER**

Whereas certain issues recur in actions for dissolution of marriage and other actions in which child custody is an issue raised in the pleadings of either party, and it is in the best interest of the parties and the children to order certain temporary relief, it is hereby Ordered and Adjudged as follows in all such cases:

1. **RELOCATION OF CHILDREN:**

Neither party shall remove, cause to be removed, or permit the removal of any minor child(ren) of the parties from the State of Florida without the written agreement of both parties or an order from the court.

2. **CHILD SUPPORT:**

In many circumstances, child support will ultimately be ordered retroactive to the date the initial petition for relief was filed. To avoid the accumulation of retroactive arrearages, the court encourages the non-residential parent to immediately begin making voluntary payments of child support even prior to the entry of an order requiring payment of support. The parties should review Section 61.30 Florida Statutes to assist in determining an appropriate child support amount.

3. **NON-DISPARAGEMENT:**

Neither party shall disparage the other party to or in the presence of the minor child(ren), nor permit any third person to do so.

4. **MUTUAL RESTRAINING ORDER:**

Both parties are enjoined from committing any physical acts of violence against the other. Both parties are further enjoined from threatening any acts of physical violence against the other.

5. **NO HARASSMENT:**

Both parties are enjoined from harassing the other party, whether by telephone or in person, or otherwise, at home or the other parties' place of employment or any other place the other party may be found.

6. INSURANCE POLICIES AND SURVIVOR BENEFIT PLANS (applicable to Dissolution of Marriage cases only):
Any insurance policies, including but not limited to health, auto, life, homeowners, disability, etc., in effect at the time of the filing of the Petition for Dissolution of Marriage shall not be cancelled, modified, borrowed against, pledged or otherwise encumbered by either of the parties, or at the direction of either party, unless there is written consent by both parties or an order of the court.
7. PROPERTY (applicable to Dissolution of Marriage cases only):
Property generally includes all assets acquired during marriage, individually or jointly, such as gifts to each other during marriage; all vested and non-vested benefits, rights and funds accrued during marriage in retirement, pension, profit sharing, annuities, deferred compensation, insurance plans and programs; land, houses, buildings, furniture, TVs, VCRs, appliances, household furnishings, motor vehicles, boats, motorcycles, aircraft, stocks, bonds, mutual funds, money market accounts, IRAs, 401-Ks and other liquid or non-liquid assets, including cash accumulations. Neither party shall sell, donate, pledge, encumber, or otherwise dispose of any marital or non-marital property without the prior written consent of the other party or court order other than cash, checking accounts or other sources of funds customarily used to pay ongoing living expenses of the parties or marital debt or other recurring marital obligations of the parties, limited to the amounts actually required to pay those recurring obligations. Additionally, the beneficiary will not be changed in any survivor benefit plans.
8. READING FAMILY LAW ADMINISTRATIVE ORDERS:
The parties to a dissolution of marriage action are required to read certain administrative orders located at the 18th Judicial Circuit website: www.flcourts18.org. The parties thereafter will file a statement with the clerk of the court that they have read the orders identified on the website. Counsel representing the parties will distribute the Standing Temporary Domestic Relations order to their clients. A pro-se petitioner who files a petition for dissolution of marriage will be furnished this order by the clerk of the court when they file a petition for dissolution of marriage.
9. TERM OF THIS ORDER:
This order shall remain in full force and effect until the entry of a final judgment, a dismissal of the cause, or as it relates to paragraphs 1,2,3,4,5,7 and 8 until the entry of a subsequent temporary order. However, as to paragraph 6, the entry of a subsequent temporary order will not abrogate paragraph 6 remaining in full force and effect unless the judge in the temporary order specifically addressed the requirements of insurance or survivor benefit plans.

Done and Ordered this 19th day of September, 2013.

JOHN M. HARRIS
JOHN M. HARRIS
CHIEF JUDGE

DISTRIBUTION:

All Circuit and County Judges (Brevard County)
Court Administration (Brevard and Seminole Counties)
Clerk of Court (Brevard County)
State Attorney (Brevard County)
Public Defender (Brevard County)
Sheriff (Brevard County)
Bar Association (Brevard County)
Law Library (Brevard County)