

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

ADMINISTRATIVE ORDER NO.:
11-06-B

**IN RE: MAGISTRATES – CHILD SUPPORT ENFORCEMENT HEARING OFFICER –
PROCESSING OF TITLE IV-D CHILD SUPPORT CASES**

WHEREAS Fla. Fam. L. R. P. 12.491 has been specifically invoke by administrative order of the Chief Justice of the Florida Supreme Court for use in the Eighteenth Judicial Circuit, and

WHEREAS Fla. Fam. L. R. P. 12.491(d) provides for the Chief Judge of the Circuit to establish procedures pursuant to which cases are to be referred to the Support Enforcement Hearing Officer,

The following procedures are hereby established for the processing of Title IV-D cases in Brevard County, Florida:

1. Initial proceedings in IV-D cases filed by the Department of Revenue will be handled by the Child Support Enforcement Hearing Officer.
2. Supplemental petitions and motions in Title IV-D cases filed after the entry of an original order that involve only the establishment, enforcement, or modification of child support will be directed by the Clerk of Court to the Child Support Enforcement Hearing Officer, who will set a hearing or trial.
3. If the supplemental petition or motion raises multiple issues including the establishment, enforcement, or modification of child support, and the Department has not intervened, the assigned judge has the option of hearing it, referring it to a General Magistrate, or sending the support issues to the Child Support Enforcement Hearing Officer. If the matter is referred to a General Magistrate or the Child Support Enforcement Hearing Officer, they shall hear it. If the Department of Revenue intervenes, the judge or General Magistrate has the option of keeping the case or referring the child support issues to the Child Support Enforcement Hearing Officer.
4. In a motion or supplemental petition involving child support issues in a IV-D case in which the Department has not intervened, the judge, General Magistrate, or Child Support Enforcement Hearing Officer shall send notice of the hearing to the Department, and shall copy the Department with any final order. The hearing should be set sufficiently

in advance to allow the Department to determine if its participation is required by law, and to appear pursuant to the notice.

5. In an original family court action not filed by the Department in which the Department intervenes because a party is receiving services pursuant to sec. 409.2561 or sec. 490.2567, the child support issues shall be referred to the Child Support Enforcement Hearing Officer. After referral to the Child Support Enforcement Hearing Officer, the judge or General Magistrate in a final or subsequent hearing may re-address child support issues previously addressed by the Child Support Enforcement Hearing Officer. Any final order should be copied to the Department.
6. When child support is set in a domestic violence restraining order case and the Department of Revenue seeks to intervene to enforce the support order, the Department shall file a new case referencing the domestic violence restraining order case. The Child Support Enforcement Hearing Officer shall hear the case, and if appropriate shall terminate the support provisions in the restraining order case and institute a support order under the new case.

DONE AND ORDERED this 19th day of January, 2011

J. PRESTON SILVERNAIL
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CHIEF JUDGE.

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