

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

ADMINISTRATIVE ORDER NO. 5.308- 08/2024*

IN RE: **DEPARTMENT OF REVENUE
JUDICIAL AND
ADMINISTRATIVE CHILD SUPPORT CASES**

The Florida Department of Revenue (DOR) is the designated as the state agency responsible for the administration of the child support enforcement program. DOR may initiate action to determine paternity, establish child support obligations, or to enforce or modify child support obligations. Florida Statute §409.2563(8) requires DOR to file IV-D cases with the clerk of the circuit court a certified copy of an administrative support order rendered by the Division of Administrative Hearings pursuant to §409.2563. The statute further gives the clerk the authority to initiate a judgment upon delinquency by the obligor. Florida Statute § 409.2563(10) sets forth the authority of the circuit court to review, enforce or enter an order superseding an administrative support order entered by an administrative law judge of the Division of Administrative Hearings. Florida Statute §409.2563(10)(a) provides that an obligor or DOR has the right to seek judicial review of an administrative support order or a final order denying an administrative support order.

Uniform procedures on assignment and handling of cases involving DOR will ensure efficient administration of justice and compliance with Unified Family Court. Furthermore, Uniform practices are necessary for the administration of the alternate procedures set forth under §409.2563 which are filed in the Fifteenth Judicial Circuit.

NOW, THEREFORE, pursuant to the authority conferred by Florida Rule of General Practice & Judicial Administration 2.215, it is **ORDERED** as follows:

1. **CASE ASSIGNMENT**

- a. Unified Family Court cases involving DOR will be assigned pursuant to Administrative Order 5.101.
- b. If DOR files a petition or motion which opens a new family law case or reopens on existing family law case, DOR's Legal Service Provider shall:
 - i. Notify the Court of any proceedings that could affect the current proceeding via a Notice of Related Case Form as required by Florida Family Rule of Judicial Administration 2.545(d)(5), and
 - ii. File a Date of Birth Form as required by Administrative Order 5.109.

- c. The Clerk of Court shall add DOR as a party to an existing family law case which involves establishment, modification, or enforcement of child support upon entry of a court order permitting DOR to intervene in the case. In such case, the Clerk of Court shall also add DOR's Legal Service Provider as counsel of record.
- d. The Clerk of Court shall not add DOR as a party to an existing family law case solely based on DOR's filing of a Request to Redirect Payments to New Title IV-D case.
- e. Neither DOR nor its Legal Service Provider will be served with copies of orders or Court notices unless DOR is a party to the case.
- f. Removal of DOR as a party to an existing case shall occur upon entry of an Order Granting Motion to Withdraw and Order to Remove DOR as a party. The Clerk shall not remove DOR as a party based solely on DOR's filing of a Notice of Termination of Child Support Services.

2. **ADMINISTRATIVE SUPPORT CASES "AS":**

- a. Administrative support orders filed with the Clerk of Court by DOR pursuant to Florida Statute §409.2563(8) shall be coded by the Clerk's Office as "4D: IV-D Administrative Support" case type. The Clerk shall assign these filings to Division "ND" in Showcase as "DR" cases, Administrative Support orders filed prior to **September 3, 2024** will still have the "AS" court type indicator in the case number .
- b. If the Clerk of Court or DOR issues to the obligor any notice of delinquency, notice of intent to suspend a driver's license or motor vehicle registration in accordance with §61.13016, or notice of intent to suspend a professional license or certification in accordance with §61.13015, such notice will be filed and docketed in the "Administrative Support" case.

3. **DOMESTIC RELATIONS CASES "DR":**

- a. The first time a party seeks affirmative relief from the circuit court to supersede or modify an administrative child support order, or if the obligor files a petition or notice contesting the delinquency set forth in paragraph 1b above, the Clerk will create a new Domestic Relations Case with the "DR" court type using the case type of "4J" or "SY" for child support. The Clerk shall link these cases in Showcase.
- b. A filing fee will not be assessed when no superseding order has been entered and the parties in an Administrative Support case file a motion or notice contesting the delinquency or suspension of driver's license set forth in paragraph 1b above, **a motion for direct payment, a motion to stop payments, a motion to lift a bank levy, or any other motion filed in an Administrative Support case to seek relief from the Circuit Court relating to child support.**

- c. A filing fee will be assessed when affirmative relief is sought to supersede or modify an administrative child support order.
4. The Clerk shall open a new and separate DR case to handle a counter-petition to establish a parenting plan or timesharing plan for the first time. The Clerk of Court upon the filing of a Title IV-D action shall review the court records to determine if there is any pending case with the obligor and obligee that are related pursuant to Administrative Order **5.101** to ensure proper division assignment.
5. Following the docketing of the Notice of Contest or any document which disputes the notice of delinquency, notice of intent to suspend a driver's license or motor vehicle registration in accordance with §61.13016, or notice of intent to suspend a professional license or certification in accordance with §61.13015 in the Administrative Support cases, the Clerk shall promptly forward the documents to the appropriate child support hearing officer to be addressed.
- a. DOR will e-file the notice of delinquency, notice of intent to suspend a driver's license or motor vehicle registration in accordance with §61.13016 or notice of intent to suspend a professional license or certification in accordance with §61.13015 within three business days after receipt of the notice of hearing.
- b. The Clerk will docket the notice of delinquency, notice of intent to suspend a driver's license or motor vehicle registration in accordance with §61.13016 in the newly created domestic relations case along with a copy of the final administrative support order and Income Deduction/Withholding order, if any.
6. To provide assistance and fair access to the courts for the self-represented litigant, the **Clerk's Office** shall provide self help packets that include relevant documents and forms required for filing **along with procedural directions in these cases. The packets are available at any of the Clerk's Office locations as well as on the Clerks website at: www.mypalmbeachclerk.com**

DONE AND SIGNED this 21st day of August, 2024, in Chambers at West Palm Beach, Palm Beach County, Florida.



Glenn D. Kelley
Chief Judge

*supersedes admin. Order 5.308- 10/2020