

**STEVEN M. FAHLGREN
CIRCUIT JUDGE
FOURTH JUDICIAL CIRCUIT
NASSAU COUNTY, FLORIDA
DIVISION A PROCEDURES**

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Robert M. Foster Justice Center

76347 Veterans Way, 3rd Floor

Yulee, FL 32097

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Updated March, 2020

GENERAL¹

Administrative Order No. 2020-1, has directed that all civil division (CA case numbers), family law divisions (DR case numbers), probate division (CP case numbers), and guardianship division (GA case numbers), excluding petitions for injunctions against domestic violence, be conducted either by telephonic means or video conference utilizing the Zoom Application, Skype, etc. in an attempt to contain the spread of the coronavirus. To appear by through Zoom for a hearing before Judge Fahlgren, please use the information copied below.

Join Zoom Meeting

<https://zoom.us/j/383599807?pwd=MmRDbzFvc0ROenFGQUxFR20vaHpTZz09>

Meeting ID: 383 599 807

Password: 900183

One tap mobile

+19292056099,,383599807# US (New York)

+13126266799,,383599807# US (Chicago)

¹ Additional information has been added regarding Coronavirus procedures, but all other information has not yet been modified.

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Dial by your location

+1 929 205 6099 US (New York)

+1 312 626 6799 US (Chicago)

+1 301 715 8592 US

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US

Meeting ID: 383 599 807

Find your local number: <https://zoom.us/j/383599807>

Join by SIP

383599807@zoomcrc.com

Hearings Conducted via Zoom: To appear before Judge Fahlgren via Zoom, please use the invitation information above. Please name your Zoom profile accordingly so you can be easily identified by Judge Fahlgren. Anyone not speaking during a hearing, should keep their microphone muted to avoid distracting background noise.

Courtesy copies of all notices of hearing identifying the means in which counsel and the parties intend to appear shall be provided to the Court by email to astrickland@nassauclerk.com at least 24 hours in advance of the hearing, along with any proposed orders. If copies of any orders need to be mailed to any pro se' parties, counsel shall include language in the order directing the moving party to mail those copies out and to file a certificate of service.

Exhibits should be bates stamped, exchanged in advance of hearings, and submitted by email to the Court at astrickland@nassauclerk.com at least 24 hours in advance of the hearing date. When those exhibits are emailed to the Court they should be sent in as one PDF file, or as few PDFs as possible, and include an index and should be easily identified. Files containing more than five (5) exhibits should include a cover sheet before each exhibit. It is anticipated that those exhibits will be printed for the Court's review. However, it may be necessary for the Court to review them electronically only.

LOCATION: Judge Fahlgren primarily holds court at the Robert M. Foster Justice Center in Yulee, Florida. However, approximately one (1) Monday per month, he holds court at the Historic Courthouse located at 416 Centre Street in Fernandina Beach, Florida.

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PROBATE: Effective, January 1, 2020, all probate matters will be covered by Senior Judge Robert M. Foster. A list of hearing dates for each division can be found here (<https://nassauclerk.com/wp-content/uploads/2020/01/Probate-Procedures-and-Hearing-Dates.pdf>). Each Judicial Assistant will continue to process the receipt of proposed and executed orders and scheduling matters for their respective division. Courtesy copies of supporting motions and petitions with proposed orders, as well as courtesy copies of any notices of hearing and supporting documents are appreciated. It is the Court's preference that proposed orders be submitted by email in Word format. However, if all parties cannot be served through the e-portal, hard copies with self-addressed stamped envelopes should be submitted to the court with copies of the proposed order for those parties. **While the location of each hearing date will differ between the Historic Courthouse located at 416 Centre Street, Fernandina Beach, Florida 32034 and the Robert M. Foster Justice Center located at 76347 Veterans Way, Yulee, FL 32097, each Judicial Assistant will continue to process the receipt of proposed and executed orders and scheduling matters for their respective division.** Please ensure that you have coordinated and confirmed your hearing date before any notice of hearing is filed and served on the parties.

EX PARTE: **Please refer to Div. A Ex-Parte Dates published separately for updated information due to the Coronavirus published separately.** Involves only uncontested matters, properly noticed motions to withdraw, Motions to Set for Trial, and requests to schedule hearings in excess of one (1) hour in all matters with the exception of residential foreclosure and probate cases. However, motions to withdraw filed in estate and guardianship cases should be coordinated with the Court's Judicial Assistant for a time certain hearing as those motions are no longer heard during ex-parte. Ex parte hearings are not scheduled with the Judicial Assistant. The ex parte schedule is located on the above-referenced website and available in Judge Fahlgren's chambers. Ex parte hearings are typically held between 9:30 to 10:00 a.m. on certain dates of every month. On many occasions, the Court will begin ex parte early to afford additional time if there are no pressing matters. Telephonic appearances are typically allowed so long as the parties calling in are not using multiple speaker phones. Requests to appear by telephone during ex parte shall be coordinated with the Court's Judicial Assistant. Ex parte dates are typically not posted on the office voice mail. Prior to the hearing for the entry of an uncontested Final Judgment of Dissolution of Marriage, the movant should complete a checklist for consent final judgment. A copy of the form can be found on the above-

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referenced website. Please note that uncontested divorces may be scheduled for a time certain if the parties so desire in order to afford some privacy. **It is best to call the day before a scheduled ex parte date to confirm the date has not been cancelled.**

DURATION TIMES FOR A HEARING: With the exception of residential foreclosure matters, motion hearings may be scheduled on either morning or afternoon calendars, commencing at 10:00 a.m. to 12:00 noon and 1:30 to 5:00 p.m. Hearings that require more than one (1) hour of time must be approved by the Court during ex parte, but the Court will allow attorneys to appear by telephone during ex parte for the purpose of scheduling such a hearing.

COURTESY COPIES OF NOTICES OF HEARINGS: Once a hearing has been scheduled, please provide a courtesy copy of the notice of hearing and the motion(s) scheduled to the Judicial Assistant by email to astrickland@nassauclerk.com.

EMERGENCY MOTIONS/MOTIONS FOR REHEARING/MOTIONS FOR NEW TRIAL: (1) Must be a genuine emergency; (2) must be filed with the Clerk of Court, [Rule 1.610 & 12.610(a)]; (3) If seeking ex parte (w/o notice of hearing) you must state an adequate reason why the other party should not be given notice; otherwise (4) due process requires proof of service on the other party; (5) verified/sworn by the movant & signed by counsel; (6) emergency motions should be emailed to the Judge's Judicial Assistant at astrickland@nassauclerk.com or delivered to the Judge's chamber's for review; (7) If emailed, the email should be marked urgent and "emergency" should be included in the subject line; (8) If hand delivered and the division JA is not in the office (that does not mean the judge is not available), you are required to fax the motion; (9) There shall be **no ex parte communicate concerning this request** and (10) after the Judge has reviewed the action, the Judicial Assistant will advise if the motion will be granted without a hearing or notice, denied, granted with a hearing on an emergency basis or for movant to schedule the matter on the next regular calendar date

AMERICANS WITH DISABILITIES ACT: If you are a person with a disability who needs any accommodation in order to participate in a proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator at (904) 548-4600 (then press 0) at least 7 days before your

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scheduled court appearance, or immediately upon receiving notification of the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

CANCELLATION OF HEARINGS: When cancelling a hearing, please file a Notice of Cancellation with the Clerk and provide a courtesy copy to the Court via email to astrickland@nassauclerk.com. If the hearing is imminent, please call 904-548-4940 and leave a brief message. Your matter will be removed from the calendar upon receipt of the Notice of Cancellation.

SETTING A CASE FOR TRIAL: With the exception of residential foreclosure matters that are specifically addressed herein, Motions to Set for Trial and Motion to Set Hearings for greater than one (1) hour are heard during ex parte.

1. Family Law matters shall complete mediation (unless excused by the Court) prior to the scheduling of trial.
2. File a Motion to Set Case for Trial/Hearing.
3. Coordinate with opposing party or attorney to select an ex parte date which is convenient for all parties.
4. Serve the Notice of Hearing on all parties.
5. Complete the Trial Memorandum Form. The form is located on the above-referenced website, and is also available in the Judge's chambers.
6. The Court will prepare the trial order. Sample trial orders are published on the above-referenced website.
7. The Court typically e-files trial orders. Please provide self-addressed stamped envelopes for pro se' parties and any third parties that cannot be served through the e-portal. The Court does not provide envelopes and postage.

When a case **SETTLES** prior to the pre-trial or trial date, **PLEASE, IMMEDIATELY** contact the Judge's office via email to astrickland@nassauclerk.com so that the Court's trial calendar may be updated.

CONTINUANCE OF TRIAL: If an Order Setting Trial has been entered and one party requests a continuance, and the continuance is granted, the party requesting the

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continuance prepares a one page proposed order granting the continuance with the new trial date or week and pre-trial conference date and time providing that all provisions of Court's previous trial order shall remain in full force and effect, or that the trial will be reset upon either party's Motion to Set. This should be emailed to astrickland@nassauclerk.com with a similar email to the other party.

TELEPHONIC APPEARANCE: Telephonic appearances are generally not allowed in residential foreclosure cases. Otherwise, so long as the parties agree or good cause is shown upon written request of party upon reasonable notice to all parties, requests to appear by telephone shall be granted. For any hearings scheduled for thirty (30) minutes or less, absent any objection from the opposing part(ies), the Court will routinely grant requests for counsel to appear by phone. Under those circumstances, the request to appear by phone may be coordinated with the Court's Judicial Assistant. Once coordinated, please notate which attorneys will be appearing by phone in the notice of hearing. However, it is the Court's preference that witnesses unable to physically attend a hearing or trial to testify, appear via Skype. Please refer below for specific provisions regarding appearances by telephone and Skype. This language below should be included in any proposed order granting such a request. The device used for the Skype call may be connected to a monitor (provided by the Court's I.T. department) so that the testifying party can be viewed by everyone. Please note that it is important that the Court's I.T. department know in advance what equipment counsel plans to use for a Skype session (e.g. laptop, iPad, or Android tablet). The I.T. department usually has access to standard HDMI and VGA cables; however it is important to discuss your needs in advance.

Procedures for Appearing by Telephone (when authorized to do so):

- a. Any party or witness appearing by telephone should call the Court's Judicial Assistant at 904-548-4940 approximately five (5) minutes prior to the start of the Non-Jury Trial and shall have a Notary Public/Classification Officer physically present with him/her to issue the following oath, "Do you solemnly swear or affirm that the evidence you present today will be the truth, the whole truth, and nothing but the truth, so help you God?"

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- b. The party or witness appearing by telephone should ensure that the Notary Public/Classification Officer is prepared to provide their name, commission number or social security number, and their commission expiration date.
- c. The party or witness appearing by telephone should also ensure that the Notary Public/Classification Officer is prepared to identify them, and state the form of identification presented by the party testifying.

Procedures for Appearing by Skype (when authorized to do so):

- a. Counsel shall bring their own device and shall be prepared to initiate the Skype call, and shall make arrangements with the Court's Judicial Assistant to test the connection prior to the Non-Jury Trial in this matter.
- b. Counsel is encouraged to make contact with the Court's Judicial Assistant by email or telephone at least five (5) business days prior to the Non-Jury Trial to arrange a time to test the connection.
- c. Any party or witness appearing by Skype should have a Notary Public/Classification Officer physically present with him/her to issue the following oath, "Do you solemnly swear or affirm that the evidence you present will be the truth, the whole truth, and nothing but the truth, so help you God?"
- d. The party or witness appearing by Skype should ensure that the Notary Public/Classification Officer is prepared to provide their name, commission number or social security number, and their commission expiration date.
- e. The party or witness appearing by Skype should also ensure that the Notary Public/Classification Officer is prepared to identify them, and state the form of identification presented by the party testifying.

SUBMITTING PROPOSED ORDERS:

- 1. It is recommended that the movant bring originals and conforming copies of what you will ask the Court to sign to the hearing. If a matter is contested, it is

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recommended that each party bring to the hearing a proposed order with recommended findings of fact and conclusion of law.

2. The attorney preparing a proposed Order subsequent to a hearing shall provide an advance copy to opposing counsel.

3. The proposed Order should then be submitted to the Court no sooner than forty-eight hours after the proposed order has been provided to opposing counsel. Proposed orders submitted to the Court shall be accompanied by a standard cover letter **advising the date of the hearing that gave rise to the proposed order**, and the opposing party's position with regard to the proposed order. In the event the opposing party is not represented by counsel, same shall be stated in said cover letter. If this information is contained in the body of an email attaching a proposed order, a cover letter is not necessary.

4. When entitling proposed Orders always designate the particular motion heard, such as "Order Denying Wife's Motion to Dismiss" or "Order Granting Husband's Motion for Contempt," et cetera. Consent Orders should contain the word "Consent" or "Agreed" at the beginning of the caption. Amended orders should include a footnote detailing the reason(s) for the amendment.

5. It is preferred that proposed Orders arising from matters heard by the Court be submitted by email to the Court's Judicial Assistant at astrickland@nassauclerk.com, and that the proposed Order be in Word format. **The subject of the email should contain the case number and last name of the parties, and describe the proposed order. The proposed order should be saved as follows:**

**Case Number (Short Case Style) Title of Proposed Order
17CA27 (Smith v. Jones) Proposed Order Granting Motion to Compel**

The email should also attach a cover letter or contain language consistent with directives above regarding cover letters.

In the event that any interested party cannot be served through the Florida Court's E-Filing Portal, it is preferred that the Order be submitted by mail with the appropriate

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number of copies and self-addressed stamped envelopes for all parties with an appropriate cover letter. If the Court has requested that the proposed order be sent via email, please also send blank stamped envelopes to reimburse the Court as the Court will mail conformed copies to third parties and pro se' litigants upon entry of the order.

6. When submitting orders by mail, sufficient number of distribution copies for all parties and stamped addressed envelopes must accompany the Order when submitted. It is required that Income Withholding/Deduction Orders, Qualified Domestic Relation Orders, and any other order that requires the receipt of a copy by a third party be submitted by mail.

7. **Whenever reasonably possible, competing orders should be created from the same Microsoft Word document as the opposing party's initial draft. The competing order shall highlight the requested revisions, and/or a comparison document shall be provided to the Court.**

8. The **DONE AND ORDERED** or **ORDERED AND ADJUDGED** (for Final Judgments) clause, along with the Court's signature line, should be on the same page. If the last page contains only the date line and/or Judge's signature line it must have the title of the Order and the case number on it also.

9. Full names and complete addresses of counsel/parties to whom copies are to be provided, including email addresses for the service of pleadings, should be included on the last page.

10. The signature line should be located on the right border of the page.

ORDERS GRANTING MOTIONS TO WITHDRAW: In addition to the standard language in a proposed Order Granting a Motion to Withdraw, counsel should include the following language, "All unrepresented parties shall be treated as reasonably competent counsel as required by Florida law." Counsel may also include language reminding the counsel that has withdrawn to remove themselves from the e-portal's service list. Instructions to do so can be found here, <https://www.clerk.org/pdf/RemovalOfEmailAddress-NoLongerAttyOnCase.pdf>.

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UNAVAILABILITY: Substitute Judicial Assistants are not available to cover this division during illness or vacation. When the Judicial Assistant for Division A is not present, leave a telephone message, and you will be contacted as soon as possible following the Judicial Assistant's return to the office. If you have an emergency matter please send an email to the Court's Judicial Assistant at astrickland@nassauclerk.com in addition to leaving a voicemail. The Judicial Assistant's auto-reply should provide instructions regarding her absence.

LEAVING MESSAGES ON VOICEMAIL: Please include the case number, your name, phone number, and a message concerning your call. The Judicial Assistant will return calls as soon as possible.

COURTROOM TECHNOLOGY: The primary evidence presentation equipment available in the courtrooms of Nassau County consist of an Elmo projector and a personal computer with USB drives and disc drives. The personal computers are compatible with laptop computers that have HDMI outputs. Said equipment feeds into a sound system and screens throughout the courtroom. If you would like to schedule a time to test the system, or if you have any additional questions, please send an email to it@nassauclerk.com and copy the Court's Judicial Assistant at astrickland@nassauclerk.com.

FAMILY LAW

PUTTING CHILDREN FIRST IN DIVORCE COURSE: Administrative orders issued in the Fourth Judicial Circuit (Duval, Clay, and Nassau Counties) by the Chief Judge and the Standing Family Law Court Order require that parents who are parties to a dissolution of marriage action or a paternity action shall promptly complete a four-hour parenting course, such as the Putting Children First in Divorce Course (formally Children First in Divorce) offered by Hope Haven (<http://www.hope-haven.org/divorce-counseling/>), or a similar qualified program. In Nassau County, two of the approved providers of the similar qualified program, the Parent Education and Family Stabilization course, are Clearview Concepts and McPherson Counseling Services, Inc. Clearview Concepts is located at 1411 S. 14th St., Fernandina Beach, Florida 32097, and may be contacted at 904-335-0333. McPherson Counseling Services, Inc., is located at 850310

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US HWY 17, Yulee, Florida 32097, and may be contacted at 904-548-0160. Under some limited circumstances, the Court may approve an online parenting course such as the course offered at <https://www.onlineparentingprograms.com/>. Permission should be sought from the Court before taking an online course to fulfill the requirement to take a four-hour parenting course.

MEDIATION AND PRE-TRIAL CONFERENCES. Mediation should occur as soon as possible to minimize the expense and uncertainty of litigation. An exception to the general rule that a prompt mediation is useful involves matters in which a time sharing evaluator will likely be appointed. The Court prefers that mediation take place after a report is submitted by a time sharing evaluator. If a timesharing report is pending, the Court will not set the matter for trial. The Report on Mediation shall be prepared in accordance with Rule 12.740(f), Fla. Fam. L. R. P., and filed with the court prior to the Pre-Trial Conference. The requirement to mediate this case cannot be waived by agreement of the parties. Generally, parties must attend mediation prior to the scheduling of a matter for trial. Unless otherwise agreed upon by the parties or ordered by the Court, the parties shall be equally responsible for payment of all costs of mediation. For mediations scheduled with the Family Mediation Unit, the fee shall be paid to the Clerk of Court in full prior to the mediation.

SETTING HEARINGS: All hearings set before Division A will be heard at the Robert M. Foster Justice Center, 76347 Veterans Way, Yulee, Florida 3297. Hearings may be set by contacting the Judicial Assistant by phone at 904-548-4940. Please have the opposing attorney on the line when you call and be prepared to provide the case number, the name of the motion to be heard (must be filed prior to calling to set for hearing), and how much time is required for the hearing. Piggy backing on hearings is not allowed after they are set but related hearings must usually be scheduled together in order to efficiently adjudicate the case, e.g., a motion related to timesharing and a motion related to child support. The Judicial Assistant will not resolve disputes regarding when a motion will be set. The Judicial Assistant will not reserve tentative dates or times, so prepare to set the date and time of the hearing when the parties call the Judicial Assistant. It is not necessary to send courtesy copies of motions to the Judicial Assistant, but please be prepared to provide the docket number of the motion being scheduled. Including the date of filing of the matter set in notices of hearing is very helpful to the Court. **Once a**

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hearing has been scheduled, please provide a courtesy copy of the notice of hearing and the motion(s) scheduled to the Judicial Assistant by email to astrickland@nassauclerk.com.

COURTESY COPIES: There is generally no need for courtesy copies – please make sure the originals are timely filed with the Clerk of Court so that they are available for online review in advance of the hearing. Exceptions for courtesy copies are: verified emergency motions, objections to the magistrates, exceptions to magistrates’ reports, and motions for rehearing. If you are submitting a courtesy copy, please do not fax and send one via email or hand delivery – *one method of delivery is sufficient*.

TEMPORARY NEEDS HEARINGS: Temporary needs hearings shall be given priority.

OBJECTIONS TO MAGISTRATES/HEARING OFFICERS: It is required that any objection to the referral of a matter to the Magistrate be filed with the Clerk of Court timely, and that a courtesy copy be provided to the Court by email to astrickland@nassauclerk.com. Please also provide a courtesy copy of same to the Family Law Case Manager, Shirlene Billings, by email to sbillings@nassauclerk.com.

EXCEPTIONS TO THE MAGISTRATE’S REPORT: It is required that any exceptions to the Magistrate’s report be filed with the Clerk of Court timely, and that a courtesy copy be provided to the Magistrate’s office, and that a courtesy copy also be provided to the Court by email to astrickland@nassauclerk.com. Please also provide a courtesy copy of same to the Family Law Case Manager, Shirlene Billings, by email to sbillings@nassauclerk.com.

CONSENT JUDGMENTS THAT INCLUDE 50/50 TIME SHARING

ARRANGMENTS: The Court typically ratifies the 50/50 time sharing arrangements agreed to between parties but is willing to reserve jurisdiction to revisit time sharing under the best interests of the children standard upon written request of either party. If the parties agree, the following language may be included in any proposed final judgment submitted to the Court with 50/50 time sharing: The Court ratifies the 50/50 time sharing arrangement agreed to between parties but reserves jurisdiction to revisit time sharing of

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the parties under the best interests of the children standard considering the factors set forth under Section 61.13(3) of the Florida Statutes, upon written request of either party.

QUALIFIED DOMESTIC RELATIONS ORDERS: The Court will conduct hearings on Qualified Domestic Relations Orders, but it will allow submission of Qualified Domestic Relations Orders that have been consented to by both parties and pre-approved by the relevant plan or documentation is filed with the Court that pre-approval is not an option. It is preferred that proof of preapproval be provided to the Court at the time of submission of consented to QDROs. Proposed consented to QDROs should be submitted to the Court by mail with copies and envelopes, along with a copy of the supporting order or judgment.

DEFAULT FINAL HEARINGS: Default Final Hearings should be coordinated with the Court's Judicial Assistant on the Court's regular calendar. Default Final Hearings will not be heard during ex parte. The party seeking the default judgment should bring proof of service or diligent search to the hearing. The Court will enter an Order Setting Trial and serve the order on all parties, even those parties in Default for matters involving unliquidated damages and/or child support and timesharing, as required by Rule 12.440, Florida Family Law Rules of Procedure.

SERVICE BY PUBLICATION: Cases wherein the Respondent has been served by publication should include a diligent search affidavit with proof of searches with the entities listed below, when possible.

- United States Postal Service
- Internet Search
- Department of Motor Vehicles
- Department of Corrections
- Letters to Armed Forces of the United States
- Nassau Tax Collector

ADOPTIONS: Petitioners in relative adoption cases are required to set forth in the petition any prior criminal arrests or domestic violence actions to which they have been a party. The Court does not hear adoption matters during ex-parte. Those matters may be

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coordinated with the Court's Judicial Assistant. It is not necessary that children attend final hearings, but they are certainly welcome. The Court will allow pictures to be taken if the parties so desire.

MOTIONS FOR REHEARING: Motions for rehearing and/or reconsideration must be filed with the Clerk and a copy e-served to the Judge's office at astrickland@nassauclerk.com. Please do not call the Judge's office to schedule a hearing on the motion. The Judge will review the motion and either issue an order or the Judge's Assistant will call to schedule a hearing, if necessary.

OUR FAMILY WIZARD: Parties with minor children in common that are having a difficult time communicating successfully are encouraged to use the application Our Family Wizard and to submit a proposed order requiring the use of this application. A sample order can be found at the above-referenced website with Division A's other published materials.

INCOME WITHHOLDING ORDERS AND ORDERS REQUIRING SUPPORT TO BE PAID THROUGH THE STATE OF FLORIDA DISBURSEMENT UNIT:

Please be advised that the federal government, specifically sections 466(a)(1), (a)(8) and 466 (b)(6)(A)(ii) of the Social Security Act, requires that states use the federally approved Income Withholding Order (IWO) for the deduction of child support. Hereafter, in order to facilitate income garnishment of support under State law, instead of submitting the previously used form "Income Deduction Order," federal law mandates that parties now submit the OMB approved Income Withholding Order with the Florida Addendum Form 12.996(d) to the court for signature. The Florida Addendum must be used where allocated child support for multiple children has been awarded. Federal law prohibits the OMB approved IWO form from being revised to include additional information.

Florida Family Law Rule of Procedure 12.015 was amended to add this new form to the list of the forms contained therein. The Florida Supreme Court has also adopted Florida Family Law Rules of Procedure Form 12.996(d) (Florida Addendum to Income Withholding Order). This Florida Addendum form is necessary and must be filed with the OMB approved IWO form in order to provide provisions required for income deduction

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orders pursuant to Florida law. The form may be accessed and downloaded from the Florida State Court's website at www.flcourts.org/gen_public/family/forms_rules/index.shtml.

If the new order does not get utilized, the employer, as required by federal law, will reject and send the order back to the court/sender and will not take out the appropriate child support dollars from the employee's pay until they receive the proper order. This may delay child support payment and enforcement efforts.

Attorneys are cautioned to affix to the IWO the style affixed to all other pleadings in the case at issue, reflecting case number, division, and the parties' names.

To obtain further information and or instructions on how to fill out the Income Withholding Order or to review related resources please click here <http://www.acf.hhs.gov/programs/css/resource/income-withholding-for-support-form>.

If an order requires support to be paid through the State of Florida Disbursement Unit, it is only necessary to provide a conformed copy of the order to the Domestic Relations Depository, which can be delivered via inter-office mail at the Courthouse (Room 1053). It is not necessary to provide a copy of the order to the State of Florida Disbursement Unit. The Domestic Relations Depository creates and maintains all accounts regarding support paid through the State of Florida Disbursement Unit. The State of Florida Disbursement Unit only receives and disburses money.

Pursuant to Florida Statute Section 61.181, the State of Florida Disbursement Unit imposes and collects a fee on each payment made for receiving, recording, reporting, disbursing, monitoring, or handling alimony or child support payments. **This fee is withheld by the State even if the IWO doesn't specify or include the fee in the amount to be deducted. Nonpayment of this fee will result in a delinquency in the support obligation.**

A sample IWO can be found here <https://www.nassauclerk.com/judge-steven-m-fahlgren/>.

Please refer below for an example of how to include the SDU's fee.

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ORDER INFORMATION: This document is based on the support or withholding order from FLORIDA (State/Tribe).

You are required by law to deduct these amounts from the employee/obligor's income until further notice.

\$ 800.00 Per month current child support
\$ _____ Per _____ past-due child support - **Arrears greater than 12 weeks?**

Yes No

\$ _____ Per _____ current cash medical support

\$ _____ Per _____ past-due cash medical support

\$ _____ Per _____ current spousal support

\$ _____ Per _____ past-due spousal support

\$ 5.25 Per payment other (must specify) **SDU fees 4% but not less than \$1.25 nor greater than \$5.25.**

for a **Total Amount to Withhold** of \$ _____ per _____ .

AMOUNTS TO WITHHOLD: You do not have to vary your pay cycle to be in compliance with the *Order Information*. If your pay cycle does not match the ordered payment cycle, withhold one of the following amounts:

\$ 189.86 per weekly pay period \$ 405.25 per semimonthly pay period
(twice a month)

\$ 374.48 per biweekly pay period (every two weeks) \$ 805.25 per monthly pay period

\$ _____ **Lump Sum Payment:** Do not stop any existing IWO unless you receive a termination order.

INTERPRETERS: The Court will provide interpreters for matters wherein the requesting party is indigent or for matters wherein there are minor children subject to the action. Attorneys that represent parties who will need the Court to provide an interpreter should notify the Court's Judicial Assistant of the need for same at the time the hearing is scheduled. The Court will attempt to schedule any such hearing early in the day so that the interpreters, who are paid for a two (2) hour minimum, may be able to handle all such cases in a relatively short order.

CIVIL

COURTESY COPIES: Courtesy copies of anything pertaining to a motion set for a time certain scheduled hearing exceeding 20 pages, including attachments, may be provided to the Court at least two (2) business days prior to the scheduled hearing or immediately if the hearing is scheduled within that time period.

SETTING HEARINGS: Hearings may be set by contacting the Judicial Assistant by phone at 904-548-4940. Please be prepared to provide the case number, the name of the

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motion to be heard (must be filed prior to calling to set for hearing), and how much time is required for the hearing. Piggy backing on hearings is not allowed after they are set but related hearings must usually be scheduled together. Alternatively, the party requesting the hearing can email the Judicial Assistant and copy the assistant(s) for the opposing counsel(s) and provide the information listed above. The Judicial Assistant will reply to all with available hearing dates/times. PLEASE NOTE: Hearing dates/times provided are not held and may be given to others. Hearing dates/times are not secured until confirmation is sent from the Judge's office. It is best for the parties have a first and second choice of the dates provided. **Once a hearing has been scheduled, please provide a courtesy copy of the notice of hearing and the motion(s) scheduled to the Judicial Assistant by email to astrickland@nassauclerk.com.**

JURY INSTRUCTIONS: Please refer to the Court's Jury Trial Guidelines For Division-A published on the above-referenced website.

REPLEVIN OTSC: Hearings scheduled regarding Orders to Show Cause in replevin actions shall be scheduled for a minimum of fifteen (15) minutes.

RESIDENTIAL FORECLOSURE CASES

CASE MANAGEMENT CONFERENCES: At the time of the filing of every new action, the Clerk of Court generates a Case Manage Conference Order setting a case management conference for approximately sixty (60) days out. These case management conferences are generally held one Wednesday afternoon per month in the Grand Jury Room of the Robert M. Foster Justice Center, 76347 Veterans Way, Yulee, Florida 32097. Attorneys filing new actions are encouraged to check the court docket once the summons has been issued to obtain this first case management conference date.

SCHEDULING: Motions and non-jury trials may be scheduled by emailing the Court's Judicial Assistant at astrickland@nassauclerk.com a completed Request for Hearing Time and Date Form. This form, along with a schedule of the upcoming hearing dates, can be found at website referenced on page one (1) herein. Please include in te form the

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preferred date requested. The Judicial Assistant will reply via email with the hearing/trial date and time. Please advise which of the published dates are preferred when submitting a request for a hearing. The requesting party is responsible for noticing the scheduled hearing. When requesting that a matter be set for a non-jury trial, please include a copy of the motion to set/notice for trial. Once the matter is set for trial, the requesting party shall submit a proposed trial order by mail with appropriate copies and stamped envelopes for all parties using the court's form published at the above-referenced website. All hearings will be held in the Grand Jury Room of the Robert M. Foster Justice Center unless otherwise indicated.

Telephonic appearances are generally not routinely allowed in foreclosure matters.

RECOMMENDATIONS: If you have a recommendation as to amending or revising our division procedures, you may email the Court's Judicial Assistant at astrickland@nassauclerk.com.