

**IN THE CIRCUIT COURT OF FLORIDA, SEVENTH JUDICIAL CIRCUIT
IN AND FOR FLAGLER, PUTNAM, ST. JOHNS AND VOLUSIA COUNTIES**

**RE: EMERGENCY “PARENTING” PROCEDURES
IN FAMILY LAW CASES**

REF: Z-2020-036

WHEREAS, in response to the COVID-19 pandemic, the Florida Supreme Court and the Seventh Judicial Circuit Court have issued administrative orders aimed at mitigating the spread of the virus, while also ensuring that Courts provide “mission essential” services, and

WHEREAS, this Court has determined that children’s interests are best served if parents continue to perform their duties and responsibilities of co-parenting and timesharing consistent with all existing court orders, rules, and directives;

NOW THEREFORE, I, RAUL A. ZAMBRANO, Chief Judge of the Seventh Judicial Circuit of Florida, hereby order as follows:

1. APPLICATION AND DURATION OF THIS ORDER

- a. The terms of this Order apply to all family law matters regarding parental responsibility and timesharing, and are to be utilized and complied with in all existing and newly filed Family Law cases in the Seventh Circuit. However, the provisions of any existing injunctions for protection, criminal “no contact” orders, or dependency orders control to the extent that said provisions may be in conflict with the terms of this Order.
- b. The terms of this Order remain in full force and effect until further order of the Chief Judge. This Order does not preclude individual judges from modifying or amending previously entered orders in individual cases as deemed necessary.

2. CONTACT WITH BOTH PARENTS; SHARED PARENTING

- a. Compliance with all final judgments, temporary orders, settlement agreements, or other orders of the court awarding parental responsibility or timesharing is required. Actions taken by the Governor, the Supreme Court, or any other executive/legislative/judicial entity do not relieve parents of their legal obligations to comply with timesharing and other provisions in the parenting plans, including transportation. Parents are expected to discuss issues regarding the location of their child(ren) and how best to meet educational requirements, remain with siblings, if possible and be safe. If the parties cannot agree on these issues, and if the existing parenting plan requires travel of more than 100 miles, then the parent with the majority of timesharing, (183) overnights or more, shall keep the child(ren) until travel restrictions/shelter orders are relaxed, or until a judge enters an order. The Court has jurisdiction to consider all appropriate remedial measures, including make-up timesharing, once said restrictions are relaxed and normal Court operations are resumed.
- b. Unless otherwise prohibited by an existing court order, each parent is prohibited from unreasonably restricting access to the child(ren) from the other parent.

- c. Regular timesharing as set forth in the parenting plan is to continue until the date the School District or Official governing the child(ren)'s school as designated in the parties' parenting plan, announce the last day of school, at which time summer timesharing begins as per the parenting plan. If a child's school has ended classes for the 2019-2020 school year, the summer timesharing schedule incorporated into any current final judgment or court order begins immediately.
- 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 exchange shall take place at the police department or sheriff's office that is located closest to the school or daycare, as determined by Google Maps.
- e. Video-conferencing and/or phone or other electronic contact is to be honored as set forth in the parties' parenting plan or as agreed upon by the parties. This method of contact should be increased to "regular and consistent contact" to alleviate fear and concerns the child(ren) may be experiencing during this time. Unless previously ordered, video or phone contact should not be monitored or interrupted by the other parent or any third party.

3. EMERGENCY MOTIONS AND EXPEDITED HEARINGS

- a. Parents are strongly cautioned that unreasonable or harmful behavior may be sanctioned by the Court, and the non-offending parent may be entitled to make up time and the award of attorney's fees and costs. Parents are reminded that such actions may impact the Court's final parenting plan as provided by Chapter 61, Florida Statutes.
- b. If a party files a motion regarding parenting issues, the motion must be served on the other parent pursuant to the rules of procedure.
- c. The Court may set a hearing in which the parties will be encouraged to appear remotely, or in person if necessary and appropriate, in accordance with Court-imposed guidelines. In accordance with Florida Supreme Court directives, a notary public or other person authorized to administer oaths is still required to verify the identity of persons appearing remotely, however, the notary may use audio or visual equipment to verify the identity of that person. Parents participating remotely shall do so outside the presence and awareness of the child(ren).

4. COMMUNICATION

- a. All parties and attorneys are expected to cooperate in the scheduling of telephonic or other electronic hearings, and when possible depositions, mediations and other out-of-court interactions as allowed by current or subsequent state or local orders.
- b. Parties must discuss (by email, phone or text) the issues to be raised in a motion before it is filed (unless discussing would threaten the safety of the child(ren)).
- c. All parties must agree on coordinated hearing time, prior to the hearing being set.

5. SELF-REPRESENTED PARTIES

- a. Self-represented parties may obtain Florida Supreme Court approved forms by accessing <https://help.flcourts.org>, click on the icon for "Find Forms," and then click on the icon for "Family Forms". The forms are available without charge.
- b. Self-represented parties are governed by the same rules of law, procedure, and evidence that lawyers are required to follow.
- c. Self-represented parties must file pleadings with the Clerk of Court, either in person, or through the Florida Courts E-Filing Portal and send copies simultaneously to the other self-represented party or the other party's lawyer. To register for the Florida Courts E-Filing Portal go to <https://www.myflcourtaccess.com>.
- d. Self-represented parties must immediately notify the Clerk of Court and all other lawyers or parties in writing of any change in mailing address, telephone number, or email address.

6. PROCEEDINGS

- a. The Seventh Judicial Circuit Court will continue to perform mission-essential proceedings in accordance with its administrative orders and those of the Florida Supreme Court.
- b. Parties are encouraged to check their presiding judge's web pages by checking the Court's website (www.circuit7.org) and clicking on "Judges", "Circuit Judges" and the judge's name.

TO BE RECORDED in Flagler, Putnam, St. Johns and Volusia counties.

DONE AND ORDERED in Daytona Beach, Volusia County, Florida, this 9 day of April 2020.



RAUL A. ZAMBRANO
CHIEF JUDGE