

FRIENDLY ADVICE

- ** Do not bring children to the Courthouse
- ** Do your Homework - Be prepared
- ** File original notarized documents
- ** Provide the other person with a copy of everything you file
- ** Read all Orders and Notices carefully
- ** Don't be late for CMC, Mediation, Hearings, etc.
- ** Dress appropriately, with respect for the Court
- ** Do not bring new boyfriends/girlfriends
- ** Keep emotions under control - be civil
- ** Turn off cellphones
- ** Advise of any special accommodations you may need
- ** Provide your own language interpreter

RESOURCES

FAMILY LAW FORMS

Florida Courts Help App (for mobile devices)
Help.FLcourts.org

Florida Bar Attorney Referral 800-342-8011

Clerk of Court-Civil Division 941-637-2103

Legal Aid (FRLS) 800-476-8937

Domestic Violence (Clerk) 941-637-2162

Child Support Enforcement 941-637-2235

Family Case Managers - AOC 941-637-2399
941-833-3064

Free Law Library is on the Ground Floor - Justice Center



REPRESENTING YOURSELF IN FAMILY LAW CASES

GENERAL INFORMATION



FAMILY LAW CASES

Typically, "Family Law" cases include DIVORCE, PATERNITY, and OTHER legal actions affecting family relationships. These are often emotional and difficult times for all persons involved.

Officially, these are LAW SUITS, and it is highly advisable to consult with an attorney who will represent you and your interests. There is no such thing as a "court-appointed" lawyer in family cases. In some cases, you may qualify for free "legal aid" through the Florida Rural Legal Services, Inc. Private attorneys who specialize in Family Law matters can be located thru the local telephone directory and internet. Many private attorneys provide a free consultation, prior to accepting your case. The Florida Bar offers a low-cost referral service, to match you up with a local attorney who specializes in your type of case. Legal resources are referenced in greater detail on the back of this flyer.

SELF REPRESENTATION

If you choose to represent yourself in a family law case, you will be considered "pro se" (Latin for "on one's own behalf"). As a pro se litigant, you are required to comply with all rules and procedures, as though you are a trained attorney. You should prepare yourself by doing your "homework"! Some helpful resources are included on the last page. You will be interacting with various employees in the courthouse during your case. **Staffs of the Clerk of Courts and Court Administration are not permitted to provide legal advice.** Also, you are not permitted to contact the Judge directly.

PROCEDURES

A Family Law case begins with the filing of a "petition", which opens the law suit. The person who files the petition is referred to as the "**petitioner**", and is responsible for paying the filing fee to the Clerk of the Court. The Petitioner must make sure the other person is aware of the law suit, by "serving" papers to him/her. Usually, this requires a "summons" to be issued and delivered by the Sheriff or process server. The person being sued must respond to the summons within 20 days. The person responding is called the "**respondent**". Packets of pre-printed forms are available for Petitioners and Respondents in most Family Law cases (printing fee will be charged by the Clerk of Courts). Required forms are also available from the Florida Courts website (no charge). In most cases, the Petitioner and Respondent are

issued "STANDING ORDERS" which must be obeyed while the case is pending.

SELF-HELP

The Administrative Office of the Courts (AOC) offers a "self-help" service for pro se Petitioners and Respondents. This program assists the Court by keeping cases "on-track", and helps self-represented individuals move through the legal process more easily. As already noted, staff involved with the Self-Help program are not permitted to give legal advice. Self-help services are provided free of charge, and include explaining procedures, identifying required forms, and notarizing papers being filed with the Clerk of Courts. Due to limited staffing/resources, walk-in service is not usually available. Family Law Case Managers may be contacted by phone, but in-person meetings are generally by appointment only.

CASE MANAGEMENT CONFERENCES

Most newly filed cases will have a Case Management Conference (CMC) scheduled 4-6 weeks from the date of filing. The CMC is a mandatory step in the process, but is a fairly informal meeting to discuss the status of the case. Evidence/arguments are not presented during the CMC. The Case Manager makes recommendations to help keep the case moving, and those recommendations become enforceable orders after signed by the Judge.

MEDIATION

In most cases, the Judge will require the Petitioner and Respondent to participate in "mediation". This is an opportunity to meet with a neutral person and try to reach an agreement. Very few cases are actually set for a "trial", because most individuals prefer to resolve the case on their own terms. Mediators are trained to help each Party to consider settlement options, but do not "order" either person to agree to anything. Everything discussed during mediation is CONFIDENTIAL, and may not be used at any future court hearings. If mediation is successful, the Mediator will draft the agreement for each Party to sign. It is then sent to the Judge to approve, bringing the case closer to "Final Judgment". There will be a fee for mediation, so you may decide to reach your settlement outside of mediation.