

IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT

IN AND FOR POLK COUNTY, FLORIDA

AMENDED ADMINISTRATIVE ORDER NO. 5-10.0

FINAL JUDGEMENTS FOR CHILD SUPPORT AND ALIMONY DELINQUENCIES

WHEREAS 61.14, Fla. Stat., provides for the Clerk of the Court to enter and record Certificates of Delinquency for child support and alimony delinquencies which by operation of law have the full force, effect and attributes of a Final Judgement, and

WHEREAS it is within the Court's inherent authority to interpret the law and to formulate policy decisions regarding implementation of the law, and

WHEREAS it is necessary to adopt uniform procedures in accordance with the Court's interpretation of the law, it is therefore

ORDERED AND ADJUDGED that the following policies and procedures are hereby established and shall be followed by the Clerks of this Circuit in the implementation of §61.14, Fla. Stat.:

1. Notices of Delinquency shall be issued by the Clerk only in cases where support payments are required to be made through the Central Government Depository.
2. The Clerk's office will initiate Sheriff's service of the Notice of Delinquency at the request of the Obligee and upon payment of the Sheriff's service fee.
3. Where an Income Deduction Order is in effect and payments are being made on a regular basis, the account shall be considered delinquent 15 days after the regular income deduction order payment date.
4. The Certificate of Delinquency shall contain the Obligor's Social Security number when available.
5. The Clerk shall mail a copy of the recorded Certificate of Delinquency to the Obligee along with a letter explaining the judgement and notifying the Obligee that a satisfaction may be recorded only upon payment of all costs, fees and delinquent accounts.
6. Payments received on accounts in which a Certificate of Delinquency has been recorded shall be applied first to the current balance due.
7. The attached forms (Exhibits "A" through "D") shall be used by the Clerk in implementing §61.14, Fla. Stat.
8. This Order revokes and supersedes Administrative Order No. 69.1 entered March 16, 1993 and renumbered as Administrative Order No. 5-9.0.

DONE AND ORDERED on this 10th day of May, 1993.

RANDALL G. MCDONALD

Chief Judge

