

IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT
IN AND FOR POLK COUNTY, FLORIDA

ADMINISTRATIVE ORDER NO. 5-47.0

**IN RE: PROCEDURES FOR PRO SE MOTIONS FILED IN
INJUNCTION FOR PROTECTION CASES**

WHEREAS, §741.30, Florida Statutes, provides for protective injunctions for victims of domestic violence and sets forth that the petitioner or the respondent may move the court to modify or dissolve an injunction at any time; and

WHEREAS, §784.046, Florida Statutes, provides for protective injunctions for victims of repeat violence, dating violence, and sexual violence and sets forth that the petitioner or the respondent may move the court to modify or dissolve an injunction at any time; and

WHEREAS, Rule 12.610, Florida Family Law Rules of Procedure, provides that the petitioner or the respondent may move the court to modify or vacate an injunction at any time; and

WHEREAS, cases involving domestic, repeat, sexual, and dating violence often involve parties without an attorney, and because *pro se* parties are often not familiar with the rules of procedure and administrative orders regarding the setting of hearings on motions and the legal requirements of motions, the Clerk of the Court must take some action to insure that the matter is brought to the attention of the judge to whom the case is assigned.

It is, therefore,

ORDERED and **ADJUDGED** that:

1. Upon the filing of a motion in a domestic, dating, repeat, or sexual violence case by a *pro se* litigant, the Clerk of Courts shall promptly transmit a copy of the motion directly to the office of the judge to whom the case is assigned for further action as the Court shall determine.
2. As it is a case management function rather than a case maintenance function, the Court shall determine whether the motion is legally sufficient, whether it seeks relief which can be and should be granted in the injunction case, and if a hearing must be set. The Court shall prepare the appropriate order or notice of hearing.

DONE AND ORDERED on this 8th day of October, 2010.

J. DAVID LANGFORD
Chief Judge