

**IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT IN AND FOR
HARDEE, HIGHLANDS AND POLK COUNTIES, FLORIDA**

ADMINISTRATIVE ORDER 6-19.0

RE: JUVENILE DEPENDENCY PLEADING PROCEDURES

WHEREAS, various pleading issues have been identified as problems hindering the administration of justice in the Juvenile Dependency Division; and

WHEREAS, it has become necessary to standardize the practice of proper application of Civil Rules and Practices in Dependency Court, and

WHEREAS, it is necessary to standardize the practice among all divisions in the Dependency Court, and

WHEREAS, it is necessary to insure that all pleadings are properly and accurately filed and indexed by the Clerk of the Court, and

WHEREAS, the proper administration of justice in this circuit will be served by the adoption of the following administrative provisions.

NOW, THEREFORE, it is ORDERED:

SECTION 1: APPLICABILITY

These provisions shall apply to dependency and termination of parental rights actions in the Juvenile Division of the Circuit Court of the Tenth Judicial Circuit in and for Hardee, Highlands and Polk Counties, Florida, in addition to any other administrative orders applicable to the court generally, and are intended to complement the Florida Rules of Juvenile Procedure. These provisions supercede all conflicting provisions in prior administrative orders adopted in this circuit.

SECTION 2: CASE CAPTION

A. *Format:* Initial pleadings, such as Shelter Petitions or In Home Dependency Petitions, when there is no Shelter Petition, shall recite the Caption of the Case as follows:

1. Children's names shall be listed last name first, first name, middle name or initial, and suffix (Example: Jr. or III).
2. The date of birth shall be listed immediately following the name in MM/DD/YY format.
3. The children shall be listed in order of age with the oldest child listed first and the youngest child last.

4. All subsequent pleadings will have the identical caption of the initial pleading in the case unless the caption of the case is changed by court order.

B. *Amending the Caption of the Case:* From time to time, it may become necessary to amend the caption of the case because of substantive or procedural corrections. The following rules shall apply in the amendment of case captions:

1. No case caption shall be modified, corrected or amended without an order of the court directing said amendment.
2. The court order will be in response to a motion to amend the caption of the case, reciting the basis for the necessity for the amendment. The body of the motion shall be on the pleading under the caption for which correction is sought. (*Caption to be amended*)
3. The order amending the caption will also have the caption for which amendment is sought. (*Caption to be amended*) The body of the order will recite that henceforth, the caption of the case shall be: (*Whatever the corrected caption is*).
4. Upon receiving an order amending the case caption, the Clerk of the Court shall reflect the change on the official court file.
5. Any and all pleadings following the court order that amends the case caption shall reflect the new case caption.

SECTION 3: TITLE OF PLEADING

A. *Title on Pleadings:* For purposes of this rule, the term, “pleading,” includes, but is not limited to Case Plans, Predisposition Studies, Reports, Motions, Orders and Notices of Filing. The Title on any pleading shall be as specific as possible, and shall include the following:

1. The Party requesting or obtaining relief.
2. The Purpose of the pleading.
3. Name of child or children addressed in the pleading.
4. Name of parents or custodians that are being addressed in the pleading.

B. *Title on Orders:* The title on prepared orders shall indicate which motion it is granting or denying, and shall include the specificity that is required in the motion’s title.

C. *Headers:* All multiple page pleadings shall have headers on all pages after the first page. The header shall include the proper caption of the case, case number, title of the pleading, and page number.

DONE and ORDERED this 22nd day of June 2009

J. David Langford
Chief Judge