

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

ADMINISTRATIVE ORDER NO. 5-50.0

IN RE: AFTER HOURS INJUNCTIVE RELIEF (HARDEE COUNTY)

WHEREAS, § 26.20, Florida Statutes, requires that emergency domestic violence injunctive relief be available to domestic violence victims after normal business hours; and

WHEREAS, it is necessary to establish procedures to be followed in Hardee County, Florida, in emergency situations in which a domestic violence injunction is being sought after normal business hours;

NOW, THEREFORE, it is

ORDERED as follows:

The following procedures will be followed in emergency situations in Hardee County, Florida, in which a domestic violence injunction is being sought after normal business hours. This process applies only to DOMESTIC VIOLENCE¹ injunctions and not to dating, repeat, sexual, or stalking violence.

1. The after-hours process is initiated when a person makes contact with law enforcement regarding a domestic violence event or circumstances in which the person believes that he or she is in immediate and present danger of domestic violence and wants a domestic violence injunction for protection.
2. If a law enforcement officer (hereinafter "LEO") is contacted, the officer at the scene will advise the person (hereinafter "petitioner") of the opportunity to seek an after-hours domestic violence injunction and the process for submitting the petition. If the petitioner wishes to submit a petition for injunction for protection against domestic violence, the LEO will contact the Circuit/County Judge assigned to Hardee County, Florida, to furnish information relevant to the request. The Judge will make a preliminary finding on whether an injunction will issue and, on an affirmative finding, inform the LEO of the time the petitioner is to be at the Hardee County Courthouse.

The responding law enforcement agency shall be responsible for having a LEO available to escort the clerk and the petitioner into the courthouse and shall remain in the courthouse until the clerk and the petitioner leave the courthouse. Entry and exit at the courthouse are at the location that the Clerk of the Court (deputy clerk of the court) and the LEO agree upon. Only the clerk, the petitioner, the language

¹ Domestic violence may have occurred if the respondent is any one of the following: (a) Spouse of victim; (b) Former spouse of victim; (c) Related by blood or marriage (specify relationship); (d) A person living with petitioner or who has lived in residence with petitioner; (3) A person with a child in common with victim.

interpreter (if needed), and the LEO are approved for admittance into the courthouse, or other persons within the clerk's and the LEO's joint discretion. Any person approved to enter the courthouse, including the petitioner, is subject to search for security purposes by the LEO.

The responding law enforcement agency is responsible for any Spanish/English interpretation, and if interpretation is needed for any other language or dialect other than Spanish, the LEO will follow agency procedures.

3. The clerk of the Court shall maintain a contact list for the appropriate Judge to call, who shall respond and be present at the courthouse within one hour.

DONE AND ORDERED on this 6th day of September, 2013.

WM. BRUCE SMITH
Chief Judge

Copies:

All Judges

The Honorable Victoria L. Rogers, Clerk of Court, Hardee County

Polk County Sheriff's Office

Hardee County Sheriff's Office

Wauchula Police Department

Bowling Green Police Department

Electronic Bar Mailing