

IN THE CIRCUIT COURT OF THE 16<sup>TH</sup>  
JUDICIAL CIRCUIT OF THE STATE OF  
FLORIDA IN AND FOR MONROE COUNTY

ADMINISTRATIVE ORDER 5.014

IN RE:

THE ESTABLISHMENT OF  
THE FAMILY COURT  
SELF-HELP PROGRAM

\_\_\_\_\_:

NOW, THEREFORE, IN ACCORDANCE with the authority vested in the Chief Judge by Rule 2.050(b) of the Florida Rules of Judicial Administration, and

WHEREAS, it is the intention of the judiciary to ensure that self-represented litigants have access to the Family Courts to resolve their family law cases; and

WHEREAS, it is necessary to both facilitate access to the Family Courts, and to achieve fair and efficient resolutions in these cases, to establish a self-help program to provide assistance to self-represented litigants; and

WHEREAS, pursuant to Florida Family Law Rule of Procedure Section 12.750 (a) the Chief Judge may establish a self-help program by administrative order, it is therefore:

IT IS THEREFORE ORDERED as follows:

- (1) The 16<sup>th</sup> Circuit Family Court Self-Help Program shall be established to provide assistance to self-represented litigants in family law cases including Dissolution of Marriage, Child and Spousal Support, Visitation and Custody, Name Changes, Domestic and Repeat Violence Injunctions proceedings, and other family related cases assigned to the Family Courts.
- (2) Self-represented litigants who may receive the assistance of the 16<sup>th</sup> Circuit Family Court Self-Help Program are those individuals who seek information to file, pursue, or respond to a family law case without the assistance of an attorney.

- (3) The 16<sup>th</sup> Circuit Family Court Self-Help Program shall be operated by the lawyer and nonlawyer staff in the office of the Family Court Coordinator for the 16<sup>th</sup> Circuit.
- (4) The 16<sup>th</sup> Circuit Family Court Self-Help Program may provide self-represented litigants with forms that have been approved by the Florida Supreme Court and forms that have been approved by the Chief Judge of the 16<sup>th</sup> Judicial Circuit.
- (5) Personnel of the 16<sup>th</sup> Judicial Circuit Family Court Self-Help Program may provide the following services, and the following services, when performed by nonlawyer personnel of the Self-Help Program, shall not constitute the unauthorized practice of law:
  - (a) Encourage self-represented litigants to obtain legal advice;
  - (b) Provide information about available pro bono legal services, low cost legal services, legal aid programs, and lawyer referral services, by providing brochures, fliers, and/or telephone numbers and addresses for these services;
  - (c) Without providing advice or recommendation as to any specific course of action, information may be provided about available, approved forms;
  - (d) Provide approved forms and approved instructions on how to complete the forms;
  - (e) Engage in limited oral communications to assist a person in the completion of blanks on approved forms;
  - (f) In cases where the self-represented litigant has literacy problems or is physically unable to record information on a form, the Self-Help program personnel may record information provided by the litigant on the approved forms;
  - (g) Provide, either orally or in writing, definitions of legal terminology from widely accepted legal dictionaries or other dictionaries without advising whether or not a particular definition is applicable to the self-represented litigant's situation;
  - (h) Provide, either orally or in writing, citations of statutes and rules, without advising whether or not a particular statute or rule is applicable to the self-represented litigant's situation;

- (i) Provide docketed case information;
  - (j) Provide general information about court process, practice, and procedure;
  - (k) Provide information about mediation, required parenting courses, and courses for children of divorcing parents;
  - (l) Provide, either orally or in writing, information from local rules or administrative orders;
  - (m) Provide general information about local court operations;
  - (n) Provide information about community services; and
  - (o) Facilitate the setting of hearings by scheduling the hearing, preparing and filing the notice, and mailing the notice to the parties.
- (6) Personnel of the 16<sup>th</sup> Circuit Family Court Self-Help Program shall not:
- (a) Provide legal advice or recommend a specific course of action for a self-represented litigant;
  - (b) Provide interpretation of legal terminology, statutes, rules, orders, cases, or the constitution;
  - (c) Provide information that must be kept confidential by statute, rule, or case law;
  - (d) Deny a litigant's access to the Court;
  - (e) Encourage or discourage litigation;
  - (f) Record information on forms for a self-represented litigant except as set forth in Paragraph (5)(f) herein;
  - (g) Engage in oral communications other than those reasonably necessary to elicit factual information to complete the blanks on forms except as otherwise authorized by Family Law Rule of Procedure 12.750;
  - (h) Perform legal research for litigants;
  - (i) Represent litigants in Court;
  - (j) Lead litigants to believe that they are representing them as lawyers in any capacity or induce the public to rely upon them for legal advice.
- (7) Notwithstanding ethics rules that govern attorneys, certified legal interns, and other persons working under the supervision of an attorney, information given by a self represented litigant to Self-Help program personnel is not confidential or privileged.

- (8) Notwithstanding ethics rules that govern attorneys, certified legal interns, and other persons working under the supervision of an attorney, there is no conflict of interest in providing self-help services to both parties.
- (9) Before receiving the services of the 16<sup>th</sup> Circuit Family Court Self-help Program, Self-Help personnel shall thoroughly explain the "Notice of Limitation of Services Provided" disclaimer, which is attached hereto, and incorporated in this Administrative Order. Each self-represented litigant, after receiving an explanation of the disclaimer, shall sign an acknowledgment that the disclaimer has been explained to the self-represented litigant and that the self-represented litigant understands the limitation of the services provided. The Self-Help personnel shall sign the acknowledgment certifying compliance with this requirement. The original shall be filed by the Self-Help personnel in the Court file and a copy shall be provided to the self-represented litigant. Said disclaimer form shall also be provided in Spanish to Spanish speaking litigants.
- (10) If information is provided by telephone, the notice of limitation of services shall be heard by all callers prior to speaking to Self-Help staff.
- (11) The services of the 16<sup>th</sup> Circuit Family Court Self-Help Program shall be made available to all self-represented litigants in Family Law cases.
- (12) All records made or received in connection with the official business of the 16<sup>th</sup> Circuit Family Court Self-Help Program are judicial records, and access to such records is governed by Florida Rule of Judicial Administration 2.051.

DONE AND SIGNED in Chambers, at Key West, Monroe County, Florida, this 20 day of January, 1999.

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Hon. Sandra Taylor, Chief Judge

IN THE CIRCUIT COURT OF THE 16<sup>TH</sup> JUDICIAL CIRCUIT,,  
IN AND FOR MONROE COUNTY, FLORIDA

\_\_\_\_\_  
Petitioner,

and

CASE NO: \_\_\_\_\_  
**FAMILY LAW SELF-HELP  
PROGRAM DISCLAIMER**

\_\_\_\_\_  
Respondent,  
\_\_\_\_\_ /

NOTICE OF LIMITATION OF SERVICE PROVIDED

**THE PERSONNEL IN THIS SELF-HELP PROGRAM ARE NOT ACTING AS YOUR LAWYER OR PROVIDING LEGAL ADVICE TO YOU.**

**SELF-HELP PERSONNEL ARE NOT ACTING ON BEHALF OF THE COURT OR ANY JUDGE. THE PRESIDING JUDGE IN YOUR CASE MAY REQUIRE AMENDMENT OF A FORMOR SUBSTITUTION OF A DIFFERENT FORM. THE JUDGE IS NOT REQUIRED TO GRANT THE RELIEF REQUESTED IN A FORM.**

**THE PERSONNEL IN THIS SELF-HELP PROGRAM CANNOT TELL YOU WHAT YOUR LEGAL RIGHTS OR REMEDIES ARE, REPRESENT YOU IN COURT, OR TELL YOU HOW TO TESTIFY IN COURT.**

**SELF-HELP SERVICES ARE AVAILABLE TO ALL PERSONS, UNLESS LIMITED BY STATUTE, WHO ARE OR WILL BE PARTIES TO A FAMILY CASE.**

**THE INFORMATION THAT YOU GIVE TO AND RECEIVE FROM SELF-HELP PERSONNEL IS NOT CONFIDENTIAL AND MAY BE SUBJECT TO DISCLOSURE AT A LATER DATE. IF ANOTHER PERSON INVOLVED IN YOUR CASE SEEKS ASSISTANCE FROM THIS SELF-HELP PROGRAM, THAT PERSON WILL BE GIVEN THE SAME TYPE OF ASSISTANCE THAT YOU RECEIVE.**

**IN ALL CASES, IT IS BEST TO CONSULT WITH YOUR OWN ATTORNEY, ESPECIALLY IF YOUR CASE PRESENTS SIGNIFICANT ISSUES REGARDING CHILDREN, CHILD SUPPORT, ALIMONY, RETIREMENT OR PENSION BENEFITS, ASSETS, OR LIABILITIES.**

\_\_\_\_ I CAN READ ENGLISH  
\_\_\_\_ I CANNOT READ ENGLISH. THIS NOTICE WAS READ TO ME BY  
{NAME} \_\_\_\_\_ {LANGUAGE} \_\_\_\_\_.

\_\_\_\_\_  
SIGNATURE

**I HEREBY CERTIFY THAT I HAVE THOROUGHLY EXPLAINED THE CONTENT OF THIS DISCLAIMER TO THIS SELF-REPRESENTED LITIGANT AND THAT HE/SHE HAS INDICATED HIS/HER UNDERSTANDING OF THE LIMITATION OF SERVICES PROVIDED.**

BY: \_\_\_\_\_, 16<sup>TH</sup> CIRCUIT SELF-HELP PROGRAM

IN THE CIRCUIT COURT OF THE 16<sup>TH</sup> JUDICIAL CIRCUIT,  
IN AND FOR MONROE COUNTY, FLORIDA

\_\_\_\_\_  
Petitioner,

and

CASE NO.:

\_\_\_\_\_  
**FAMILY LAW SELF-HELP  
PROGRAM DISCLAIMER**

\_\_\_\_\_  
Respondent.  
\_\_\_\_\_ /

**AVISO DE LIMITACION DE SERVICIOS OFRECIDOS**

**EL PERSONAL DE ESTE PROGRAMA DE AYUDA PROPIA NO ESTA ACTUANDO COMO SU ABOGADO NI LE ESTA DANDO CONSEJOS LEGALES.**

**ESTE PERSONAL NO REPRESENTA NI LA CORTE NI NINGUN JUEZ. EL JUEZ ASIGNADO A SU CASO PUEDE REQUERIR UN CAMBIO DE ESTA FORMA O UNA FORMA DIFERENTE. EL JUEZ NO ESTA OBLIGADO A CONCEDER LA REPARACION QUE USTED PIDE EN ESTA FORMA.**

**EL PERSONAL DE ESTE PROGRAMA DE AYUDA PROPIA NO LE PUEDE DECIR CUALES SON SUS DERECHOS NI SOLUCIONES LEGALES, NO PUEDE REPRESENTARLO EN CORTE, NI DECIRLE COMO TESTIFICAR EN CORTE.**

**SERVICIOS DE AYUDA PROPIA ESTAN DISPONIBLES A TODAS LAS PERSONAS QUE SON O SERAN PARTES DE UN CASO FAMILIAR.**

**LA INFORMACION QUE USTED DA Y RECIBE DE ESTE PERSONAL NO ES CONFIDENCIAL Y PUEDE SER DESCUBIERTA MAS ADELANTE. SI OTRA PERSONA ENVUELTA EN SU CASO PIDE AYUDA DE ESTE PROGRAMA, ELLOS RECIBIRAN EL MISMO TIPO DE ASISTENCIA QUE USTED RECIBE.**

**EN TODOS LOS CASOS, ES MEJOR CONSULTAR CON SU PROPIO ABOGADO, ESPECIALMENTE SI SU CASO TRATA DE TEMAS RESPECTO A NINOS, MANTENIMIENTO ECONOMICO DE NINOS, MANUTENCION MATRIMONIAL, RETIRO O BENEFICIOS DE PENSION, ACTIVOS O OBLIGACIONES.**

\_\_\_\_\_  
**YO PUEDO LEER ESPANOL.**

\_\_\_\_\_  
**YO NO PUEDO LEER ESPANOL. ESTE AVISO FUE LEIDO A MI POR  
{NOMBRE} \_\_\_\_\_ EN {IDIOMA} \_\_\_\_\_.**

\_\_\_\_\_  
**FIRMA**

