

IN THE CIRCUIT COURT OF THE SIXTEENTH
JUDICIAL CIRCUIT IN AND FOR MONROE
COUNTY, FLORIDA

ADMINISTRATIVE ORDER 5.032/24-1
AMENDED

IN RE:

PROCEDURES FOR HANDLING
VIOLATIONS OF INJUNCTIONS
FOR PROTECTION

WHEREAS, Florida Statute Sections 741.2901; 741.2902; 741.30, 741.31, 784.046, 784.0485 and 784.0487 articulate the intent of the legislature regarding acts of domestic, repeat, dating, sexual violence and stalking and require the Office of the State Attorney, the Clerk of Court, and the judiciary to implement procedures for handling allegations of violation of injunctions for protection; and

WHEREAS, the Office of the State Attorney has adopted a pro-prosecution policy for acts of domestic violence and intends that the terms of this Administrative Order set forth its policy regarding the intake of alleged violations of injunctions for protection; and

WHEREAS, it is the intention of the judiciary of the 16th Circuit to provide a consistent and accessible means for the reporting of violations of injunctions for protection throughout the Circuit;

NOW, THEREFORE, IT IS ORDERED AS FOLLOWS:


- (1) In the event of a violation of an injunction for protection when there has not been an arrest, the Petitioner may contact the Clerk of the Court to report the violation. The Clerk of Court is hereby designated as the central intake point for injunction violations. The Clerk shall provide Florida Supreme Court Approved Family Law Form 12.980(w), *Petition by Affidavit for Order to Show Cause for A Violation of Final Judgment of Injunction for Protection Against Domestic, Repeat, Dating, Sexual Violence or Stalking*, attached hereto, designated as Exhibit "A", to the Petitioner, and the Clerk shall assist the Petitioner in preparing said Affidavit. The Clerk shall also provide the form "Information Sheet for Affidavit Alleging Violation" attached hereto, designated as Exhibit "B", to the Petitioner.
- (2) The Clerk shall forward the completed Affidavit and Information Sheet to the Intake Unit at the Office of the State Attorney, and to the Family Division Judge assigned to the original Injunction case. Should the Affidavit be filed after hours, the Clerk shall also forward a copy of the Affidavit to the duty judge.
- (3) The State Attorney shall determine within five (5) working days from the time the Affidavit is filed whether its office will proceed to file criminal charges and

will notify the Family Division Judge of its decision by providing a copy of the Information, written statement of its intent to take no action on the allegations, or statement that the case remains under investigation.

- (4) Should the Court have knowledge that the Petitioner, the Petitioner's children, or another person is in immediate danger if the Court fails to act before the State Attorney's charging decision is made, the Court shall initiate contempt proceedings and so notify the State Attorney.

Administrative Order 5.032/03-1 entered into on July 23, 2003 and Administrative Order 5.032/03-2 entered into on October 14, 2003, are rescinded upon date of execution below.

DONE and SIGNED in Chambers, at Key West, Monroe County, Florida, this 16th day of September, 2024.



Honorable Bonnie J. Helms
Chief Judge

IN THE CIRCUIT COURT OF THE SIXTEENTH JUDICIAL CIRCUIT,
IN AND FOR MONROE COUNTY, FLORIDA

Petitioner,

Case No.: _____

and

Division: _____

Respondent.

**PETITION BY AFFIDAVIT FOR ORDER TO SHOW CAUSE FOR A VIOLATION
OF FINAL JUDGMENT OF INJUNCTION FOR PROTECTION AGAINST ()
DOMESTIC VIOLENCE () REPEAT VIOLENCE () DATING VIOLENCE
() SEXUAL VIOLENCE () STALKING**

I, {full legal name} _____, declare under penalties
of perjury, that I have actual knowledge of the following facts as set forth and the following statements are true:

1. The Court previously issued a {Choose **one only**}
 - a. _____ Final Judgment of Injunction for Protection Against Domestic Violence
 - b. _____ Final Judgment of Injunction for Protection Against Repeat Violence
 - c. _____ Final Judgment of Injunction for Protection Against Dating Violence
 - d. _____ Final Judgment of Injunction for Protection Against Sexual Violence
 - e. _____ Final Judgment of Injunction for Protection Against Stalking

in this case on {date} _____.

2. The Final Judgment of Injunction for Protection was served on Respondent on
{date} _____.

3. On {dates} _____, at {place and address} _____

the following event(s) took place: _____

{For cyberstalking, please include a description of all evidence of contacts and/or threats made by Respondent in voice messages, texts, emails, or other electronic communication}

_____ Please indicate here if you are attaching additional pages to continue these facts.

4. Respondent has willfully violated the Injunction by: *{explain what Respondent did that violated the Order of Protection}*

_____ Please indicate here if you are attaching additional pages to continue these facts.

5. _____ Please indicate here if you are attaching copies of medical records for treatment you may have received for injuries referred to in your affidavit, or copies of any police or sheriff reports concerning incidents of violence involving you and Respondent.
6. Respondent acted to impair, interfere with, delay, hinder, lessen the authority of, dignity of, and embarrass the cause of justice in a manner contemptuous of this court.

WHEREFORE, I respectfully request that the Court issue an Order to Show Cause, requiring Respondent to appear before the Court to show cause why Respondent should not be held in contempt of court for failure to abide by the terms and conditions of the Final Judgment of Injunction for Protection.

I understand that by filing this affidavit, I am asking the court to hold a hearing, that both Respondent and I will be notified of the hearing, and that I must appear at the hearing. In addition to my own testimony, I understand that I can bring other proof of the violation such as, for example, people who saw Respondent violate the order, pictures, medical records, police reports, or anything might help show the judge how Respondent violated the Final Judgment of Injunction for Protection.

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT ARE TRUE. I UNDERSTAND THAT THE STATEMENTS MADE IN THIS AFFIDAVIT ARE BEING MADE UNDER PENALTIES OF PERJURY, PUNISHABLE AS PROVIDED IN SECTION 92.525, FLORIDA STATUTES.

Dated: _____

Signature of Petitioner

I certify that a copy of this document was () mailed () e-mailed () hand delivered to the person(s) listed below on {date} _____.

Other party or his/her attorney:

Name: _____
Address: _____ City,
State, Zip: _____
Designated E-mail Address(es): _____

IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW:

{fill in all blanks} This form was prepared for the: {choose only one} () Petitioner () Respondent This form was completed with the assistance of:

{name of individual} _____
{name of business or individual} _____
{address} _____
{city} _____, {state}, _____ {telephone number} _____
{email address} _____

**INFORMATION SHEET FOR AFFIDAVIT ALLEGING VIOLATION OF THE
INJUNCTION FOR PROTECTION AGAINST DOMESTIC, REPEAT, OR DATING
VIOLENCE**

Petitioner's Information:

1. Name: _____
2. Address: _____
3. Any phone number where the Petitioner can be contacted: _____

IMPORTANT!!!!!!

If you wish to have your current address and the contact number remain confidential, please **DO NOT FILL OUT THE ABOVE BUT** contact the State Attorney's Office at (305-292-3400 from 8:30 a.m. until 5:00 p.m., ext 3402 within 24 hours after filing this affidavit. You may leave a message with your confidential information at that number.

Respondent's Information:

1. Name: _____
2. Race: _____
3. Last Known address (if known): _____
4. Date of Birth or Approximate Age: _____
5. SS# (if known): _____
6. DL# or Tag # of Respondent's Vehicle (if known): _____
7. Place of Employment (if known): _____

EXHIBIT "B"