

FAMILY LAW & DOMESTIC VIOLENCE **FREQUENTLY ASKED QUESTIONS**

DOMESTIC/INTIMATE PARTNER VIOLENCE

Q: Can I still file a Petition for Injunction for Protection (restraining order)?

A: Yes, you may still apply and fill out a Petition for an Injunction for Protection.

Q: Where can I go to file a Petition for an Injunction for Protection?

A: You can go to the second floor of the Broward Central Courthouse located at 201 SE 6th Street, Fort Lauderdale, FL 3330, room 02140, to petition for an Injunction. The operating hours are Monday through Friday from 8:30AM to 5:00PM. If you are seeking to file a petition after hours or on the weekend, you should call Women In Distress of Broward County's Crisis Line at 954-761-1133 to determine if you are eligible to file outside of the Court's regular business hours. Please check the Court's website for further information and updates. <http://www.17th.flcourts.org/coronavirus-covid-19-updates/> The Court's emergency information telephone number is 954-831-7777. If your contact information (address, telephone number, email address) is confidential, be sure to let the Court know.

Q: How can I apply for your services if your office is closed?

A. While our building is closed, we are working remotely. Coast to Coast Legal Aid's Family Unit is accepting applications and representing victims of intimate partner violence and seniors age 60 and older for help with their Injunctions for Protection, family law cases, and representation for their abuser's criminal case. Our application is available for download on our website www.coasttocoastlegalaid.org/family. Victims may call 954-736-2495 or 954-736-2400 to apply for services. Telephone applications are accepted Monday through Friday between 10AM to 12PM and 1:30PM to 4PM. You will speak with our intake worker and may need to scan, or take a picture, of all relevant documents and email them to family@legalaid.org after your phone application is complete. Please be patient. The phone line may be busy, as it is answered by one staff member.

Victims of other crimes (other than intimate partner violence or seniors age 60 and older) who would like representation for an Injunction for Protection may contact Legal Aid Service of Broward County at 954-765-8950. For other legal issues, people may call the main numbers at 954-736-2400 or 954-765-8950 and check our websites at www.coasttocoastlegalaid.org or www.browardlegalaid.org.

Please contact us with any other questions.

Q: The court awarded me a Temporary Injunction and my hearing date is before May 29, 2020. How will the judge hear my case if the courthouse is closed?

A: According to the April 6, 2020 Administrative Order 2020-32-Temp, Injunctions for Protection against domestic violence, stalking, repeat violence, dating violence, and sexual violence, are designated “mission critical”. Therefore, at the discretion of the Judge, hearings may proceed. While the courthouse is closed, the hearings are taking place through the use of communication equipment such as Zoom video conference (on a computer, tablet, or smart phone) or by telephone.

Q: What if I do not know the Respondent’s contact information?

A: If there is no phone number, email address, or other contact information for the Respondent at the time you file your Petition for Injunction for Protection, and the Respondent is not served with notice or does not “attend” the hearing, then the Temporary Injunction will be extended and reset for another date.

Q: What happens if I am the Petitioner and I do not attend the final hearing through Zoom or telephone?

A: If the Judge, Judge’s assistant, or case manager cannot get in touch with you at the time of the hearing, whether through telephone or Zoom, then your Temporary Injunction may be dismissed. Be sure to keep the Court updated with any changes to your contact information and make sure to inform the Court if your information is to be kept confidential. You should be available for at least 15 minutes before the time of your hearing and for at least 1-2 hours after the hearing time as the Court may be running late.

Q: What can victims do to try to stay safe during this time?

A: Victims should call 911 if they are in immediate danger. During this time of high stress and “stay-at-home” orders, it is important for victims of intimate partner violence who may be quarantined at home with their abusers or separated from their abusers, to have a safety plan. For assistance with safety planning, victims may contact Women in Distress at 954-761-1133 or if there is a criminal case against their abuser, victims may contact their law enforcement based victim advocate (check with their local police department) or their victim advocate at the State Attorney’s Office 954-765-4133. Filing a Petition for an Injunction for Protection/restraining order and contacting Coast to Coast Legal Aid of South Florida for representation should be part of their safety plan.

DISSOLUTION OF MARRIAGE/PATERNITY

Q: Can I still file for a dissolution of marriage or paternity?

A: Yes. You may still file a Petition for Dissolution of Marriage or Petition to Establish Paternity.

Q: How can I apply for your services if I am served with a dissolution of marriage or paternity or if I want to file for a dissolution of marriage or paternity?

A: If you have been **served** with a family law action, please **call us immediately** to apply for our services as this is a time-sensitive matter. Applications will be accepted for time-sensitive cases by phone only. You may **call us at 954-736-2495 or 954-736-2400 immediately** to apply from Monday through Friday between the hours of 10AM and 12PM and 1:30PM to 4PM. You will complete an application over the phone with our intake worker and may be asked to scan, or take a picture, of all relevant documents and email them to family@legalaid.org **after** your phone application is complete. Please be patient. The phone line may be busy, as it is answered by one staff member.

If you have **not been served** with a family action, but would like to file for divorce or establish paternity, then please print our application from our webpage at www.coasttocoastlegalaid.org/family and return the application to us by mail or email.

Our mailing address:

Coast to Coast Legal Aid of South Florida

Family Law Unit

P.O. Box 120970

Fort Lauderdale, Florida

33312-0016

You may also scan or take clear pictures of the application and email it to us at family@legalaid.org.

Q: If your office has informed me that my case was accepted for representation to initiate a dissolution of marriage or paternity action, how long will it take for those documents to be filed by your office?

A: The Family Law Unit policy is always to assist individuals who have time sensitive matters first. Those types of cases include those requiring immediate representation for emergency matters or imminent hearings, such as domestic violence hearings, and those have been served with legal documents which require timely responses. Please understand that because we need to give those cases immediate attention, it may take some time for us to prepare your non time-sensitive pleadings, but we cannot tell you

exactly how long it will take. If, while you are waiting for us to file your action, you are served with court documents, please contact our office immediately.

Q: Is the court moving forward with my active family matter?

A: Administrative Order 2020-32-Temp states “[a]ll non-essential court proceedings... should continue in an effort to avoid substantial backlog of pending and newly-filed actions. To this end, proceedings in...unified family... should only be held via communication equipment...” Please be mindful that your assigned family division Judge has the discretion to either proceed with the hearing or reset the hearing.

Q: Should we continue to comply with the Parenting Plan or time-sharing schedule already established even though there is a Stay-at-Home Order now?

A: Administrative Order 2020-30-Temp directs parents to communicate with one another to discuss what is in the best interest of the child(ren)’s safety and well-being in order to lower the parents’ and child(ren)’s risk of exposure to the coronavirus. The Court encourages parents to continue with their parenting plan or time-sharing schedule unless the parents have agreed otherwise. The Court suggests that if there is a stay-at-home or safer-at-home order, which is designed to limit the parents’ ability to travel, then the parent who has the majority of the time-sharing (183 overnights or more) should have the child(ren) during this crisis. Please be mindful that the other parent will most likely be entitled to make up time-sharing with the child(ren). Every parent should make an effort to have the child(ren) contact the other parent via phone or video communication.