



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

### **DOMESTIC/INTIMATE PARTNER VIOLENCE QUESTIONS**

#### **Q: Where can I go to file a Petition for an Injunction for Protection (restraining order)?**

A: You may go to the second floor of the Broward Central Courthouse located at 201 SE 6<sup>th</sup> Street, Fort Lauderdale, FL 33301, room WW 02-140, to petition for an Injunction. The operating hours are Monday through Friday from 8:30AM to 7PM (filings stop at 5PM). You may also go to the West Satellite Courthouse located at 100 North Pine Island Road, room 180, Plantation, FL33324 between 8AM-4PM (filings stop at 2PM) to file a Petition for an Injunction. If you are seeking to file a petition after hours, on the weekend, when there is a hurricane, or other emergency restrictions, you should call Women in Distress of Broward County's Crisis Line at 954-761-1133 to determine if you are eligible to file a Petition for Injunction for Protection outside of the Court's regular business hours. In addition, to find out if there is a courthouse closure, the Court's emergency information telephone number is 954-831-7777.

When you go to file your Petition for Injunction for Protection, and your contact information (address, telephone number, email address) is confidential, be sure to let the Court know. You may also check the Clerk of Court's Website at [www.browardclerk.org](http://www.browardclerk.org) and click on the Domestic Violence tab for more information and to see the forms you will need to complete.

#### **Q: How can I apply for your Injunction for Protection services?**

A: 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](http://www.coasttocoastlegalaid.org/family). Victims may call 954-736-2400 to apply for services. Telephone applications are accepted Monday through Thursday between 9AM to 3PM and on Fridays until Noon. You will speak with our intake paralegal and may need to scan, or take a picture, of all relevant documents and email them to us **after** your phone application is complete. Please be patient. The phone line may be busy. If you cannot contact us by phone, you may email us your application (download from our website), legal documents, identification (if you have one), and any evidence you have or bring it with you to our office to apply.

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](http://www.coasttocoastlegalaid.org) or [www.browardlegalaid.org](http://www.browardlegalaid.org) to see the types of cases we handle.

Please contact us at 954-736-2400 with any other questions.

**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 you may request that the Court extend the Temporary Injunction and reset the hearing for another date. You will be given an Emergency Service Packet by the Clerk of Court with instructions on how to have your opposing party served by law enforcement with the packet.

**Q: What happens if I am the Petitioner and I do not attend the final hearing?**

A: If you do not appear for the hearing and the Judge's assistant, or case manager cannot get in touch with you at the time of the hearing, 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*.

**Q: What can victims do to try to stay safe during the time after an incident or before the opposing party is served?**

A: Victims should always call 911 if they are in immediate danger. 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 QUESTIONS**

**Q: Do I need a reason to want a divorce? Can I still get a divorce even if my spouse does not agree and will not sign anything?**

A: Florida is a "no-fault" state. This means that you do not necessarily need to prove that one spouse did something to cause the divorce. For the vast majority of divorces in Florida, all you need to show the Court is that the marriage is "irretrievably broken", broken beyond repair, no marriage counseling will fix it. In Florida, a divorce may be granted even if your spouse does not agree, does not want to be divorced, refuses to sign anything or file any papers, or does not show up for court after being served.

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

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 or in-person only. You may **call us at 954-736-2400 immediately** to apply from Monday through Thursday between the hours of 9AM and 3PM and on Fridays until 12PM. You will complete an application over the phone with our intake paralegal and may be asked to scan, or take a picture, of all relevant documents and email them to us **after** your phone application is complete. Please be patient. The phone line may be busy. If you cannot contact us by phone, you may email us your application (download from our website), legal documents, identification (if you have one), and any evidence you have to [family@legalaid.org](mailto:family@legalaid.org) or bring it all with you to our office to apply.

**Q: How can I apply for your services if I have not been served, but I would like to file for a dissolution of marriage or paternity?**

A: If you have **not been served** with a family action, but would like to file for divorce or establish paternity, you may apply for our services in the following ways:

- You may apply online at <https://www.coasttocoastlegalaid.org/get-help/> and complete an online application. Our intake paralegal will contact you for additional information. You may complete the online application 24 hours a day, 7 days a week.
- You may download and print our application from our webpage at [www.coasttocoastlegalaid.org/family](http://www.coasttocoastlegalaid.org/family) and return the application to us by mail, email, or you may print it and drop it off at our office. On the downloaded application, some answers are fillable and some you may click the pen icon and then click the answer areas to type your responses and electronically sign the documents, then save the document and email to us at [family@legalaid.org](mailto:family@legalaid.org).

If you prefer to mail it to us, or drop it off, our address is

Coast to Coast Legal Aid of South Florida

Family Law Unit

491 North State Road 7

Plantation, Florida 33317

- You may also scan, or take clear pictures of, the application once completely filled out and email it to us at [family@legalaid.org](mailto:family@legalaid.org).
- If you would like to file for divorce or establish paternity, you are also welcome to call our intake line to begin our application process at 954-736-2400.

**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. How long will the divorce or paternity take once my paperwork is filed?**

A. There is no one answer to this question. It depends on many things, including how many issues there are, whether you are able to agree on any of the issues with the opposing party, how much information you are able to provide, how much information the opposing party provides, and the Court's schedule. It may take months, one year, or sometimes, it may take years.

**Q: If your office has informed me that my case was not accepted for representation, what should I do?**

A: Unfortunately, we cannot assist every person who applies for services. We wish we could. We are very limited in the types of cases we handle and the number of cases we can take at any given time. Annually, our office receives thousands of requests for legal services and our attorneys do our very best to provide representation and advice and counsel to as many as we can. We know how frustrating it can be to find your way through the legal system. We are constantly working on new and different ways to help our community.

You can access family law forms free of charge by going online to the Florida Office of the State Court's Administrator site at [www.flcourts.org](http://www.flcourts.org). Follow the prompts on the opening page to "Self Help Information," and then to "Family Law Forms." There, you will find a diverse selection of self-help forms that may meet your needs.

In addition, a variety of family law form packages addressing dissolution of marriage, paternity, name changes and other matters are available for purchase in the Broward County Clerk's office located on the second floor, in Room WW-02140 of the Broward County Central Courthouse, located at 201 SE 6th Street in Fort Lauderdale, Florida 33301. You can also access dissolution of marriage forms by going to the Clerk's self-service center for interactive form preparation by going to: <https://www.browardclerk.org/Divisions/Family>. When filing initial or responsive pleadings in family law cases, you must go to the Broward Clerk's Office family division, located on the 4th Floor of the Broward County Courthouse in Room 04130, to file originals and clock in any copies you send to the opposition, or keep for your records. You can also set up an electronic filing (e-filing) account with the Clerk of Court in order to file your documents remotely, by going to <http://www.myflcourtaccess.com>.

CCLA has a Family Court Self-Advocacy Center located at the Central Courthouse in room 04-101. It is currently closed due to COVID and staffing. However, you may call **954-355-6216** to determine your eligibility for legal advice about your family law case. We provide legal information and guidance on the following matters: Dissolution of Marriage (Divorce), Paternity, Modification of time-sharing and child support, Family Court Motions, Limited Information on Department of Revenue issues including: Child Support Administrative Issues and Superseding Orders, and assistance and guidance on which forms to file. We do not advise or provide legal information about Dependency, Adoption, Guardianship, and Kinship matters. We do not fill out forms for you.

If you would like to obtain child support, contact Florida Department of Revenue at 850-488-5437, or at <https://floridarevenue.com/childsupport/contact/Pages/default.aspx>. DOR is located at 1900 W. Commercial Blvd., Suite 190, Fort Lauderdale, Florida 33309.

If you would like to be represented by a Family Law Attorney, and can afford to pay a reduced rate, you may contact the Broward County Bar Association - Low Cost Referral Service which provides attorneys to individuals with lower income. The phone number is 954-764-8310. If you are not eligible for a low-cost attorney, the Lawyer Referral Service also maintains a list of Family Law Attorneys in this community and may be contacted at the same number.

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