

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

AMENDED ADMINISTRATIVE ORDER NO. 5-43.1

**IN RE: USE OF FACSIMILE STAMP BY POLK COUNTY
CLERK OF COURTS DOMESTIC VIOLENCE DEPARTMENT**

WHEREAS, in an effort to facilitate timely processing of the more than 4000 domestic, repeat, and dating violence petitions for injunctions annually processed, and

WHEREAS, the Florida Supreme Court in In re: Report of the Family Court Steering Committee, 794 So.2d 518, 526 (Fla. 2001), directed each judicial circuit to ensure that “cases involving domestic violence are identified and managed in a manner that is organized timely, and sensitive to the special dynamics involved in these cases,” and

WHEREAS, the Polk County Clerk of Courts Domestic Violence Department is located on the 1st floor of the Polk County Courthouse, while the county and circuit judges are located on various floors throughout the courthouse, and

WHEREAS, the Polk County Clerk of Courts Domestic Violence Department has limited staff available to hand deliver the growing number of petitions to judges for review, and

WHEREAS, petitions for injunctions are filed, in emergencies, on weekends, after normal business hours, and on holidays, and

WHEREAS, the Family Division and the Polk County Clerk of Courts Domestic Violence Department developed a protocol for efficient and timely processing of injunction petitions by using specially designed answer sheets in combination with either fax machine or telephone, and

WHEREAS, the Florida Supreme Court has approved and adopted family law form orders for domestic/repeat/dating violence, and

WHEREAS, State v. Hickman, 189 So.2d 254, 258 (Fla. 2d DCA 1966), provides that “a signature may be legally made not only by the signer himself, but by and through someone duly authorized by him,”

It is, therefore,

ORDERED AND ADJUDGED that:

The Polk County Clerk of Courts Domestic Violence Department is hereby authorized to affix a judge’s facsimile signature to temporary orders of injunction for protection against domestic/repeat/dating violence, and temporary orders extending an existing injunction as authorized by the judge whose name appears on the facsimile stamp to be used on the temporary order. Affixing the judge’s facsimile signature shall be done upon direct or indirect instruction from the judge, who is familiar with approved domestic/repeat/dating violence forms, and who, upon reviewing the ex parte petition for injunction against domestic/repeat/dating violence or the petition for extension of an existing order, authorizes the use of their facsimile stamp in their constructive presence, corresponding to their written or verbal instructions regarding specific provisions on the approved family law form order to be used.

ORDERED on this 24th day of September, 2003.

Ronald A. Herring
Chief Judge

Distribution:

All Circuit Judges
Richard M. Weiss, Clerk of Courts, Polk County
Domestic Violence Department
Family Law Staff Attorney
Family Law Case Manager
Family Court Coordinator