20040083105 RECORDED IN PUBLIC RECORDS LEON COUNTY FL BK: 3155 PG: 883,
09/02/2004 at 12:39 PM, BOB INZER, CLERK OF COURTS

IN THE SECOND JUDICIAL CIRCUIT
OF FLORIDA

OFFICE OF THE CHIEF JUDGE

ADMINISTRATIVE ORDER NO. 75-1

RE: Establishment of Central Governmental Depository in Leon County to Receive, Record and Disburse all Court Ordered Support, Alimony or Maintenance Payments, Pursuant to F.S. 61.181 and FRCP 1.611 (b) and also including orders of support arising in a criminal proceeding.

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CLERK OF CIRCUIT COURT
RECORDED IN THE PUBLIC RECORDS OF LEON CO. FLA. IN THE BOOK & PAGE INDICATED

1. Pursuant to authority conferred by Sec. 61.181 Florida Statutes 1973 and by Rule 1.611(b), FRCP there is hereby created a central governmental depository for Leon County to receive, record and disburse all support, alimony or maintenance payments which shall be ordered by any court to be paid arising out of dissolution of marriage or separate maintenance cases pursuant to Chapter 61, Florida Statutes; and out of any other proceedings wherein such payments shall be ordered, including payments ordered arising from any criminal charge of willfully withholding support in violation of Section 856.04, Florida Statutes. However payments ordered pursuant to the Uniform Reciprocal Enforcement of Support Laws (F.S. Chapter 88) shall continue to be paid through the Clerk of the Circuit Court.

2. The Sheriff of Leon County is hereby designated as the Officer to administer the said depository which shall be maintained within the office of said Sheriff.

3. In every order or judgment for the payment of support, alimony or maintenance the depository shall be designated to receive and disburse such payments and to pay in addition thereto the fees hereinafter authorized to be charged by the Sheriff.

4. (a) For each payment received pursuant to any order or judgment mentioned in paragraph 3 above, the Sheriff shall charge and receive a fee equal to 3% of such payments as shall be less than $33.34 (but no fee shall be less than 35¢), and for such payments as shall be $33.34 or more the fee shall be $1.00 for each such payment. However, for any payment that shall be late for more than five working days of the Sheriffs office beyond the date such

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payment is due shall incur an additional late fee of $1.00 which shall be collected from the delinquent. Such late fees are authorized to help defray the costs of mailing notices and other expenses incurred because of delinquency. The amount of each payment is that which is ordered to be paid and the fee is to be computed thereon. Payments made of sums less than ordered shall be accepted and disbursed, but shall be deemed delinquent.

(b) All such payments shall be deposited in a special account or fund out of which the expense of administration of the depository shall be paid.

5. Each order or judgment of payment in any civil matter shall also contain therein the mailing address of both the person ordered to pay and the person to receive such payments. The office of the State Attorney shall furnish the Sheriff with the mailing address of both the person ordered to pay and the person to receive such payment in criminal cases.

6. On or before the 5th working day following the receipt of such payment, the amount of same less the fee above mentioned shall be mailed by regular mail to the person designated to receive same, addressed as shown in the order or judgment directing same or as furnished by the State Attorney.

7. All such payments to the Sheriff shall be by cash, money order, or certified or cashier's check.

8. The Sheriff shall keep such records as shall be necessary showing the number of the case, the date, amount of payment, the name of the person making the payment, the name of the person receiving the payment, and the date of disbursement.

9. If any person shall fail to make a required payment in a civil case, and be in default thereof for a period of 5 days the Sheriff shall mail to the person entitled to receive the payment a letter substantially as set forth in Exhibit A attached, stating the default and requesting an expression promptly of whether enforcement is desired. If the case is a criminal case, the State Attorney's Office shall be notified on a form, substantially as set forth in Exhibit Al attached.

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10. If the letter above mentioned in the civil case shall be answered in the affirmative, the Sheriff shall cause a Notice to be mailed to the defaulting party in substantially the form set forth in Exhibit B attached. If the notification is to the State Attorney with regard to a criminal case, the State Attoreny shall take such steps as deemed appropriate.

11. If the payment so in default in a civil case be not made within the time required by the Notice above mentioned, the Sheriff shall issue a Summons to the person so in default substantially in the form set forth in Exhibit C. A true copy shall be delivered to the addressee by registered or certified mail at least five (5) days prior to the date the party is required to appear, and the return receipt filed in the case file. Simultaneously with the mailing of said Summons, a copy thereof shall be mailed to the person entitled to receive said payment with a notation thereon, or a letter, requesting the person so entitled to be and appear at the hearing referred to in the Summons. If the person to whom said Summons is directed refuses to accept the letter in which copy thereof is mailed, the Sheriff shall promptly serve said Summons upon the party to whom it is directed.

12. The fees herein authorized and directed are set pursuant to subsection (2) of Section 61.181, Florida Statutes, 1973 (Section 1, Chapter 73-112, Laws of Florida, Acts of 1973).

13. Each judge who shall issue such orders or judgments in civil cases is requested to set aside certain specified days and times to hear and dispose of Summonses provided in Paragraph 11 above which shall arise out of orders or judgments entered by such Judge, and to notify the Sheriff of same so that a proper designation may be made in the Summons of the time and place of such hearings.

14. This Administrative Order shall go into effect immediately.

DONE and ORDERED in Chambers at Tallahassee, Florida, this 18th day of March, A. D. 1975.

Ben C. Willis

BEN C. WILLIS, CHIEF JUDGE

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CLERK OF THE CIRCUIT COURT & COMPTROLLER LEON COUNTY GWEN MARSHALL
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IN THE CIRCUIT COURT OF THE
SECOND JUDICIAL CIRCUIT, IN
AND FOR LEON COUNTY, FLORIDA.

CASE NO. _____

IN RE THE MARRIAGE OF:

_____, WIFE

AND

_____, HUSBAND

Tallahassee, Florida

_____ 197___.

Dear _____,

Our records indicate that your husband is $_____ in arrears under order of the Court dated _____ 19_____.

The Court will assist you in attempting to collect the arrearage if you so desire. If you desire assistance of the Court you must appear at a hearing and, if possible, furnish the address of your former husband.

If you do not desire to collect the arrearage the Court will suspend payments due under the Order until such time as you desire them to be paid.

Please fill in the blanks provided below and return immediately. If you do not return this letter with the blanks filled in the Court will assume that you do not desire to collect the payments provided in the Order and they will be suspended until you initiate action for collection.

RAYMOND HAMLIN, JR
SHERIFF, LEON COUNTY

BY: _____
DEPUTY SHERIFF

I Do Not desire to enforce payment _____.
I do desire assistance in enforcing payment _____.
My husband's address is _____.
Do our records agree with yours? _____.

_____ (Signature)

EXHIBIT A

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CLERK OF THE CIRCUIT COURT & COMPTROLLER LEON COUNTY GWEN MARSHALL
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IN THE CIRCUIT COURT
OF LEON COUNTY, FLORIDA

CASE NO. _____

STATE OF FLORIDA

vs

_____
DEFENDANT

TO: The State Attorney, Second Judicial Circuit:

Our records indicate that the above defendant is in arrears in the payment through this office of the sum of $_____ under the Order and Judgment of the Court in the above case, whereby sentence was withheld on condition certain payments were made through this office for the support of dependents.

This _____ day of _____ 1975.

Raymond Hamlin, Jr.

Sheriff, Leon County, Florida

BY: _____
Deputy Sheriff

UNOFFICIAL DOCUMENT
CLERK OF THE CIRCUIT COURT & COMPTROLLER
LEON COUNTY
GWEN MARSHALL
UNOFFICIAL DOCUMENT

Exhibit A1

IN THE CIRCUIT COURT OF THE
SECOND JUDICIAL CIRCUIT, IN
AND FOR LEON COUNTY, FLORIDA.

CASE NO. _____

IN RE THE MARRIAGE OF:

_____, WIFE

AND

_____, HUSBAND

NOTICE

The support payment you were by Order required to pay into this Office on _____, 197___, has not been received. If such payment, together with a $1.00 penalty for such late payment, is not received in this Office on or before seven (7) days from the date of this Notice, I, as Sheriff of Leon County, am required to issue to you a Summons Ordering you to appear before the said Circuit Court to show cause why you should not be held in Contempt of Court for your failure to make such payment.

This _____ day of _____ 197___.

RAYMOND HAMLIN, JR.

SHERIFF OF LEON COUNTY

BY: _____
DEPUTY SHERIFF

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CLERK OF THE CIRCUIT COURT & COMPTROLLER
LEON COUNTY
GWEN MARSHALL
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EXHIBIT B

IN THE CIRCUIT COURT OF THE
SECOND JUDICIAL CIRCUIT, IN
AND FOR LEON COUNTY, FLORIDA.

CASE NO. _____

IN RE THE MARRIAGE OF:

_____, WIFE

AND

_____, HUSBAND

SUMMONS

You, _____, having failed to make the support payment required to be made by you through this Office on _____, 197___, you are ORDERED to appear in person before the Honorable _____, Circuit Judge, at his chambers in the Leon County Courthouse, Tallahassee, Florida, on _____, 197___ at the hour of _____ o'clock ____.m., and then and there show cause why you should not be held in Contempt of Court for your failure to make said payment. If you fail to appear in response to this Summons, you will be taken into custody and brought before the Court.

This _____ day of _____ 197___.

RAYMOND HAMLIN, JR.

SHERIFF OF LEON COUNTY

BY: _____
DEPUTY SHERIFF

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CLERK OF THE CIRCUIT COURT & COMPTROLLER
LEON COUNTY
GWEN MARSHALL
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EXHIBIT C