R970074397
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PUBLIC RECORDS LEON CNTY FL
BOOK: R2055 PAGE: 01901
OCT 07 1997 04:25 PM
DAVE LANG, CLERK OF COURTS
BK: R2055 PG: 01901

IN THE SECOND JUDICIAL CIRCUIT OF THE STATE OF FLORIDA

CHAMBERS OF THE CHIEF JUDGE

ADMINISTRATIVE ORDER NO.: 97-13

IN RE: GUIDELINES FOR DETERMINING ENTITLEMENT TO INSOLVENCY PURSUANT TO FLORIDA STATUTE 57.081

WHEREAS, persons receiving the services of the clerks and sheriffs without charge or costs in civil cases under the provisions of Florida Statute 57 081, may, in fact, not be eligible and qualify for such benefits despite an Affidavit of Insolvency executed by them in support of their application for waiver of such costs and fees, it is, upon consideration thereof,

ORDERED AND ADJUDGED that the procedures set forth herein shall be followed by the Clerk of the Courts of the Second Judicial Circuit upon the application by any person in civil cases for a waiver of costs and fees under the provisions of Florida Statutes 57 081, 741 30, or 784 046

1 The applicant shall complete a sworn Financial Affidavit that includes evidence of applicant's income and assets

2 If the applicant qualifies as indigent, the applicant must also sign an Affidavit of Insolvency and the Clerks shall thereupon issue a Certificate of Insolvency The Clerks shall not accept any Affidavit of Insolvency or issue any Certificate of Insolvency if such Financial Affidavits reflect that any of the following apply

(a) the applicant has cash or checking or savings deposits in excess of $500.00, or

(b) the applicant has no dependents and his/her gross income exceeds $190 00 per week, or

(c) if the applicant has dependents, his/her gross income exceeds $190 00 per week, plus $25 00 per week for each dependent of applicant

3. If an applicant is represented by an attorney, the attorney may file a signed, written certificate certifying that his/her client is indigent, based on the guidelines set forth above, in lieu of the applicant filing an Affidavit of Insolvency

4. If a petitioner applies for an injunction against domestic violence pursuant to Section 741 30, Florida Statutes or repeat violence pursuant to Section 784 046, Florida Statutes, and is not entitled to a Certificate of Insolvency based upon the guidelines set out above, the initial fees due

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to the Clerks and the Sheriffs shall be temporarily waived to the extent necessary to process the petition and serve the injunction, subject to a subsequent order of the Court relative to payment of such fees Petitioners seeking a temporary waiver under these provisions shall complete an Affidavit of Insufficient funds, and shall not have to pay the fees until otherwise directed by the Court

5 All appeals of any denial of entitlement as provided herein shall be assigned by the Clerks to the Judges to whom the case would have been otherwise assigned Nothing contained in this outlined procedure is intended to serve as an impediment to any person genuinely entitled to receive the benefits of insolvency.

DONE AND ORDERED in Chambers, this 1st day of October, 1997

N SANDERS SAULS
CHIEF JUDGE

JOHN E. CRUSOE
ADMINISTRATIVE JUDGE
FAMILY LAW DIVISION

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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

R970074397
RECORDED IN
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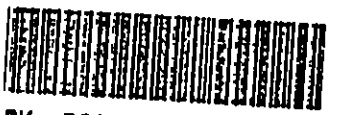

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_____
Petitioner,

vs

CIVIL CASE NO _____

_____
Respondent

FINANCIAL AFFIDAVIT

Petitioner swears and says under penalty of perjury the following is true

Occupation _____ Business Address _____
Employed by _____ Pay period _____

ITEM 1 INCOME Averaged per week, month, or bi-weekly (circle one)

Average GROSS wage $_____

(deduct) Federal Income Tax $_____
Social Security $_____
Union Dues $_____
Other $_____
Total Deductions $_____

Average NET wage (gross less deductions) $_____

Other Income (Interest, Dividends, Rents, Social Security, Retirement,etc) $_____

TOTAL NET INCOME $_____

ITEM 2 ASSETS

Cash on hand or in bank $_____
Stocks, Bonds, Notes $_____
Real Estate
Home $_____
Other $_____
Automobiles $_____
Other Personal Property $_____
Other Assets _____ $_____
_____ $_____
_____ $_____

TOTAL ASSETS $_____

ITEM 3 LIABILITIES

Real Estate Mortgages $_____
Automobile Loans $_____
Other Notes and Loans $_____
Other _____ $_____
_____ $_____
_____ $_____

TOTAL LIABILITIES $_____

_____
AFFIANT

Sworn to and subscribed before me this
____ day of _____, 1997
ID Presented_____

_____
NOTARY OR DEPUTY CLERK

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