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In re: Amendments to Florida Family Rules of Procedure & Forms

GOOD MORNING, LADIES AND GENTLEMEN. WELCOME TO THE COURT. WE ARE GOING TO BEGIN OUR ARGUMENT, TODAY, WITH REGARD TO THE AMENDMENTS OF THE FLORIDA FAMILY LAW RULES OF PROCEDURE AND FAMILY LAW FORMS. JUDGE COLE, ARE YOU GOING TO BEGIN?

YES, YOUR HONOR.

YOU MAY.

GOOD MORNING. MAY IT PLEASE THE COURT. I AM KAREN COLE. I AM CHAIR OF THE PETITIONER, THE FAMILY COURT STEERING COMMITTEE. THE FAMILY COURT STEERING COMMITTEE HAS FILED A PETITION WITH THIS COURT, SEEKING THIS COURT'S APPROVAL OF THREE PROPOSALS REGARDING FORMS TO BE USED IN FAMILY LAW CASES IN FLORIDA. BEFORE I OUTLINE THOSE THREE PROPOSALS, I WILL BRIEFLY REVIEW THE EVENTS WHICH HAVE LED THE STEERING COMMITTEE TO PREPARE THESE PROPOSALS. IN DECEMBER OF 1998, IN IN RE AMENDMENTS TO THE FLORIDA FAMILY LAW PROCEDURE, THIS COURT APPROVED CERTAIN FAMILY LAW FORMS FROM THE RULE-MAKING PROCESS, GOVERNED BY RULE 2.130 OF THE FLORIDA RULES OF JUDICIAL ADMINISTRATION. THIS COURT, THEN, ASSIGNED FUTURE RESPONSIBILITY OF THE REVIEW OF THOSE FORMS TO THE STEERING COMMITTEE. THE STEERING COMMITTEE WAS TO RECOMMEND TO THIS COURT ANY PROPOSED AMENDMENTS TO THOSE RULES, AND THE COURT WOULD, THEN DON'T, BY OPINION -- WOULD THEN ADOPT, BY OPINION, ANY AMENDMENTS TO THOSE RULES WHICH IT THEN APPROVED. THIS COURT STEERED BOTH THE FAMILY COMMITTEE AND THE STEERING COMMITTEE TO SUBMIT, WITHIN ONE YEAR, A PROPOSED FAMILY LAW PROCEDURE 12.015, DIVIDING RESPONSIBILITY FOR ONGOING REVIEW OF ALL FLORIDA FAMILY LAW FORMS, AS WELL AS ANY PROPOSED AMENDMENTS TO THE EXISTING FORMS. THE STEERING COMMITTEE, BY PETITION, AND THE RULES COMMITTEE, BY REPORT, HAS NOW COMPLIED WITH THIS COURT'S DIRECTIVE. THE PETITION AND THE REPORT ARE THE RESULT OF JOINT AND COOPERATIVE EFFORTS BY THE STEERING COMMITTEE AND THE RULES COMMITTEE. THE RULES COMMITTEE HAS PROPOSED A RULE 12.015, WHICH ASSIGNS SPECIFIED FAMILY FORMS TO THE RULES COMMITTEE AND ASSIGNS ALL OTHER FAMILY FORMS TO THE STEERING COMMITTEE. IN GENERAL, THE FORMS RETAINED BY THE RULES COMMITTEE ARE THOSE WHICH THE RULES REQUIRE BE USED. FOR EXAMPLE, A CHILD SUPPORT GUIDELINE WORKSHEET OR FINANCIAL AFFIDAVITS AND OTHER FORMS ARE, THEN, ASSIGNED TO THE STEERING COMMITTEE. THE STEERING COMMITTEE'S FIRST PROPOSAL IS THAT CONSISTENT WITH THE RULES COMMITTEE'S PROPOSED RULE, THE FAMILY LAW FORMS SHOULD BE REORGANIZED AND, WHERE APPROPRIATE, RENUMBERED AND RENAMED. ALL FAMILY FORMS WOULD BE NUMBERED 12.9-BLANK.

WE HAVE A LIMITED AMENDMENT OF TIME, AND I DON'T THINK ANYONE IS CONTESTING THE RENUMBERING OF THE FORMS. IF YOU, MAYBE, COULD FOCUS ON THE PART THAT YOU THINK, MAYBE, BE CONTROVERSIAL. I THINK THAT MAYBE WOULD HELP.

THANK YOU, JUSTICE PARIENTE. WHAT MAY BE CONTROVERSIAL ARE THE OTHER TWO PROPOSALS. ONE IS TO COMPRIZE THE STEERING COMMITTEE. THAT COMMITTEE WOULD BE CHARGED WITH THE ONGOING RESPONSIBILITY FOR REVIEW OF THE NONRULES FORMS. IN OTHER WORDS THE FORMS THAT ARE CURRENTLY TASKED TO THE STEERING COMMITTEE. AND THE STEERING COMMITTEE HAS MADE THIS REQUEST, BECAUSE IT HAS FOUND, OVER THE PAST YEARS, THAT REVIEW OF THE VOLUMINOUS NONRULE FORMS HAS REQUIRED AN

EXTRAORDINARY AMOUNT OF EFFORT, ON THE PART OF THE STEERING COMMITTEE, AND HAS DEPRIVED IT OF THE ABILITY TO FULLY RESPOND TO THIS COURT'S OTHER CHARGES TO THE STEERING COMMITTEE.

LET ME ASK YOU ONE QUESTION ABOUT THE BEGINNING OF THE RULE. THERE IS A SUGGESTION BY, I BELIEVE IT IS MR. TRAWICK, THAT WE SHOULDN'T CHANGE -- HAVE YOU SEEN HIS COMMENTS?

I HAVE.

WHAT ABOUT THE COMMENT CONCERNING THE COMMENTARY? DO YOU HAVE ANY PROPOSALS ON THAT ONE WAY OR THE OTHER?

I THINK THAT MR. TRAWICK IS CORRECT, THAT THE PRACTICE IS TO RETAIN THE EXISTING COMMENTARY, AND THEN TO ADD MILE NEW -- ADD ANY NEW COMMENTARY?

SO YOU ARE NOT OPPOSED TO THAT?

NO, MA'AM. AND CERTAINLY, IF IT IS THIS COURT'S DESIRE, THE STEERING COMMITTEE WILL CONTINUE ITS ONGOING REVIEW, BUT IT RESPECTFULLY REQUESTS THAT, IF IT IS TO BE THE CREATIVE THINK TANK THAT I BELIEVE THIS COURT HAD ORIGINALLY ENVISIONED THAT IT WOULD BE, THAT WE WOULD BE BETTER ABLE TO FULFILL THAT ROLE BY HAVING THE ONGOING FORMS REVIEW ASSIGNED TO THIS NEW COMMITTEE.

LET ME ASK YOU, MOST OF THE FORMS ARE THE FORMS THAT ARE USED IN THE SELF-HELP FACILITIES IN THE VARIOUS CIRCUITS. OTHER THAN THE DOMESTIC VIOLENCE IN JUNCTION FORM THAT WE, ALSO, HAVE TODAY. WOULD YOU THINK, FOR THE MAJORITY OF THE UPDATING, THAT THAT, REALLY, CAN BE SOMETHING, WE NOW HAVE A FULL-TIME ATTORNEY IN THE OFFICE OF THE STATE COURT ADMINISTRATOR, THAT THEY CAN, REALLY, DO MOST OF THE UPDATING OF THE NONCONTROVERSIAL ISSUES?

CERTAINLY JUSTICE PARIENTE. THAT WOULD BE ANOTHER VIABLE OPTION, ASSUMING THAT FUNDING WERE AVAILABLE FOR THAT STAFF ATTORNEY.

AND I DON'T THINK -- THERE, REALLY, DOESN'T SOUND LIKE, AS LONG AS THE FAMILY LAW COMMITTEE RETAINS THE FORMS THAT ARE WITH THE RULES, I, ALSO, DIDN'T DETECT THERE WAS ANY CONTROVERSY TO TAKING THAT RESPONSIBILITY AWAY FROM THE FAMILY COURT STEERING COMMITTEE.

MY UNDERSTANDING IS THE TWO COMMITTEES ARE IN AGREEMENT THAT THE RULE FORMS SHOULD REMAIN WITH THE RULES COMMITTEE.

ARE YOU PREPARED TO TALK ABOUT SOME OF THE PROBLEMS THAT HAVE BEEN BROUGHT UP, ABOUT THE CHANGES TO THE DOMESTIC VIOLENCE INJUNCTION?

I AM, YOUR HONOR.

FORMS. I AM PARTICULARLY CONCERNED ABOUT SOME OF THE PROVISIONS IN THERE THAT SEEM TO NOT BE IN THE STATUTE, AND MAY CAUSE CONCERN, AND SOME OF THESE HAVE TO DO WITH THE REMOVAL OF PROPERTY. THE OTHER IS THE ADDITION ABOUT THE NOTICE TO THE PARTIES, TO BRING YOUR FINANCIAL AFFIDAVITS OR FINANCIAL INFORMATION, AND JUDGE SULLIVAN'S RECOMMENDATION THAT, IF THERE IS A ONGOING CASE THAT NOT BE SAID. CAN YOU GIVE SOME INSIGHT AS TO THE FAMILY COURT STEERING COMMITTEE'S VIEWS OF THOSE COMMENTS THAT SEEM TO BE QUESTIONING SOME OF THE PROVISIONS?

SURELY. WITH REGARD TO THE INSTRUCTION TO BRING FINANCIAL AFFIDAVITS AND THE CAUTION THAT THIS IS GOING TO BE AN EVIDENTIARY HEARING, THIS IS AN OUTGROWTH OF CONCERN BY THE STEERING COMMITTEE THAT PRO SE LITIGANTS DO NOT ALWAYS REALIZE THAT THIS HEARING IS GOING TO BE EVIDENTIARY INNATE, AND I BELIEVE THAT THERE IS A APPELLATE OPINION IN WHICH JUDGE WARNER, IN A CONCURRING OR DISSENTING OPINION, MENTIONED HER CONCERN ABOUT THE SAME ISSUE AND SO ALTHOUGH IT IS NOT PROVIDED FOR BY STATUTE, WE THINK THAT IT IS WITHIN THE COURT'S AUTHORITY TO ADD THAT INSTRUCTION TO THE CURRENT PROVISIONS.

IS IT YOUR IMPRESSION, THOUGH THAT FINANCIAL MATTERS WILL BE RESOLVED, WHEN THE STATUTE SPEAKS IN TERMS OF THE DISCRETION FOR THE TRIAL COURT TO CONSIDER THOSE MATTERS? IN OTHER WORDS YOU HAVE GOT THE INJUNCTION, AND THEN THE QUESTION IS YOU HAVE THE OTHER MATTERS. DOES IT -- IS THAT AT ALL MISLEADING TO THE LITIGANT OR TO THE PARTIES?

I WOULD HOPE NOT. CERTAINLY THE LANGUAGE COULD BE TWEAKED, IF NECESSARY, TO ENSURE THAT THE PARTIES REALIZE THAT THE GRANTING OF ANSWER LATER RELIEF IS DISCRETIONARY, BUT SINCE THE STATUTE REQUIRES THAT THE TRIAL COURT CONSIDER ALL REQUESTS FOR RELIEF, IT DOESN'T REQUIRE THAT THE COURT GRANT ALL REQUESTS, BUT IT DOES REQUIRE THAT THE COURT CONSIDER THEM, IT WOULD SEEM APPROPRIATE TO ALERT THE PARTIES THAT THEY SHOULD BRING ALL NECESSARY WITNESSES AND EVIDENCE.

JUDGE COLE, I NOTICE THAT, FROM MY PAPERS, THAT YOU ARE GOING TO SHARE YOUR TIME WITH MR. COLEMAN.

THAT'S CORRECT, AND I WAS HOPING TO RESERVE MY THREE MINUTES, AND I BELIEVE I AM AT THAT POINT, NOW, FOR REBUTTAL, IF I MIGHT, THEN MR. COLEMAN WILL TAKE THE OTHER TEN MINUTES OF THE TWENTY. THANK YOU, CHIEF JUSTICE HARDING. MR. COLEMAN.

MR. CHIEF JUSTICE AND JUSTICES OF THE SUPREME COURT, I AM ALREADY I COLEMAN. AS -- I AM LARRY COLEMAN. AS CHAIR OF THE FLORIDA LAW RULES COMMITTEE, AND I PROBABLY, UNLESS YOU HAVE QUESTIONS TO TAKE UP MY TIME, WILL PROVIDE TIME FOR JUDGE COLE IN HER REBUTTAL COMMENTS.

WHAT ABOUT THE DOMESTIC VIOLENCE RULES THAT TALK ABOUT THE POSSESSION OF THE HOME? THERE WERE SOME VERY INTERESTING COMMENTS MADE ON THAT PARTICULAR SECTION, ABOUT DELETING ANY REFERENCE TO THE RESPONDENT GETTING THE POSSESSION OF THE HOME. HAVE YOU HAD AN OPPORTUNITY TO READ THAT?

I HAVE, AND THE RULES COMMITTEE DISCUSSED AND CONSIDERED THAT, AND WE HAD COMMENTS RELATIVE TO THAT PROPOSAL, AND THE CONCERN WAS, IF A PETITIONER IS SEEKING THAT RELIEF, SHOULD THEY BE REQUIRED, AS A CONDITION OF SEEKING THE RELIEF, TO BE ENJOINED, THEMSELVES, FROM DISPOSING OR ACTING OR REMOVING ANY ASSETS, AND IT WAS THE OPINION OR THE VOTE OF OUR COMMITTEE THAT THEY SHOULD NOT BE, THAT THAT, PROBABLY, WENT A LITTLE BIT TOO FURTHER, FOR THE PETITIONER TO, ALSO, BE ENJOINED. I UNDERSTAND THE LOGIC BEHIND THE STEERING COMMITTEE'S RECOMMENDATION OF MAINTAINING THE STATUS QUO, BUT IT IS OUTSIDE THE SCOPE OF THE PETITION, AND THE CONDITION OF GETTING THAT RELIEF WOULD BE, ALSO, IMPOSEING THAT RELIEF ON THEM.

ARE YOU SAYING THAT THE COURT CAN ORDER THE HOME TO GO TO THE RESPONDENT?

THE COURT HAS DISPOSITION OF WHAT COULD BE DONE THERE. ON THE PETITION. I MEAN, THE COURT HAS JURISDICTION TO DO THAT. THE PROBLEM THAT THE COMMITTEE HAD WITH THAT WAS GETTING THE SAME INJUNCTIVE RELIEF IMPOSED ON THE PETITIONER AS ON THE RESPONDENT, WITH REGARD TO THAT RELIEF, AND TYING UP THE PROPERTY.

SHOULD THIS FORM BE DIFFERENT IF YOU ARE TALKING ABOUT HAVING MINOR CHILDREN, VERSUS NOT HAVING ANY MINOR CHILDREN?

I THINK IT IS GOOD, SO FAR AS THE UNIFORMITY. AGAIN, WE ARE TRYING TO DO A UNIFORM ORDER THAT IS GOING TO BE RECOGNIZED PIE LAW ENFORCEMENT AND JUDGES THROUGHOUT THE STATE, BECAUSE THAT IS NECESSARY, AS WELL AS OUTSIDE THE STATE, SO I THINK THIS IS GOOD TO HAVE TWO SEPARATE FORMS FOR THAT, AS OPPOSED THE STEERING COMMITTEE. WE ARE DEALING WITH A CINDERELLA SLIPPER THAT FITS ONE PERSON BUT APPLIES TO A NUMBER OF STEP SISTERS, AS WELL, AND WITH THE UNIFORMITY, HERE, WE HAVE TO HAVE AN ORDER THAT, HOPEFULLY, WILL BE SUFFICIENTLY DESIGNED TO BE ABLE TO MEET THOSE DIFFERENCES. AS WITH THE CONCERN OF ACCESS AND THIRD-PARTY COMMUNICATIONS, I HAVE HAD, AS AN ILLUSTRATION, A CLIENT HELD IN CONTENT -- CONTEMPT BY A THIRD PARTY, FOR TRYING TO SET UP VISITATION. THAT WAS A CONCERN, ALSO, OF OUR COMMITTEE, IN TRYING TO SET UP A FORM THAT PROHIBITS THIRD-PARTY COMMUNICATION, AS A VIOLATION OF THE INJUNCTION. OUR COMMITTEE FELT THAT THAT WAS AN INAPPROPRIATE PROVISION THERE.

WAS THERE AWAY TO TAYLOR THAT?

-- TO TAILOR THAT?

I THINK THERE IS. THERE IS A LIMITED THIRD-PARTY CONDITION AND SET OUT VERY LIMITED CONDITIONS ON WHICH THAT COULD BE ACCOMPLISHED, AS AN ILLUSTRATION, PROVIDING A FINAL INJUNCTION FORM, FOR HOW VISITATION AND ACCESS CAN BE ORDERED, SO I THINK THAT PROBLEM CAN BE SOLVED, WITH THAT CHANGE IN THAT REGARD.

WHAT ABOUT THE PROPERTY, THE ISSUES OF THE PROPERTY, AND WHETHER THERE SHOULD BE SOMETHING THAT, AND MAYBE THIS IS, REALLY, JUST A FOLLOW-UP ON WHAT JUSTICE QUINCE SAID, BUT I THINK THE COMMENTS KPR GERALD COHEN ABOUT THIS BEING USED INAPPROPRIATELY ABOUT THE MEATER AND NOW -- INAPPROPRIATELY BY THE PETITIONER, AND NOW WE ARE TALKING ABOUT THE FORM FOR 9 TEMPORARY INJUNCTION.

-- THE FORM FOR TEMPORARY INJUNCTION.

JUDGE COLE CAN CONFIRM THAT THESE ARE USED BY LITIGANTS WHO ARE OFTEN SEEKING PRO SE AND SOMETIMES INEFFECTIVE USE OF COUNSEL, TO SEEK TO TRY TO GAIN ONE-UPSMANSHIP. THE PURPOSE OF DOMESTIC VIOLENCE IS TO PROTECT PEOPLE HARM AND NOT TO GET INTO THOSE OTHER AREAS.

DO YOU THINK, IN TERMS OF THE ISSUE OF DISCRETION THAT THE JUDGE HAS TO CONSIDER OTHER ISSUES, SUPPORT AND VISITATION THAT, JUDGE SULLIVAN'S PROPOSAL, THAT IF THERE HAD -- THAT THEY SHOULD BE CAUTIONED THAT, IF OTHER PROCEEDINGS ARE PENDING, THAT THOSE MIGHT NOT BE CONSIDERED? IS THAT AN APPROPRIATE INSTRUCTION, OR ARE WE, NOW, GETTING INTO MATTERS OF DISCRETION WHEN THE FORM IS, REALLY, SUPPOSED TO, AGAIN, BE AN ONE-SIZE-FITS-ALL?

THAT IS THE PROBLEM IS ONE-SIZE-FITS-ALL. ABSOLUTELY.

ABSOLUTELY WHAT?

THAT ONE-SIZE-FITS-ALL CREATES A PROBLEM WITH THE FORM THAT IS DESIGNED TO DO THAT, BECAUSE --.

EXCUSE ME. IF THE JUDGE KNOWS THAT THERE IS ANOTHER MATTER PENDING, THERE IS A WAY FOR THE JUDGE TO FIND THAT OUT, AND THEN THE TWO CASES BECOME CONSOLIDATED, IN MOST

JURISDICTIONS. CORRECT?

ABSOLUTELY, AND FREQUENTLY YOU SHOULD HAVE OR, OFTEN, DO HAVE A DIVORCE CASE, THAN IS THE PROPER FORUM FOR THAT TO BE LITIGATED IN, AND THE DIVORCE CASE TAKES PRECEDENCE OVER, IN THOSE PARTICULAR AREAS, OVER THE DOMESTIC VIOLENCE INJUNCTIVE RELIEF, AND SO THAT IS THE PROPER FORM FOR REFERRAL OUT, AND THIS FORM COULD BE USED FOR THAT PURPOSE. THE THIRD ISSUE, WHICH CREATED SOME CONCERN AND COMMENTS, TOO, IS WHETHER OR NOT THE CHIEF JUDGE OF THE VARIOUS CIRCUITS SHOULD BE APPROVING AND PROVIDING THIS COURT WITH THE INFORMATION AS TO THE CHANGES THAT MIGHT BE LOCAL OF NATURE, AND I AM NOT SURE -- I THINK THERE IS VERY VALID MERIT FOR THAT, BUT IT, ALSO, CREATES PROBLEMS WITH ONE FORM IS NEEDED FOR UNIFORMITY, THROUGHOUT THE STATE, SO I THINK --

LET ME ASK YOU, THAT HAS BEEN IN THE RULE FOR THE LAST TWO YEARS, AND I THINK THE COURT HAD INTERPRETED THAT IT HAD FINAL AUTHORITY TO APPROVE, BUT THERE IS NOTHING IN THE RULE THAT SAYS THAT. IT JUST SAYS WE SHOULD BE GETTING COPIES OF IT. NO ONE HAS PROPOSED AN AMENDMENT TO THAT RULE, TO SAY THAT THE COURT OR THE CHIEF JUSTICE MUST APPROVE ANY AMENDMENTS TO THE RULES.

I AGREE, BUT THAT IS PROBABLY BECAUSE IT IS A PROPOSED FORM AS OPENED TO A PROPOSED RULE CHANGE ON THAT OR STATUTE. THAT MAYBE THE ANSWER.

I THOUGHT THERE WAS A RULE IN EFFECT, SINCE '98, THAT SAID THAT THE CHIEF JUSTICE HAD THAT AUTHORITY. THIS WAS JUST ADDING ANOTHER PLACE WHERE THEY COULD AT IN LOCAL OPTIONS.

THIS COURT WOULD HAVE TO APPROVE THOSE FORMS, AND I THINK THAT IS AN APPROPRIATE PROVISION THAT WOULD, OBVIOUSLY, BE WITHIN THE ORDER OF THIS COURT TO IMPLEMENT THOSE. I AM GOING TO SAVE THE EXTRA TIME I HAVE FOR JUDGE COLLAPSE COMMENTS, UNLESS ANYBODY HAD ANY QUESTIONS. THANK YOU.

THANK YOU. JUDGE ROUSE.

THANK YOU. MR. CHIEF JUSTICE, MEMBERS OF THE SUPREME COURT. MY NAME IS ROBERT K ROUSE JR.. I AM THE CHIEF JUDGE IN THE SEVENTH CIRCUIT, AND WE WERE ASKED TO PROVIDE INPUT, THROUGH OUR JUDGES THAT WERE ON THE LINE CONDUCTING THESE HEARINGS, AND JUDGE KENNEDY AND JUDGE FOXMAN AND I DISCUSSED IT AND JUDGE PATRICK KENNEDY SENT, TO ME, FOLLOWING THAT, WHAT I THOUGHT WERE SOME THOUGHTFUL COMMENTS AND OBSERVATIONS, AND I FORWARDED THEM ON, AND NO GOOD DEED GOES UNPUNISHED. HERE I AM. SO I AM HERE, I SUPPOSE, TO DISCUSS, TO THE EXTENT I CAN, AND BRIEFLY, AND I WILL HOPE TO KEEP SOME TIME, HERE, FOR FURTHER DISCUSSION WITH THOSE WHO HAVE ALREADY SPOKEN, BUT THE CONCERNS THAT WE HAD ABOUT THE SPECIFIC CHANGES TO THESE SPECIFIC ORDERS. THE FIRST ONE IS THE 500 FEET PROHIBITION, WHICH SEEMS TO CAUSE NO END OF PROBLEMS. PEOPLE SEE SOMEONE IN THE GROCERY STORE, AND THEY ARE WITHIN 500 FEET, AND THEY RUN SCREAMING OUT. THEY ARE, ALWAYS, ASKING US CAN WE BE WITHIN 500 FEET OF THE PERSON. WHAT IF WE ARE THEIR FIRST AND HAVE A BASKET FULL OF GROCERIES AND ET CETERA, ET CETERA. WE WOULD LIKE, AT THE LEAST, TO HAVE THAT BLANK, SO THAT WE COULD FILL IN THE NUMBER OF FEET.

WOULDN'T THAT SAME PROBLEM BE THERE, NO MATTER WHAT FEET IT WAS?

IT WOULD, BUT THE OTHER PROBLEM IS WHEN THEY LIVE, SOMETIMES, IN THE SAME APARTMENT COMPLEX OR WITHIN 500 FEET AND YOU END UP WHITING IT OUT, BUT I AM GOING TO MAKE ANOTHER PROPOSAL, JUSTICE PARIENTE, WHICH I THINK MIGHT EVEN BE BETTER THAN LEAVING IT BLANK. WE, ALMOST, NEVER ENCOUNTER -- I SAY ALMOST NEVER. I PROBABLY ENCOUNTERED

IT SIX ORATE TIMES IN FOUR YEARS OF CONDUCTING THESE HEARINGS, A SITUATION WHERE THERE ARE PEOPLE GOING TO THE SAME SCHOOL OR WORKING AT THE SAME EMPLOYMENT, AND SO, ON PAGE 312 OF THEM, WE HAVE THIS ALREADY EXISTING PROVISION TO TAKE CARE OF IT. IT SAYS PETITIONER AND RESPONDENT ARE EMPLOYED BY THE SAME EMPLOYER, WORK AT THE SAME PHYSICAL LOCATION OR ATTEND THE SAME SCHOOL. ACCORDINGLY THE FOLLOWING RESTRICTIONS SHALL APPLY, AND MY POINT IS WE ALMOST DO ANYTHING THERE. THAT IS JUST NOT APPLICABLE. AND THEN RIGHT BELOW IT, IT SAYS OTHER PROVISIONS REGARDING CONTACT, SO IF WE HAD THAT SITUATION ARISE, WE COULD USE THAT "OTHER PROVISIONS" TO TAKE CARE OF IT. MY SUGGESTION IS WE USE THAT SPACE. WE ELIMINATE B ON PAGE 312 AND USE THAT SPACE TO HAVE SOME ALTERNATIVES ABOUT, BOTH, CONTACT AND COMMUNICATION. AND THE 500 FEET, IF NECESSARY. FOR EXAMPLE, AND THIS IS A RELATED PROBLEM. WE HAVE A TREMENDOUS PROBLEM WITH PEOPLE SAYING, WELL, WE HAVE GOT CHILDREN, AND WE NEED TO HAVE CONTACT ABOUT VISITATION AND, ALSO, I NEED TO GO TO THE SCHOOL TO PICK THE CHILDREN UP, BECAUSE YOU JUST ORDERED VISITATION. NOW, WE CAN COVER THAT, EITHER BY SCRIBBLING OUT THE "NO CONTACT" PROVISION UNDER TWO AND COMPLETELY REWRITING IT AND TRYING TO PUT IT IN THERE IN VERY TINY PRINT OR PUT AGO ADDENDUM TO IT, OR WE CAN COVER IT IN THE BACK, UNDER VISITATION AND IT SAYS, UNLESS OTHERWISE PROVIDED HERE IN, NO CONTACT, BUT IMAGINE A PERSON SEEING THIS ON THE FIRST STAGE PAIGE AND THEN EIGHT PAGES LATER IT SAYS, OKAY, THERE CAN BE VISITATION, AND UNDER VISITATION, THERE IS NO LANGUAGE AS TO THE EXTENT YOU CAN ARRANGE FOR PHONE CONTACT TO PROVIDE VISITATION.

ARE THERE TWO CASES, ONE IS A SITUATION WHERE THE JUDGE KNOWS THAT, UNDER NO CIRCUMSTANCES, DOES THE JUDGE WANT THE RESPONDENT TO HAVE ANY CONTACT WITH THE PETITIONER, AND THEN THERE ARE THE OTHERS, WHERE YOU ARE NOT QUITE SURE WHAT THE SITUATION IS. YOU FIGURE NO HARM, NO FOUL. PUT THIS INTO EFFECT, BUT YOU, ON THE OTHER HAND, ARE STILL SAYING, WELL, WE NEED TO HAVE AN EXCHANGE OF CHILDREN. SHOULD THERE BE A -- I DON'T WANT TO COMPLICATE THINGS, BUT SHOULD WE HAVE ANOTHER FORM FOR THE JUDGE TO USE IN THAT SITUATION?

NO. I DON'T THINK SO. I THINK WE HAVE GOT PRECIOUS PLENTY NUMBER OF FORMS. I DON'T THINK WE SHOULD CONFUSE IT WITH ADDITIONAL FORM ORDERS.

I AM CONCERNED THAT THE ADVOCATES, DOMESTIC VIOLENCE VICTIMS, ARE SO CONCERNED THAT THESE INJUNCTIONS NOT INDICATE THAT THERE BE CONTACT, AND YOU GIVE AN INCH, YOU TAKE A MILE, THAT IF WE ARE TO TRY TO ACCOMMODATE THAT SITUATION, WE ARE GOING TO CREATE A ZONE OF DANGER FOR EVERYBODY WHO --

I HIM OBVIOUSLY NOT MAKING MYSELF CLEAR. LET ME TRY A DIFFERENT. I THINK THE "NO CONTACT" PROVISION IS FINE. I SIMPLY THINK THERE SHOULD BE AN ALTERNATIVE RIGHT BELOW IT, NOT WAY BACK IN THE BACK OF THE FORM, UNDER VISITATION, IN THE BACK OF THE FORM ORDER, RIGHT BELOW IT THAT TELLS US WHEN IT IS OTHERWISE PROVIDED, AND THAT WOULD BE IN THE CASE OF CERTAIN VISITATION SITUATIONS OR WHERE THE PARTIES SAY, AS THEY OFTEN DO, I DON'T MIND HIM CALLING ME OR HER CALLING ME. I SIMPLY DON'T WANT THEM NEAR ME BECAUSE THEY TEND TO GET UP SET AND WE TEND TO HAVE VIOLENCE, SO I THINK THERE SHOULD BE AN ALTERNATIVE PROVISION, RIGHT BELOW, IN 2 A, AND THE REPLACEMENT OF 2-B, WHERE THERE ARE CHILDREN. BY THE WAY ON THE TEMPORARY, LET ME MAKE IT CLEAR, MAYBE THERE ARE SOME, BUT I DON'T KNOW ANY JUDGE THAT THINKS THAT WE SHOULD ALLOW ANY CONTACT ON THE TEMPORARY. WE HAVEN'T SEEN THESE LITIGANTS. WE DON'T KNOW ANYTHING ABOUT THE SITUATION. WE HAVE PRESUMABLY LOOKED AT SOMETHING AND SAID THIS WARRANTS THE IMPOSITION OF THIS TEMPORARY INJUNCTION. THERE IS DANGER HERE. I DON'T WANT ANY CONTACT, UNTIL I HAVE A CHANCE TO GET THEM TOGETHER.

IN YOUR CIRCUIT, HOW ARE YOU HANDLING THE QUESTION THAT MR. COLEMAN BRINGS UP

ABOUT SOMEBODY DOING A PREEMPTIVE STRIKE AND USING THE DOMESTIC VIOLENCE INJUNCTION IN THAT WAY?

AS TO PROPERTY OR JUST AS TO EVERYTHING?

WELL, PROPERTY SEEMS TO BE --

LET ME START WITH PROPERTY. I AM SORRY. I DIDN'T MEAN TO TALK OVER YOU, SINCE THAT SEEMS TO BE AN ISSUE, AND JUDGE KENNEDY RAISED THAT. I DEVELOPED A STAMP THAT I JUST STAMPED, UNDER THE "OTHER PROVISIONS" SECTION, UNDER THE HOME OR THE RESIDENCE, THAT SAID NEITHER PARTY MAY REMOVE OR DISSIPATE OR SELL OR DESTROY ANY OF THE PROPERTY. PERIOD. AND IT JUST STATED THAT CLEARLY FOR THEM.

THERE IS A COMMENT FROM MR. COHEN. THANK IS WHAT HE HAD -- FROM MR. CONE. I THINK THAT IS WHAT HE HAD SUGGESTED.

IT LOOKS LIKE SOMEONE HAS ADDED A PROVISION NOW. I CAN'T RECALL, QUITE FRANKLY, BUT I THINK THAT SHOULD BE IN THERE FOR US TO PROVIDE IN THE TEMPORARY, CERTAINLY, AND, ALSO, IN THE FINAL JUDGMENT OF INJUNCTION. AS FAR AS THE SITUATION ABOUT DIVIDING PROPERTY, THAT IS PROBLEMATIC, BECAUSE I AM NOT SURE OF OUR AUTHORITY TO DO THAT AND WE GENERALLY DON'T HAVE THE TIME TO DIVIDE ALL THE POTS AND PANS AT THESE HEARINGS. WE HAVE A WHOLE COURTROOM OR HALLWAY FULL OF PEOPLE, TYPICALLY, AND WE ARE TRYING TO GET THESE THINGS DONE AND PROTECT PEOPLE FROM VIOLENCE AND KEEP OUR EYE ON THAT BALL, AND IT IS DIFFICULT, THEN, TO STOP AND CONDUCT A FULL EVIDENTIARY HEARING THAT PEOPLE DIDN'T COME PREPARED TO CONDUCT. I TYPICALLY DO WHAT A NUMBER OF JUDGING, I THINK, AROUND THE STATE, TEND TO DO. I SAT DOWN WITH THE SHERIFF'S DEPARTMENT AND CAME UP WITH A SEPARATE FORM ORDER THAT THEY CAN LIVE WITH AND BELIEVE IT IS APPROPRIATE, AND I WILL, AT THE HEARING, HAVE THE PERSON WHO IS LOSING POSSESSION OF THE RESIDENCE, WRITE DOWN THE POSSESSIONS THIS EVENING THEY SHOULD BE ABLE TO COME AND GET. I SHOW IT AND HAVE THE BAILIFF HAND IT TO THE OTHER PERSON, WHO IS GOING TO GET POSSESSION OF THE PREMISES, AND SAY DO YOU DISAGREE WITH ANY OF THIS. IF THEY DO, WE STRIKE THROUGH THE ONES THEY DISAGREE, BECAUSE I DON'T HAVE TIME TO DO A HEARING, BUT THE ONES THEY AGREE TO, I STAPLE IT TO THE PRE-DONE ORDER. I SIGN IT, AND IT ALLOWS THEM TO GO GET THAT, AND I THINK THAT IS HELPFUL TO BOTH PARTIES, BECAUSE IT KEEPS THAT PERSON WHO WANTS HIS TOOLS OR HER POSSESSIONS FROM GOING BACK THERE AND TRYING TO VIOLATE THE INJUNCTION, AND IT SEEMS TO WORK VERY WELL. I AM NOT SURE WE, REALLY, HAVE THE AUTHORITY TO CONDUCT A HEARING ABOUT POSSESSIONS, AND WE CERTAINLY DON'T HAVE THE TIME. BUT THAT IS KIND OF THE WAY WE HANDLE IT. I THINK JUDGE KENNEDY'S COMMENTS ABOUT THAT ARE PRETTY GOOD. I REALLY DON'T HAVE --

JUDGE ROUSE, WOULD YOU SPEAK TO THE ONE-SIZE-FITS-ALL PROBLEM? IN YOUR CIRCUIT, VOLUSIA, IT IS SOMEWHAT DIFFERENT THAN THE COUNTIES TO THE NORTH. WHAT IS THE SITUATION? DO YOU HAVE THIS SAME PROBLEMS? OR --

THERE IS NO QUESTION, JUSTICE WELLS, THAT ONE-SIZE-FITS-ALL, IN OTHER WORDS HAVING A LIMITED NUMBER OF FORMS, WITH THE STANDARD PROVISIONS AND ALLOWING BY THE WAY, WE DID SUBMIT, AS I RECALL, AT LEAST ONE PROPOSED CHANGE, AND THE SUPREME COURT TOLD US NO, SO WE THINK THE SUPREME COURT HAS RETAINED THAT AUTHORITY ABOUT CHANGING THESE RULES OR THESE FORMS OR THESE ORDERS, BUT I DON'T KNOW THAT I CAN SPEAK FOR ALL OF OUR JUDGES, BUT I THINK YOU HAVE -- IS A BALANCING TEST. THE BENEFITS TO BE DERIVED FROM HAVING ONE THAT THE SHERIFFS ALL GET USED TO AND THE POLICE DEPARTMENTS ALL GET USED TO ALL OVER THE STATE. WE HAVE A MOVING POPULATION, AND I THINK THERE ARE GREAT BENEFITS TO BE DERIVED FROM THAT. AS A QUICK EXAMPLE, AND I KNOW WE ARE LIMITED ON TIME, BUT ON THESE INJUNCTIONS, IT SAYS INITIAL IF APPLIES, WRITE NA, IF NOT

APPLICABLE, AND THAT IS WHERE A SPACE IS PROVIDED OUTSIDE OF THE ORDER PROVISION, BUT JUDGE FOXMAN HAS ROUTINELY, UNDER "VIOLENCE PROHIBITED" WHERE THERE IS NO SPACE, INITIALED IT, ANYWAY, TO REINFORCE NO VIOLENCE, AND I THINK OUR LAW ENFORCEMENT GOT USED TO SEEING THAT, AND OF COURSE I DON'T INITIAL IT, AND I HAVE HAD HAD ONE PERSON COME TO ME AND SAY THEY DIDN'T ENFORCE THIS, BECAUSE YOU DIDN'T INITIAL IT. SO I THINK UNIFORMITY, THAT SHOWS US HOW IMPORTANT UNIFORMITY CAN BE, AND I TEND TO FALL ON THE SIDE THAT WE DO HAVE TO TWEAK THESE THINGS, AND WE NEED SOME ALTERNATIVES THAT WE CAN QUICKLY USE, FOR INSTANCE, UNDER THE "NO CONTACT", BUT I TEND TO THINK THAT THE ADVANTAGES OF UNIFORMITY AND ALL THE JUDGES LOOKING AT THE SAME ISSUES AND MAKING THE SAME KINDS OF FINDINGS IS VERY VALUABLE, AND I THINK THAT THEY WORK PRETTY WELL INPUT AND IN AND ST. JOHNS, AS WELL AS IN THE MORE POPULOUS VOLUSIA, FOR EXAMPLE.

I REALLY APPRECIATE. I KNOW THE COURT DOES, YOUR CIRCUIT'S THOUGHTFUL INPUT, BECAUSE THE PROBLEM IS TRYING TO GET A FORM THAT FITS AROUND THE STATE, IN SUCH VARIED SITUATIONS AND WE KNOW THAT THERE WAS SOME CONCERN, FROM JUDGES AT THE BEGINNING, ABOUT USING THIS, AND SO WE DO WANT THESE FORMS TO BE, QUOTE, USER-FRIENDLY, YET FIT INTO THE REQUIREMENTS OF THE LAW AND SO ANYTHING ANYONE CAN DO TO HELP US ACHIEVE THAT, IT IS GOING TO BE AN ONGOING PROCESS.

WE HAVE APPRECIATED. THANK YOU, JUSTICE PARIENTE. WE HAVE APPRECIATED THE EFFORTS TO CONTINUE TO TWEAK AND IMPROVE THESE, BECAUSE, REALLY, AT THE START, WE WERE DOING AN AWFUL LOT OF CUTTING AND PASTING AND SCRATCHING OUT, AND WE STILL DO THAT ON A COUPLE OF PROVISIONS, SUCH AS THE NO CONTACT, BUT I THINK, IN GENERAL, I THINK THESE HAVE BEEN IMPROVED, AND AS JUDGE KENNEDY SAID, I GUESS I AM HERE ON THE OPPOSITION, BUT AS JUDGE KENNEDY SAID, IN HIS FIRST COMMENT, HE THOUGHT THESE WERE VERY GOOD PROPOSALS.

THANK YOU, JUDGE ROUSE. JUDGE COLE.

THANK YOU, CHIEF JUSTICE. DID I LOSE MY MICROPHONE?

LOST YOUR SOUND.

LOST YOUR VOICE.

CHECK IT AGAIN.

MR. COLEMAN HAS BEEN KIND ENOUGH TO CEDE TO ME HIS REMAINING TIME, AND SO IF I COULD ASK OF THE MARSHAL HOW MUCH TIME THAT WILL GIVE ME, SO THAT I CAN PACE MY REMARKS. 6.2. THANK YOU, SIR.

I DO KNOW THAT WE ARE HAVING SOME ELECTRICAL PROBLEMS, AND IT MAY BE THAT THAT IS WHAT HAPPENED TO THE MICROPHONE.

I WILL TRY TO SPEAK UP. PLEASE LET ME KNOW, IF YOU ARE NOT ABLE TO HEAR ME. THERE WE GO. I THINK MY TIME WOULD BE BEST USED BY ANSWERING ANY QUESTIONS THAT THE COURT MIGHT HAVE, ABOUT ANY OF THE PROPOSED CHANGES TO THE DOMESTIC VIOLENCE OR REPEAT VIOLENCE FORMS.

IS IT YOUR UNDERSTANDING THAT THE COURT DOES HAVE THE ULTIMATE AUTHORITY TO APPROVE OR DISAPPROVE THE LOCAL PROVISIONS, AND IF SO, WHERE IS THAT IN THE RULES?

JUSTICE PARIENTE, WHERE -- I NOTED THE SAME THING LAST NIGHT. I THINK, ALTHOUGH IT WAS THE CLEAR INTENT THAT THE SUPREME COURT HAVE THE AUTHORITY TO APPROVE OR

DISAPPROVE LOCAL PROVISIONS, I DON'T THINK IT EXPRESSLY SAYS THAT.

SO YOU ARE SUGGESTING THAT WE RETAIN THAT AUTHORITY, SO WE CAN TRY TO KEEP SOME UNIFORMITY.

YES.

ROUSE IS CORRECT, THOUGH, THAT WE HAVE HAD SOME SEVERAL SUBMISSIONS OF SLIGHT MODIFICATIONS, AND, OF COURSE, WE HAVE TRIED TO TOW THE LINE, INDEFINITE REIGNS TO WHAT YOU ALL ARE TRYING TO DO. COULD YOU RESPOND, BEFORE YOU FINISH, TO THE TWO, I THINK, MOST IMPORTANT POINTS -- I WOULD SAY MOST IMPORTANT, THEY ARE ALL IMPORTANT. THE TWO IMPORTANT POINTS ABOUT THE MORE FLEXIBILITY IN THE CONTACT ISSUE AND THE OTHER ISSUE RAISED BY JUDGE REYNOLDS.

I WOULD BE HAPPY TO DO THAT. ANOTHER THIRD PARTY AND THEN THE INFLEXIBILITY OF THE 500 FEET, THOSE TWO ASPECTS.

WITH REGARD TO THE CONTACT PROVISION, I AM LOOKING, FOR EXAMPLE, AT PAGE 302, WHICH IS A PART OF THE TEMPORARY INJUNCTION FOR PROTECTION AGAINST DOMESTIC VIOLENCE. FORGIVE ME. THAT IS NOT THE RIGHT PAGE UP IN. IN ANY EVENT, IF YOU LOOK AT THE "NO CONTACT" PROVISION. 311 IS THE CORRECT PAGE NUMBER. THANK YOU VERY MUCH, JUDGE, AND THAT IS OF THE PERMANENT INJUNCTION, BUT I BELIEVE ALL THE PROVISIONS ARE PARALLEL. THE PROVISION BEGINS "UNLESS OTHERWISE PROVIDED HERE IN" THERE IS TO BE NO CONTACT. AND A COUPLE OF PROVISIONS BELOW THAT IS A SPACE ENTITLED "OTHER PROVISIONS REGARDING CONTACT". SO THE FIRST PROVISION IS A DEFAULT PROVISION, AND IF YOU WANT TO GO WITH THE IN CONTACT, THEN YOU SIMPLY STRIKE THROUGH THE OTHER PROVISIONS REGARDING CONTACT AND MAKE NO ENTRY.

THE JUDGE SAYS THAT THERE IS, OFTEN, A PROBLEM WITH THE AVERAGE PERSON OUT THERE, AND, OF COURSE, WE ALL KNOW ABOUT READING FORMS, ANYWAY, THAT ONCE YOU SEE IT IS A FORM, ALMOST, THAT YOU, AND THAT IF YOU HAVE GOT TO WAIT UNTIL LATER AND, REALLY, SOMETHING THAT IS DRESSED UP IN DIFFERENT CLOTHING TO FIND OUT THAT IS THERE A DIFFERENT PROVISION, THAT IT BECOMES VERY DIFFICULT, AND THAT IT WOULD BE HELPFUL, IF, SOMEHOW THERE WAS SOME FLEXIBILITY BUILT IN AT THE FRONT END OF THAT. ANY REASON WHY THERE COULDN'T BE SOME SLIGHT TWEAKING?

THERE IS NO REASON WHY THERE COULD NOT BE SOME SLIGHT TWEAKING. IN FACT I THINK THERE IS SOME VALIDITY TO THE CONCERN THAT JUDGE ROUSE EXPRESSES. WITH REGARD TO THE PROVISION CONCERNING REMOVAL OF FURNISHINGS, THIS ISSUE WAS EXTENSIVELY DISCUSSED BY THE STEERING KERX AND THE STEERING COMMITTEE IS, CERTAINLY, AWARE THAT THE STATUTE PROHIBITS THE ISSUANCE OF MUTUAL INJUNCTIONS. THERE HAS TO BE CROSS PETITIONS, IN ORDER TO HAVE RELIEF AGAINST BOTH PARTIES. THE STEERING COMMITTEE'S THINKING WENT ALONG THESE LINES. THE COURT MUST CONSIDER BUT NEED NOT NECESSARILY GRANT RELIEF TO ENJOIN THE RESPONDENT FOR REMOVING FURNISHINGS. TO DETERMINE WHETHER TO EXERCISE ITS DISCRETION AND TO EXERCISE THAT RELIEF, THE COURT MUST DETERMINE WHETHER THE PETITIONER WHO SEEKS EQUITY IS, ALSO, WILLING TO DO EQUITY, AND AS A PRACTICAL MATTER, THE JUDGES WILL, OFTEN, ASK THE PETITIONER, ARE YOU WILLING TO PROVIDE BY THE SAME LIMITATION OF REMOVING THINGS, VOLUNTARILY? IF THERE IS YES, THEN THERE IS A PLACE TO CHECK OFF ON THE FORM, AND IF THE PETITIONER SAYS NO, I KNOW THAT THE COURT CANNOT COMPEL THE PETITIONER TO REMOVE THE FURNISHINGS, BUT THE COURT WOULD, THEN, BE IN A POSITION OF HAVING TO DECIDE WHETHER TO GRANT THE RELIEF AGAINST THE RESPONDENT ONLY OR TO DENY THE RELIEF ENTIRELY, BUT BECAUSE IT IS A PRACTICAL MATTER, THERE IS, OFTEN, AGREEMENT ABOUT THIS PROVISION. THE STEERING COMMITTEE HAS PROVIDED A CHECK-OFF SPACE FOR BOTH PETITIONER AND RESPONDENT. ARE

THERE OTHER QUESTIONS OR CONCERNS ABOUT ANY OF THE PROPOSED CHANGES TO THE FORMS?

HOW ABOUT THE ISSUE ABOUT THE NUMBER OF FEET? IS THAT --

I DON'T THINK THE STEERING COMMITTEE WOULD HAVE ANY OBJECTION TO A BLANK BEING LEFT FOR THE NUMBER OF FEET. WITH REGARD TO THE ISSUE OF WHETHER THE RESPONDENT IS REQUIRED TO LEAVE, IF HE OR SHE IS SOMEPLACE FIRST, I THINK THE ANSWER IS, IF YOU ARE WITHIN THAT FEET LIMITATION, WHATEVER IT MAY BE, ABSOLUTELY YOU MUST LEAVE, REGARDLESS OF WHETHER YOU WERE THEIR FIRST, AND, OF COURSE THIS ISSUE OFTEN ARISES IN A STALKING CONTEXT, WHERE THE PETITIONER, BY GREAT COINCIDENCE SEEMS TO ARRIVE AT A LOT OF PLACES IMMEDIATELY BEFORE OR IMMEDIATELY AFTER THE PETITIONER DOES.

I HAD THOUGHT THAT, WHEN THESE FORMS WERE ORIGINALLY PROPOSED, THAT THERE WAS A PROPOSAL TO LEAVE IT BLANK, AND THE STEERING COMMITTEE, AT THAT POINT, RECOMMENDED THE 500 FEET. I MEAN, IT WOULD SEEM TO ME THERE IS GOING TO BE, WHETHER YOU SAY 100, 250, 1,000, IF THERE IS THE TENDENCY OF THE RESPONDENT TO WANT TO BE THERE, IT IS NOT GOING TO MATTER WHAT THE FEET ARE. SO HOW -- I GUESS WHAT I AM TRYING TO SAY IS HOW DOES HEAVING IT BLANK, IF THERE IS A SITUATION WHERE THEY BOTH LIVE IN THE SAME APARTMENT COMPLEX THAT, IS A SPECIAL SITUATION, BUT IS THAT A NORMAL OCCURRENCE?

NO. JUDGE ROUSE IS CORRECT THAT THAT SELDOM HAPPENS. IT DOES OCCASIONALLY BUT NOT OFTEN. I THINK THE STEERING COMMITTEE'S INTENT, IN PROVIDING A SPECIFIC NUMBER OF FEET, WAS TO PROVIDE SOME GUIDANCE TO THE PARTIES, WITH REGARD TO THE DISTANCE THAT MUST BE MAINTAINED BETWEEN THEM. IF THE COURT PREFERRED A DIFFERENT SPECIFIC DISTANCE, FOR INSTANCE, I DON'T THINK THE STEERING COMMITTEE WOULD HAVE ANY OBJECTION TO. THAT THE GOAL WAS SIMPLY TO PROVIDE GUIDANCE TO THE PARTIES.

THE INJUNCTION WOULD BE VIOLATED, IF IT WAS INTENTIONAL COMING WITHIN THAT FEET.

YES. CERTAINLY YOU COULD NOT HOLD SOMEONE IN CONTEMPT, IF THEY INADVERTENTLY DID SOMETHING.

WOULD IT HELP, IF, INSTEAD OF CHANGING THE NUMBER OF FEET, YOU HAD SOME KIND OF LANGUAGE, EXCEPT, AND WHERE YOU COULD PUT UNDER WHATEVER CIRCUMSTANCES, THIS MAY NOT BE APPLICABLE?

YOU CERTAINLY COULD DO THAT, IN AN APPROPRIATE CASE, AND I THINK THAT WE SHOULD REMEMBER, TOO, THAT MANY OF THESE PROVISIONS ARE DEFAULT PROVISIONS AND THAT THEY CAN BE MODIFIED, BASED ON THE PARTICULAR CIRCUMSTANCES OF THE PARTIES IN THE CASE BEFORE YOU. SO I THINK THAT YOU, CERTAINLY, COULD CHANGE THAT, AS NEEDED.

HOW ABOUT SPEAKING TO JUDGE ROUSE'S SUGGESTION, IN RESPECT TO THAT PART THAT RELATES TO THE SAME SCHOOL, SAME OFFICE?

THAT PROVISION, I BELIEVE, WAS A PART OF THE PRIOR FORM AND IS NOT ONE OF THE PROPOSED AMENDMENTS THIS TIME. AS I SAY, IT DOES NOT OCCUR VERY OFTEN, AND I DON'T THINK THE STEERING COMMITTEE WOULD HAVE STRONG OBJECTION TO DELETION OF THAT PART OF THE FORM.

OKAY.

ARE THERE OTHER QUESTIONS OR CONCERNS? IF NOT, I THANK THE COURT, VERY MUCH, FOR ITS TIME AND ATTENTION. AND THE PETITIONER RESPECTFULLY REQUESTS THAT ITS PETITION BE GRANTED AND THAT THE RELIEF THERE IN BE GRANTED.

THANK YOU.

JUDGE COLE, ON BEHALF OF THE ENTIRE COURT, WE EXPRESS OUR APPRECIATION FOR YOUR LEADERSHIP WITH THE FAMILY COURT STEERING COMMITTEE, OVER THE PAST YEAR, AND APPRECIATE THE EFFORTS OF THE COMMITTEE, AND MR. COLEMAN, WE APPRECIATE THE EFFORTS OF THE -- OF YOUR COMMITTEE TO ASSIST US IN THIS, AND JUDGE ROUSE, WE APPRECIATE, VERY MUCH, YOUR WORDS AND THE HELP OF YOUR JUDGES. THIS IS A COMPLEX MATTER, A GROWING PORTION OF THE JURISDICTION OF THE TRIAL COURTS OF THIS STATE, AND WE APPRECIATE THE HELP THAT YOU HAVE GIVEN IN, HOPEFULLY, MAKING THAT COURSESIER. THANK YOU VERY MUCH.

THANK, MR. CHIEF JUSTICE.