



# Words I Need to Know



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## WORDS I NEED TO KNOW

**Court Order.** Any order made by a judge.

**Custody.** See Shared Parental Responsibility, Sole Custody and Rotation Custody

**Dissolution of Marriage.** Divorce.

**Divorce.** The legal process of dissolving a marriage.

**Domestic Violence.** A learned pattern of physical, verbal, sexual, and/or emotional behavior in which one person in a relationship uses force, fear and intimidation to dominate or control the other person, often with the threat or use of violence. Domestic violence is a crime.

**Domestic Violence Injunctions.** The law authorizes courts to issue protective orders (a special type of restraining order) where there has been violence or other forms of abuse within a family. These orders may include orders for custody, support and a parenting plan.

**Facilitator, Family Law Facilitator.** A court employee who helps parents without attorneys by providing assistance with common family law forms and giving information about court procedures and other sources of help in their communities.

**Filing.** Turning your legal papers into the clerk of the court.

**Hearing.** A motion or other legal action that is handled in the courtroom. Parties and attorneys may call witnesses and introduce evidence. A judge will make a decision based on all the evidence and the decision will become a court order.

**Holiday.** Each family has certain holidays and special occasions that it celebrates. A parenting plan would specify who the child will spend holidays with and define each holiday so both parents know when it begins and when it ends.

**Judgment.** See *Court Order*.

**Mediation.** A meeting with a trained, neutral third party *who helps the parties* try to solve problems cooperatively. Most courts provide mediation of custody and parenting plan problems up to a certain number of hours. Mediation may occur face to face or separately, if necessary. Mediation is confidential. The mediator does not tell the parents what they should do or make a recommendation to the court. Mediation may not be appropriate where there are safety issues or domestic violence concerns.

**Modification.** Modification means change. If you wish to change a previous order of the court, you may file in the court file a supplement petition for Modification of Final Judgment.

**Motion.** A formal request filed with the court. A judge makes a decision to allow or deny the request, usually after a hearing or a trial.

**Secondary-residential Parent.** The secondary-residential parent is the parent with whom the children do not live most of the time.

**Order.** See *Court Order*.

**Parenting Plan.** A document that states when the child will be with each parent and how decisions will be made. The parenting plan may be developed by the parents, through mediation, with the help of attorneys or by a judge after a trial or hearing. See also *Custody*.

**Parenting Time.** The actual time a child is scheduled to spend with a parent. During parenting time that parent has primary responsibility for making routine decisions for the child but not major decisions. See also *Custody*.

**Party.** A person involved in a court case.

**Paternity Complaint.** A paper filed in court asking the court to determine that a particular man is the father of a child born to a woman not married to him and also to determine the custody and contact issues relating to the child, to develop a parenting plan and to determine child support.

**Primary Residential Parent.** Typically, the primary residential parent is the parent with whom the children live the majority of the time.

**Pro Se.** Filing legal papers by yourself, without a lawyer. It can also mean appearing in court in front of a judge by yourself, without a lawyer.

**Rotating Custody.** A parenting arrangement where each parent has the children approximately one-half of the time and neither is designated as the primary residential parent.

**Ruling.** See court order.

**Safety Focused Parenting Plan.** A parenting plan specially created for families where there is a mental illness, drug addiction, domestic violence, child abuse, or other circumstances that impact safety of the child or a parent. The Florida Judicial Department and State Family Law Advisory Committee are currently developing such a plan. If you determine that your situation requires a safety-focused parenting plan, you should consult with an attorney.

**Self-Represented.** An individual who files a court case without using the services of an attorney. See also *Pro Se*.

**Shared Parental Responsibility.** Defined in the Florida Statutes as “a court-ordered relationship in which both parents retain full parental rights and responsibilities with respect to their child and in which both parents confer with each other so that the major decisions affecting the welfare of the child will be determined jointly”.

**Sole Custody.** An arrangement where one parent has the right and responsibility to make major decisions for the welfare of the child.

**Statute.** Laws passed by the state legislature (or adopted by initiative). Most code sections relating to family law are in volumes \_\_\_\_\_ of the Florida Statutes and are available at the county law library or on the internet.

**Stipulation.** An agreement between the parties.

**Supervised Parenting Time.** Parenting time during which the parent and child must be in the presence of another specified adult while the parent visits. Supervised visitation may be ordered where there has been domestic violence, child abuse, or a threat to take the child out of state. The third party is responsible for making sure that the child is safe and the rules are followed. Sometimes supervision can be arranged and paid for through an agency or provider. Often, a trusted family member or friend will agree to take on the responsibility. Either way, both the parents and the supervisor need to be informed about the requirements, the expectations and what to do in the event of an emergency or if the visit must be ended. Some courts have guidelines for supervised visits. Ask your local court clerk or facilitator.

**Trial.** A hearing where the judge makes final rulings on issues between the parties.

**Visitation.** Term no longer preferred. See *Parenting Plan, Parenting Time*.

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