

**IN THE THIRTEENTH JUDICIAL CIRCUIT COURT
FOR HILLSBOROUGH COUNTY, FLORIDA**

**ADMINISTRATIVE ORDER S-2024-012
(Supersedes Administrative Order S-2022-035)**

CHILD SUPPORT ENFORCEMENT HEARING OFFICERS

The United States Congress enacted Public Law 93-647 in 1975 to establish Title IV-D of the Social Security Act (Title IV-D), thereby creating the Child Support Enforcement Program. Certain laws of Florida establish obligations for timely child support enforcement. Florida Family Law Rule of Procedure 12.491 provides for the appointment of a child support enforcement hearing officer and further provides for certain child support enforcement procedures.

The chief justice of the Florida Supreme Court entered an administrative order on February 27, 1998, invoking the provisions of Rule 12.491 for both Title IV-D and non-Title IV-D proceedings in this circuit. The interests of the public, the litigants, and the judiciary require a flexible and speedy system for the resolution of proceedings involving establishment, modification and enforcement of child support, spousal support, maintenance, and arrearages.

In light of Administrative Order S-2023-056 (*East Division Reorganization*) which established East Circuit Division “P” as an additional circuit division to handle family law cases, it is necessary for the proper administration of justice to update the court division assignment procedures utilized in handling Title IV-D cases.

By the power vested in the chief judge under article V, section 2(d) of the Florida Constitution; section 43.26, Florida Statutes; and Florida Rule of General Practice and Judicial Administration 2.215(b)(2), it is ORDERED:

1. Duties of Child Support Enforcement Hearing Officers

Child Support Enforcement Hearing Officers (hearing officers) will serve under the direction of the administrative judge of the Family Law Division. All proceedings under Title IV-D involving the establishment, modification and enforcement of support orders, foreign child support orders, and determination of arrears including

those owed to the state and public assistance debt owed to the state, will be heard by the hearing officers. The hearing officers may also establish paternity in cases where paternity is uncontested.

Contested paternity cases and disputes involving custody, visitation and property will not be heard by the hearing officers. Disputes involving custody, visitation and property will not be filed within the Title IV-D case but instead must be filed as a separate action. These issues will not be litigated in the Title IV-D case.

2. Powers of Child Support Enforcement Hearing Officers

In addition to the general powers set forth in Rule 12.491, the hearing officers will have the power to:

A. Hear contested income deduction orders and recommend entry of appropriate orders in accordance with section 61.1301, Florida Statutes;

B. Conduct all hearings involving the establishment, modification or enforcement of child support, spousal support, and maintenance obligations, as well as arrears (including those owed to the state and public assistance debt owed to the state), and recommend entry of appropriate orders in such cases;

C. Take testimony and establish a record at the hearing;

D. Accept voluntary acknowledgments of paternity, child support, spousal support, and maintenance obligations, arrears, and public assistance debt owed to the state and recommend entry of stipulated orders determining paternity or setting the amount of support, maintenance, or arrearages to be paid;

E. Prepare and recommend entry of default orders if the obligor does not respond as required by law; and

F. Perform such other and related functions as the chief judge may from time to time direct concerning the determination of

paternity or enforcement of child support obligations.

3. Court Division Assignment

For tracking purposes, all Title IV-D cases will be filed in Title IV-D Child Support Enforcement Division “Y” and will also be assigned to a family law division based on an equitable random distribution. The Clerk of the Circuit Court (clerk) will indicate “Y-A,” “Y-B,” “Y-C,” “Y-D,” “Y-E,” “Y-F,” “Y-I,” “Y-J,” “Y-P,” “Y-R” or “Y-T” to designate which division the case is assigned.

4. Appointment of Hearing Officers

Arabella C. Campbell, Charles A. Denton, Sabrina M. Frey, and Lila Stello are hereby appointed hearing officers for the purposes enumerated in this administrative order.

5. Hearing Officer Divisions

Child Support Enforcement Hearing Officer (CSEHO) Divisions 1, 2, 3, and 4 are re-established as Title IV-D Child Support Enforcement Hearing Officer Divisions in the Family Law Division and East Circuit Divisions “R” and “T” (Plant City). The hearing officers are assigned to the hearing officer divisions as follows:

Hearing Officer Division	Hearing Officers
CSEHO – 1	Charles A. Denton
CSEHO – 2	Lila Stello
CSEHO – 3	Arabella C. Campbell
CSEHO – 4	Sabrina M. Frey

6. Case Assignments

On and after the effective date of this administrative order, all Title IV-D cases will be assigned via the Judicial Automated Workflow System (JAWS) based on the last two digits of the case number as follows:

Last Two Digits of Case Number	Child Support Enforcement Hearing Officer Division
00 – 26	CSEHO – 1
27 – 53	CSEHO – 2

54 – 80	CSEHO – 3
81 – 99	CSEHO – 4

7. Flexibility of Case Assignments

The assignment of a case to a specific Child Support Enforcement Hearing Officer Division does not preclude any other hearing officer from disposing of a case. Hearing officers may assist each other if the assigned hearing officer is unavailable or if the assigned hearing officer requests assistance.

8. Disqualification of Hearing Officer

A. Recusal

If a hearing officer determines it is necessary to disqualify herself or himself from a proceeding, the hearing officer will serve a Notice of Recusal on all parties and have the Notice filed with the clerk. For the convenience of the parties and the efficient operation of the courts, if a hearing officer enters a Notice of Recusal, the proceeding will be reassigned to whichever Child Support Enforcement Hearing Officer Division is available to hear the matter on the same day it was originally scheduled, if feasible.

B. Motion for Disqualification

If a party files with the clerk and serves on the presiding hearing officer a motion to disqualify, the hearing officer must immediately arrange for the motion to be brought to the attention of the judge assigned to Title IV-D Child Support Enforcement Division “Y.” If the judge assigned to Title IV-D Child Support Enforcement Division “Y” is absent from the courthouse, motions to disqualify a hearing officer will be reviewed and disposed of by the family law judge who is assigned to the division in which the case is pending. The judge must then rule on the legal sufficiency of the motion. If the judge determines the motion is legally insufficient, the judge must enter an order denying the motion to disqualify the hearing officer and the hearing officer will remain as the presiding officer of the case. If the judge determines the motion is legally sufficient, the judge must enter an order granting the motion to disqualify the hearing officer and the case will be reassigned to another hearing officer. If an order is entered granting a motion to disqualify the hearing officer assigned to

CSEHO Division 1, the case will be reassigned to CSEHO Division 2. If an order is entered granting a motion to disqualify the hearing officer assigned to CSEHO Division 2, the case will be reassigned to CSEHO Division 3. If an order is entered granting a motion to disqualify the hearing officer assigned to CSEHO Division 3, the case will be reassigned to CSEHO Division 4. If an order is entered granting a motion to disqualify the hearing officer assigned to CSEHO Division 4, the case will be reassigned to CSEHO Division 1.

9. Judicial Assignment

All recommended orders entered by the hearing officers, all orders approving stipulations prepared by the Department of Revenue, Child Support Enforcement, and all requests by the Department of Revenue, Child Support Enforcement for the entry of a writ of bodily attachment for failure to pay a previously ordered purge will be reviewed and disposed of by the judge assigned to Title IV-D Child Support Enforcement Division “Y.” If the judge assigned to Title IV-D Child Support Enforcement Division “Y” is absent from the courthouse, recommended orders, orders approving Department of Revenue, Child Support Enforcement, stipulations, and requests for entry of a writ of bodily attachment will be reviewed and disposed of by the family law judge who is assigned to the division in which the case is pending. If such judge is absent from the courthouse, the matter will be reviewed by the family law judge present in the courthouse whose division next follows in alphabetical sequence the division in which the case is pending. If the judge assigned to Title IV-D Child Support Enforcement Division “Y” enters an order of disqualification, the clerk will reassign the case to the family law judge who is assigned to the division in which the case is pending.

10. Recording of Proceedings

All hearings before the hearing officers will be electronically recorded. Audio compact discs of proceedings before the hearings officers may be obtained at the Court Business Center at the requesting party’s expense.

11. Recommended Order

Upon receipt of a proposed order, the hearing officers will

promptly review and submit to the court a recommended order containing findings of fact in each case. The court will enter the recommended order promptly unless good cause appears to amend the order, conduct further proceedings, or refer the matter back to the hearing officer to conduct further proceedings.

12. Contempt Matters

In all contempt hearings in which the hearing officer recommends immediate incarceration, a recommendation and order will be promptly prepared and then reviewed by the judge assigned to Title IV-D Child Support Enforcement Division “Y.” If the judge assigned to Title IV-D Child Support Enforcement Division “Y” is absent from the courthouse, the contempt matter will be reviewed by the family law judge that is assigned to the division in which the matter is pending. If such judge is absent from the courthouse, the contempt matter will be reviewed by the family law judge present in the courthouse whose division next follows in alphabetical sequence the division in which the case is pending. Recognizing the need for expediency, if the court is attending to other judicial matters the court must recess as soon as is practicable and immediately review the hearing officer’s recommendation. If the court ratifies the hearing officer’s recommendation, the case will be recalled by the hearing officer and the defendant will be taken into custody by the bailiff. If the court determines that a hearing before the court is necessary, the matter will be scheduled on an emergency basis and must be heard immediately.

13. Instanter Proceedings

In all instanter hearings in which a respondent in custody has been brought before the hearing officer for a determination of their current ability to pay a previously ordered purge amount, the hearing officer shall promptly prepare a recommendation and order that will be reviewed by the judge assigned to Title IV-D Child Support Enforcement Division “Y.” If the judge assigned to Title IV-D Child Support Enforcement Division “Y” is unavailable, the contempt matter must be reviewed and disposed of by the family law judge that is assigned to the division in which the matter is pending. If such judge is absent from the courthouse, the contempt matter shall be reviewed

by the family law judge present in the courthouse whose division next follows in alphabetical sequence the division in which the case is pending. Recognizing the need for expediency, the judge should review the hearing officer's recommendation and proposed order, without a subsequent hearing, unless the court deems that a second hearing is necessary. Upon the court's ratification of the hearing officer's recommendation, a copy of the judge's order adopting the recommendation will be promptly transmitted to the sheriff.

14. Motions to Vacate

Any motion to vacate an order must be filed within 10 days from the date of the order's entry. A motion to vacate must be heard within 10 days after the movant applies for a hearing on the motion by the judge presiding in the family law division in which the case is pending. It is the responsibility of the movant to schedule the hearing and notice to all parties, including the Department of Revenue, and to provide the court with a record of the challenged proceedings as outlined in Florida Family Law Rule of Procedure 12.491.

15. Misfiled Actions

Any Title IV-D matter misfiled in a family law or juvenile division will be transferred to Division "Y" by the clerk upon proper notification.

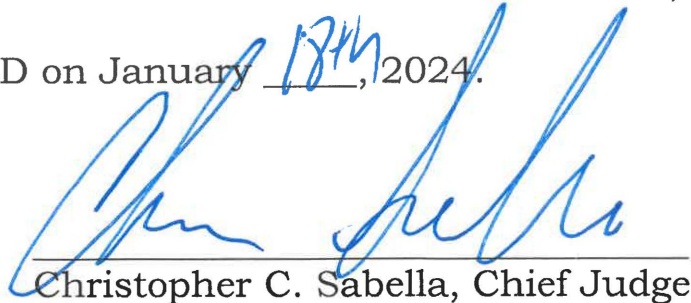
16. Previous Administrative Order Superseded

This administrative order supersedes Administrative Order S-2022-035 (*Child Support Enforcement Hearing Officers*).

17. Effective Date

This administrative order is effective March 1, 2024.

ENTERED on January 18th, 2024.



Christopher C. Sabella, Chief Judge

Original: Cindy Stuart, Clerk of the Circuit Court
Copy: All Family Law Division Judges
All Family Law General Magistrates & Support
Enforcement Hearing Officers
Department of Revenue - Child Support Enforcement
Malinda P. Ottinger, Chief, Child Support Enforcement,
Attorney General's Office
Chad Chronister, Sheriff