



**IN THE CIRCUIT COURT OF THE FOURTEENTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA**

ADMINISTRATIVE ORDER # 2005-00-02

**RE: ACTIVITIES ALLOWED TO BE PERFORMED BY THE
CHILD SUPPORT ENFORCEMENT HEARING OFFICER FOR
THE FOURTEENTH JUDICIAL CIRCUIT**

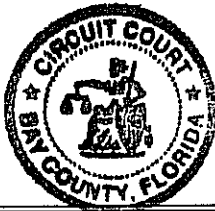
Whereas, Administrative Order 2004-00-14, Appointment of the Child Support Hearing Officer to the Fourteenth Judicial Circuit, appointed Mr. Robert S. Sombathy to the circuit;

Whereas, the Office of the State Courts Administrator, on behalf of the trial courts, has entered into a cooperative agreement with the Florida Department of Revenue to fund hearing officers throughout the state;

Whereas, as part of this cooperative agreement, each hearing officer and the receiving circuit agrees that the hearing officer will schedule, prepare for, and conduct hearings in Title IV-D child support establishment and enforcement cases.

Now Therefore, it is **ORDERED** and **ADJUDGED** that the Child Support Hearing Officer for the Fourteenth Judicial Circuit, Mr. Robert S. Sombathy, shall ensure that his activities related to his position as Hearing Officer shall be restricted to the **Title IV-D Child Support Enforcement Hearing Officer Requirements** (see Attachment A) issued by the Office of the State Courts Administrator and signed by himself upon acceptance of this position and will limit his activities as duly outlined.

DONE and ORDERED in Chambers at Panama City, Bay County, Florida this 29 day of April, 2005.



A CERTIFIED TRUE COPY
HAROLD BAZZEL CLERK
OF THE CIRCUIT COURT
By Nanda Maddox
Deputy Clerk

JUDY M. PITTMAN, CHIEF JUDGE

**TITLE IV-D CHILD SUPPORT ENFORCEMENT
HEARING OFFICER REQUIREMENTS**

I. Duties

A. The activities that may be performed for which compensation will be provided are limited to duties only for cases under Title IV-D of the Social Security Act (42 U.S.C. §§ 651 et seq.) including:

1. Scheduling, preparing for, and conducting hearings in Title IV-D child support establishment and enforcement cases; conducting research; preparing orders; traveling to outlying counties or courthouses to conduct such hearings; administrative duties directly related to these activities; and any other activity specified in 45 C.F.R. § 304.20(b)(2)-(8) that is relevant to the duties of a hearing officer.
2. Reasonable and essential short term training directly related to the performance of the duties specified herein.
3. Without prior written approval from OSCA, the hearing officer may not be compensated for the time spent on travel or time spent on training requiring travel, except for travel to conduct hearings or for meetings with judges or other court personnel in the circuit.

B. The hearing officer will perform all duties in accordance with applicable state and federal law. Specifically the hearing officer will:

1. Make every effort to ensure that recommended orders are issued within the time frames specified by 45 C.F.R. §303.101(b)(2)(i), as follows:
 - a. Seventy-five percent of the cases within 6 months from the date service of process is effected.
 - b. Ninety percent of the cases within 12 months from the date service of process is effected.

Dismissals solely to comply with the time frames specified above are inappropriate.

2. Make every effort to ensure that findings and recommendations are transmitted to the appropriate judge within 3 working days after the case is heard or that proposed orders are submitted to the appropriate judge within 3 working days after receipt by the hearing officer. Orders prepared in Title IV-D cases shall be submitted to the judge within 3 working days of receipt by the hearing officer from either party.

ATTACHMENT A

3. In accordance with Florida Family Law Rule of Procedure 12.491, accept voluntary acknowledgments of paternity and support liability and stipulated agreements setting the amount of support to be paid. Make every effort to ensure that such acknowledgements and agreements are transmitted to the appropriate judge within 3 working days after receipt by the hearing officer.
4. Make hearings available in uncontested paternity cases in accordance with sections 742.011-742.12, Florida Statutes, provided however, that hearing officers may not hear contested paternity cases and may not evaluate evidence or make findings and recommendations regarding paternity where paternity is disputed. See Amendments to the Florida Family Law Rules, 713 So.2d 1,7 (Fla. 1998).
5. Docket and hear interstate complaints to secure or enforce support orders, including medical support, in accordance with Chapter 88, Florida Statutes.
6. Docket and hear petitions and related proceedings filed by the Department of Revenue to enforce support orders as may be required by 45 C.F.R. § 303.6.
7. Establish and/or modify support orders using the Child Support Guidelines set forth in section 61.30, Florida Statutes, including acting on petitions to modify support that are filed as a result of a review conducted by the Department of Revenue in accordance with 45 C.F.R. § 303.8. When a support order deviates from the guidelines, the recommended order will incorporate written findings in support of the deviation, pursuant to section 61.30, Florida Statutes.
8. Refer cases for mediation as appropriate and as may be required by sections 61.183 and 44.102, Florida Statutes, and Florida Family Law Rule of Procedure 12.740 and 12.741.
9. Safeguard information relating to applicants for or recipients of support enforcement services, in accordance with the requirements of 42 U.S.C. § 654 and section 409.2579, Florida Statutes.
10. Upon reasonable notice, allow access to court records by the Department of Revenue Child Support Enforcement Program or the Federal Office of Child Support Enforcement, and permit periodic on-site observations of the performance of hearing officer functions.

11. Recommend that child support payments be made to the State Disbursement Unit in accordance with sections 61.1824, Florida Statutes.
 12. Carry out responsibilities under the income-withholding provisions of section 61.1301, Florida Statutes, in accordance with Florida Family Law Rule of Procedure 12.491.
- C. The hearing officer will ensure that staff working under his or her direction who receive reimbursement from Title IV-D funds abide by the terms of the contract with the Florida Department of Revenue and federal regulations governing the utilization of these funds.

II. Documentation

- A. Hearing officers must report to the Trial Court Administrator their monthly activity on the number of referrals, hearings and recommended orders. This information will be used by the Trial Court Administrator to report aggregate circuit wide activity in a format prescribed by the Office of the State Courts Administrator. The report must be submitted by the circuit on the 15th day of the month following the month for which the report applies.

Noncompliance with this requirement will be reported to the circuit's Chief Judge and Trial Court Administrator, and could result in a reduction or loss of the circuit's funding.

- B. The Hearing Officer will maintain a file available for inspection by the Circuit and OSCA containing documentation to support the Monthly Report, including dockets of cases heard by the Hearing Officer. The documentation must be maintained for a period of 5 years following submission of the Monthly Report.

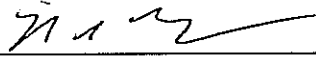
III. Travel Expenses

- A. The hearing officer can be reimbursed for travel expenses for travel within the circuit to conduct Title IV-D child support hearings or for travel for meetings with judges or other court personnel in the circuit without prior approval from OSCA. Travel expenses will be reimbursed in accordance with section 112.061, Florida Statutes.
- B. Any travel, including travel for reasonable and essential short term training, but excluding travel within the circuit to conduct hearings or for meetings with judges or other court personnel in the circuit, must receive prior written approval from the OSCA in order to be reimbursed.

IV. Other Expenses/Purchase Orders

- A. Purchase orders and invoices for which payment from the OSCA-DOR contract is sought must clearly state that the purchase is for the Title IV-D child support enforcement hearing officer and/or program, including the name of the hearing officer and the program. Expenditures must be directly related to the hearing officers' performance of their duties as set forth in #1 above. These expenditures are subject to federal audit, and failure to comply with the contract and federal regulations regulating their use may result in financial liability for the State Courts System.

I have read the requirements set forth above, and I agree to comply with these terms and conditions. I understand that failure to do so could result in a loss of federal funding for the circuit to which I am assigned, personal liability and/or termination of my employment.

Hearing Officer:  Date: 12-6-09