Supreme Court of Florida

AMENDMENTS TO THE FLORIDA FAMILY LAW RULES

No. 89,955

[February 26, 1998]

CORRECTED OPINION

OVERTON, J.

In 1990, the legislature established the Commission on Family Courts for the purpose of making recommendations regarding the implementation of the family law divisions. Ch. 90-273, Laws of Fla. After this Court received the commission's report recommending the implementation of such divisions, this Court established a new process for family law cases by directing that family court divisions be instituted. See In re Report of the Comm'n on Family Cts., 588 So. 2d 586 (Fla. 1991). Subsequently, we adopted new rules of procedure for these family law divisions, which were intended to address the unique problems of family law cases. In re Family Law Rules of Pro., 663 So. 2d 1047 (Fla. 1995)(Family Law I), and In re Family Law Rules of Pro, 663 So. 2d 1049 (Fla. 1995)(Family Law II). In doing so, we included a significant number of forms and instructions.

Because these rules were new, and in some instances appeared to be complicated, we recognized that the rules and forms would need additional prompt refinement. To address this problem, in Family Law II we directed the Family Law Rules Committee, the Family Courts Steering Committee, and the Supreme Court Mediation and Arbitration Rules Committee to review the rules and forms following their implementation and to make recommendations for changes to the rules and forms. In issuing that directive, we stressed that the committees should place particular emphasis on making revisions to further simplify the family law process, particularly because of the many litigants in family law cases who represent themselves.

The development of common sense rules and forms in family law cases, understandable by both lawyers and pro se litigants alike, is essential. Reports submitted to the Office of State Courts Administrator by the circuits of this state reflect that, on average, sixty-five percent of all family law cases have at least one unrepresented party. Consequently, the rules governing family law cases should be crafted to establish an easy-to-understand process. Unfortunately, in adopting separate family law rules and forms, it appears that we may have complicated rather than simplified the process. One lawyer commenting on the rules stated that they are now so complicated that he has had to substantially increase his fees for dissolution proceedings. Our goal must be to simplify the process. Otherwise, we deny many citizens meaningful and affordable access to the courts, particularly when so many of them are self-represented.

Moreover, every litigant in family law cases, whether represented by an attorney or not, is entitled to have contested matters heard by an article V judicial officer. Where custody, property, or liberty is involved, citizens in this state are entitled to a judicial resolution of a dispute, absent a mediated settlement.

In 1997, the rules and steering committees finalized their second review and submitted to us recommended rule and form modifications. The mediation committee found no need to recommend changes to the rules regarding family law mediation at this time. Additionally, in an effort to fulfill the spirit of this Court's directives to simplify the process of litigation in family law matters, the steering committee completely revised the forms, incorporating instructions for litigants throughout the forms, rather than keeping those instructions in attached appendices. The committee also added a number of new forms to the rules. The proposed amendments and modifications to the rules and forms are extensive; the rules and forms now constitute more than 500 pages.

The proposed rule changes were published for comment in The Florida Bar News, and many comments were received by this Court. We have now reviewed the proposed changes and the comments. The majority of the proposed changes fall into the following categories: technical revisions to improve or correct the forms and related instructions, domestic and repeat violence, mandatory disclosure, court appointed experts, evaluations of minor children, hearing officers and paternity determinations, motions for new trial and rehearing, civil contempt, and case management and pretrial conferences for adoptions. We adopt, without comment, the majority of technical changes made to the forms and related instructions. Additionally, after having reviewed the forms and related instructions, this Court has made numerous additional technical changes on its own. We address the numerous other issues raised by the proposed changes to the rules and the forms below.

DOMESTIC AND REPEAT VIOLENCE

Both the steering and rules committees have made suggested changes to Florida Family Law Rule of Procedure 12.610, which governs domestic and repeat violence, and the forms related to that rule. Some of the recommended changes were necessitated by recent changes to the statutes governing these issues.

Petition Forms

This Court received comments regarding the inclusion of the "Disclosure of Assistance by a Nonlawyer" on the domestic and repeat violence petition forms as well as on all other forms. Concern was raised as to the safety of the person assisting a victim of domestic violence in filling out the forms. Further, many comments asserted that there was no rule requiring this information and that it should thus be deleted from all forms. That argument is erroneous.

The disclosure is directed by Rule Regulating the Florida Bar 10-2.1(a). That rule provides in pertinent part as follows:

> (a) Unlicensed Practice of Law. The unlicensed practice of law shall mean the practice of law, as prohibited by statute, court rule, and case law of the State of Florida. For purposes of this chapter, it shall not constitute the unlicensed practice of law for a nonlawyer to engage in limited oral communications to assist a person in the completion of blanks on a legal form approved by the Supreme Court of Florida. Oral communications by nonlawyers are restricted to those

communications reasonably necessary to elicit factual information to complete the blanks on the form and inform the person how to file the form.

The following language shall appear on any form completed pursuant to this rule and any individuals assisting in the completion of the form shall provide their name, business name, address, and telephone number on the form:

This form was completed with the assistance of:

Name of Individual
Name of Business
Address
Telephone Number

Before a nonlawyer assists a person in the completion of a form in the manner set forth in this rule, the nonlawyer shall provide the person with a copy of a disclosure. A copy of the disclosure, signed by both the nonlawyer and the person, shall be given to the person to retain and the nonlawyer shall keep a copy in the person's file. The disclosure does not act as or constitute a waiver, disclaimer, or limitation of liability.

(Emphasis added.) The Florida Family Law Forms were originally drafted by the standing committee on the unlicensed practice of law and were approved by this Court as simplified forms for pro se litigants. The intent in approving the numerous forms available in family law is still to assist pro se litigants, and the disclosure information is still required by that rule. We conclude that the disclosure information should continue to be required on the Florida Family Law Forms generally. We agree, however, that the safety of the victim as well as that of the form preparer is potentially at risk by the disclosure of this information on domestic and repeat violence petition forms. Further, most petition forms in domestic and repeat violence cases are completed at the office of the clerk of court, thus reducing the risk of unlicensed practice of law by form preparers. As such, we conclude that there should be a narrow exception to the disclosure requirement when domestic or repeat violence is at issue. Accordingly, we find that rule 10-2.1(a) should be modified to eliminate the requirement that the name, address, and telephone number of the preparer be placed on domestic and repeat violence forms, and we have eliminated the nonlawyer disclosure block from forms implementing rule 12.610.

Injunction Forms

We have been asked to require all Florida judges to use standardized forms for issuing injunctions in domestic and repeat violence cases. Currently, most counties use different injunction forms, which often results in enforcement problems across county lines for law enforcement officers. According to the steering committee and the Governor's Task Force on Domestic Violence, standardized forms would assist law enforcement officers in the enforcement of injunctions because, at a glance, they would be able to easily determine the terms of an injunction no matter which court generated the injunction.

Most comments received by this Court favored this proposal in concept. Significant concern, however, was raised regarding the forms as proposed. Specifically, concerns were raised as to vague language regarding prohibited contact, language permitting contact generally and visitation with children in the temporary domestic violence injunction forms, the full faith and credit language, language regarding firearms, the length of the

forms, and prohibitions against leaving the state with a minor child.

We agree with the concept of standardized forms and have modified rule 12.610 to require all judges to use the standardized injunction forms contained in Appendix B of this opinion. To accommodate the concerns addressed in the preceding paragraph, we have reviewed each of the suggestions in detail and have modified the injunction forms accordingly. For instance, where the forms prohibited a respondent from going "near" a petitioner's residence or place of employment, we have modified the forms to prohibit a respondent from going within 500 feet of petitioner's residence or place of employment unless otherwise provided by the trial judge issuing the injunction. Numerous other similar changes were made in response to specific comments received.

Additionally, some comments noted the significant length of some forms due to the inclusion of standardized provisions regarding support and visitation issues that were not applicable to all cases. To accommodate those concerns, we have structured the injunction forms so that pages addressing support and visitation issues are separate and can be included or deleted as necessary. Judges are provided with a provision at the end of each applicable injunction form to indicate whether pages regarding support and visitation issues are included and to thus alert law enforcement officers as to the inclusion or exclusion of those pages.

We have also eliminated the options for allowing contact between the petitioner and respondent and visitation with minor children in the temporary injunction form. The "additional provisions" space on the form will still allow judges to include provisions for contact or visitation; however, comments received expressed concern that a form which included a standard provision allowing for contact and/or visitation would encourage contact during the brief but volatile period of time between the issuance of the temporary and permanent injunctions. Some modifications in this regard have also been made to the permanent injunction form.

The full faith and credit language that was included on the domestic violence injunctions has been modified to eliminate the language that the form "shall be afforded full faith and credit." The federal statute, 18 U.S.C. § 2265 (1994), does mandate that protection orders be afforded full faith and credit if certain conditions are met. However, comments received pointed out that such a determination must be made on a case by case basis by the judge issuing the order and a judge in the state in which enforcement is sought. The language has been modified to indicate that the "[i]t is intended" that the injunction be afforded full faith and credit.

We were also asked by the Governor's Task Force on Domestic Violence to eliminate the provision in the forms precluding a victim from leaving the state with the parties' minor child. The concern was that a victim could not leave the state if necessary for safety purposes. Having considered this proposal, we conclude that a victim should be permitted to leave the state with the parties' minor child only if permitted through court order. While we recognize the concern for the victim's safety, this concern can be easily remedied by simply asking for permission to leave the state when filing the petition.

We were also requested to make mandatory the current "optional" prohibition against possession of firearms or ammunition as well as to require that all firearms be surrendered to law enforcement. Currently, it is a violation of federal law to possess certain firearms while under an injunction for

protection. 18 U.S.C. § 922(g)(8)(1994). However, there is apparently no similar provision in Florida law, and the federal prohibition covers only firearms used "in commerce." Under these circumstances, we are without authority to require Florida judges to automatically preclude possession of firearms. That would require a substantive legislative act. While we believe that judges would be well advised to make such a preclusion, we have left the provision optional. We have, however, included additional space on the form for judges to include instructions regarding the surrender of firearms and any related procedure for doing so should they conclude that surrender is appropriate.

Both the committees and this Court also recognize that individual counties and circuits may have local provisions that need to be incorporated into the forms. The rule thus provides a procedure to be used to incorporate local provisions into the forms.

We have also been asked to make changes to rule 12.610 and related injunctions forms regarding the following two issues: (1) whether service of the permanent injunction may be mailed when the temporary injunction has been personally served on a respondent; and (2) whether the permanent injunction is to be issued for an indefinite or fixed period of time.

Currently, rule 12.610 provides that both temporary and permanent injunctions in domestic violence cases must be served by personal service. The only exception to this provision is when a party is present at the hearing on a permanent injunction and that party fails or refuses to acknowledge receipt of a certified copy of the injunction from the clerk. Under those circumstances, the clerk may mail a certified copy of the injunction to that party's last known address and service is then complete upon mailing. We have been asked to amend rule 12.610 to allow service of the permanent injunction by mail when the respondent has been personally served with the temporary injunction. According to the rules committee, personal service of the temporary injunction, which (as proposed) includes directives that the permanent injunction will be served by mail, should be sufficient. The justification for the amendment is the difficulty in finding a respondent after the respondent is removed from the parties' joint residence.

The domestic violence statute, section 741.30, Florida Statutes (1997), appears to have conflicting provisions regarding this issue. However, at least one provision in this statute specifically requires personal service of the permanent injunction. See § 741.30(7)(c)1. ("Within 24 hours after the court issues an injunction for protection against domestic violence . . . the clerk of the court must forward a certified copy of the injunction for service to the sheriff with jurisdiction over the residence of the petitioner. The injunction must be served in accordance with the subsection.") (emphasis added). We received many comments from both judges and prosecutors opposing any change that would allow service by mail due to concerns about enforcement of the injunction and prosecution of injunction violations. We agree with those concerns. We conclude that the rule should not be amended to allow service by mail.

Section 741.30 has also been revised to provide that the terms of an injunction are to remain in effect until modified or dissolved. See § 741.30(6)(b). Recommended changes to the rules and forms conform to that requirement. Some comments opposed this change because of problems that arise when awards of support and custody are made in a domestic violence injunction but no dissolution action is ever filed. In effect, by eliminating

time limitations on permanent injunctions, the legislature has directed the courts to make permanent decisions regarding support and custody in domestic violence proceedings. While we recognize that an injunction should perhaps be issued for an indefinite period of time for purposes of protecting victims from violence, we agree with the concerns raised about this change. Further, we do not believe that the legislature can restrict a trial court's discretion to place time limitations on injunctions it issues. We have thus made modifications to allow judges to choose whether the injunction is to be indefinite or is to expire on a date certain.

MANDATORY DISCLOSURE

Both the steering and rules committees have requested changes to rule 12.285, which governs mandatory disclosure. First, we have been asked to modify the rule to reduce the scope and amount of items to be disclosed. Currently, any party whose income exceeds $50,000 per annum must file a number of items covering a period of three years preceding the filing of a petition and must automatically file answers to standard interrogatories. Under the proposed changes, the time period covered for most items to be produced has been reduced to one year or three months and would apply to all parties regardless of income; interrogatories would be supplemental to the financial affidavits and would not be automatic. Additionally, the committees recommend shortening the financial affidavits and requiring that any party making over $30,000 per annum file the long-form affidavit.[1] We agree with all of the recommendations except the last. We conclude that the rule should continue to require any party making over $50,000 per annum to file the long-form affidavit, but note that the affidavit is shorter than the one currently contained in the rules. We reject the request that those with income between $30,000 and $50,000 also be required to file this long-form affidavit.

Second, we have been asked to allow parties to be exempted from the mandatory filing of financial affidavits. Currently, all parties must file financial affidavits with the court. Presumably, to avoid public disclosure, the rules committee seeks to amend rule 12.285 to allow a court to exempt individuals from this requirement when they certify that they are serving the financial affidavits on each other. Only one comment was filed regarding this issue, cautioning that judges must have the financial affidavits to make financial determinations. We decline to adopt this recommendation at this time because we are concerned about the problems this change could cause. For instance, in any case where a court is charged with dividing the assets and liabilities of parties, financial affidavits are necessary to assist in such a decision. Moreover, even where no dispute exists as to the division of assets, financial affidavits must be available to the court should subsequent litigation in the case ensue, such as modification requests or subsequent allegations of fraud. If financial affidavits are not filed with the court, the court might be significantly hindered in rendering future decisions regarding a case. Further, as we noted in Family Law I, under certain limited conditions, financial affidavits could be sealed if necessary. See Barron v. Florida Freedom Newspapers, Inc., 531 So. 2d 113 (Fla. 1988). See also Fla. R. Jud. Admin. 2.051.

A third proposal concerning mandatory disclosure is the steering committee's request

[1]The rules and steering committees are in disagreement as to the financial affidavit forms to be used. We have amended the financial affidavit forms after reviewing comments from both committees.

to create new rule 12.287. The new rule would allow parties to serve requests for financial affidavits in enforcement or contempt proceedings because, under the current mandatory disclosure rule, an interrogatory process is the only means available to obtain such an affidavit. We approve the rule as proposed by the committee.

EVALUATION OF MINOR CHILDREN

The rules committee seeks adoption of a new rule, 12.363, concerning interviews, testing, and evaluations of minor children to discourage multiple evaluations and evaluations conducted by one party without the knowledge of the other. Such a rule was proposed but rejected by this Court when the family law rules were first adopted after numerous comments were received objecting to particular provisions of the rule. See Family Law I. The committee has altered the proposal to eliminate many of the concerns raised when it was previously proposed. We received only one comment to this proposal, which expressed support for the new rule. We approve the rule as proposed.

COURT-APPOINTED EXPERTS

The rules committee also seeks adoption of new rule 12.365 concerning the appointment of experts by the court. Among other things, the proposed rule provides for the method and order of appointment; restricts communication of the experts with the court except with notice and an opportunity to be present and heard during such communication; and provides that the report shall be served on the parties prior to trial. It does not apply to the appointment of experts under proposed new rule 12.363. As with rule 12.363, a similar rule was proposed and rejected when the family law rules were proposed in Family Law I. We note that the committee has made a number of changes to the rule as proposed here, but we still are concerned about the increase in costs the adoption of this rule may cause the parties. We decline to approve the proposed rule at this time.

HEARING OFFICERS

Currently, rule 12.491 prohibits hearing officers from hearing contested paternity cases. Under the proposed amendment to that rule, hearing officers are prohibited only from presiding over jury trials in paternity cases but they may evaluate evidence and make findings and recommendations regarding paternity in cases where a jury trial will not be conducted. The steering committee requests this change to comply with federal requirements regarding an expedited paternity determination in certain cases. We decline to adopt this change at this time. The fact that an expedited paternity determination is required in certain cases does not eliminate the right of litigants to have substantive due process decisions be determined by article V judicial officers. Federal regulations cannot change or eliminate that right. Clearly, judges can provide expedited paternity determinations when necessary. Given the nature of paternity proceedings, we decline to approve this proposed change.

MOTIONS FOR NEW TRIAL AND REHEARING

The steering committee seeks to expand rule 12.530, which governs motions for new trial and rehearing and amendments of judgments, to address the need to require parties to bring an omission of factual findings required under chapter 61 to the trial court's attention. The committee suggests that this change will eliminate unnecessary appeals. The committee does raise the concern as to what would happen when one party invokes the rule, which would delay the time for filing an appeal, but another party wants to appeal other issues.

This proposed rule change is opposed by

the rules committee and several comments were received raising concerns about the change and its interaction with the appellate rules.

We decline to adopt this rule at this time given the concerns raised by the committees and comments. The purpose of the proposed rule does seem to have merit; however, the steering and rules committees need to discuss this proposal with the appellate rules committee, and appropriate rule changes to both the family law and appellate rules need to be crafted that ensure the appellate rights of litigants are not compromised.

CIVIL CONTEMPT

The rules committee seeks adoption of a new rule to govern the procedures for noticing a hearing on contempt, for establishing purge conditions, and for providing a contemnor's right of review. The committee asserts that this rule is necessary to avoid the current confusion that exists in handling civil contempt proceedings, particularly when those proceedings are before a hearing officer or general master.

We have a number of serious concerns regarding this rule as proposed. Any rule concerning contempt, particularly one dealing with incarceration, must comply with United States and Florida Supreme Court decisions in this area. International Union, United Mine Workers v. Bagwell, 512 U.S. 821 (1994); Bowen v. Bowen, 471 So. 2d 1274 (Fla. 1985); Pugliese v. Pugliese, 347 So. 2d 422 (Fla. 1977). Portions of the rule as proposed appear to require a prospective finding of contempt before the contemnor has had an opportunity to be heard. This would violate the due process rights of contemnors and be specifically prohibited by the above decisions. Further, certain language in the rule imposes a rebuttable presumption that the contemnor has the present ability to comply with a prior order. The language apparently is derived from section 61.14(5)(a), Florida Statutes (1997), which addresses support enforcement. Unlike the statutory provision, however, the rule as written covers "any civil contempt proceeding"--it is not limited to support. We are concerned that this is a substantive change not intended by the statute.

While we are not necessarily opposed to the adoption of a rule regarding contempt proceedings, we find the new rule, as proposed, to be unacceptable. Because we reject the adoption of this rule, we have, of necessity, eliminated proposed forms that would implement portions of this rule.

CASE MANAGEMENT AND PRETRIAL CONFERENCES FOR ADOPTIONS

The rules committee seeks to amend rule 12.200, governing case management conferences, to require case management conferences in adoption proceedings. Under the proposed amendment, the court will determine notice, intermediary, and cost issues early in the litigation to avoid protracted adoption litigation. We approve the proposed amendments to this rule.

INCOME DEDUCTION FORMS

We have eliminated the income deduction forms currently contained in the judgments and orders portion of the forms. First, those forms are no longer orders given changes in the statute and should be placed elsewhere in the forms. Second, several of the forms must be rewritten because portions are incorrect. Third, we have serious due process concerns regarding the ability of a party to require income to be deducted from another party's paycheck without the necessity of a court order. While the statute governing this issue allows this to be done, the process for doing so is not definitive and has caused significant confusion. For instance, the forms as drafted provide that the clerk of court is to sign the

forms to verify payments to be made. Comments received regarding this issue ask that the clerk's verification be deleted from these forms due to the burden this verification places on the clerks. Additionally, we understand that proposed legislation is currently being drafted to amend the process and to address these issues. We suggest that the committees evaluate these concerns and any new legislation that passes regarding income deduction and then draft new proposed forms accordingly.

MISCELLANEOUS SUGGESTIONS

The committees and interested individuals and groups who commented on the rules made numerous other suggestions, most of which are technical and most of which we have implemented. Some, however, have not been implemented at this time. For instance, in the response of the rules committee to the forms submitted by the steering committee, the rules committee suggests that the words "custody" and "visitation" be eliminated in the forms and instructions given that other terms such as "shared parental responsibility" and "primary residency" are now to be used in place of the terms "custody" and "visitation." Likewise, the committee suggests that rule 12.440 be clarified to provide when uncontested final hearings are to be set by court order or notice of hearing and that the forms be amended accordingly. The committee submitted no proposed rules or forms to implement those changes. While we agree that these changes may need to be implemented, given the massive nature of the amendment of the 550-plus pages of the rules and forms in this case, we decline to adopt these recommendations until the rules or steering committee submits proposed rules and forms that specifically incorporate these suggestions.

The rules committee has also asked that we adopt a new form for notice of lis pendens. Before adopting this form, we ask the rules committee to prepare an appropriate instruction sheet to advise litigants why and when that form is to be used.

POLICY RECOMMENDATIONS

In addition to recommended changes to the rules and forms, the steering committee, in its annual report, made recommendations regarding the future direction of the Family Court Initiative. In its report, the committee makes certain conclusions and recommendations concerning its responsibilities. First, it concludes that the original notion of the "one family - one judge" concept, that is, that all court matters involving members of the same family be handled by the same judge, is "unrealistic and unworkable." Instead, the committee recommends that our judicial system have "an integrated and coordinated approach that insures that any judge handling any matter involving a member of a family will be well informed as to any other pending matters involving another member of that same family."

Second, it recommends that a comprehensive array of services and referrals be implemented to assist self-represented litigants. According to the committee, while we have made significant strides in this area by implementing the family law forms and related instructions, we must continue to work towards developing personnel and automation prototypes to enable circuits to provide an integrated approach to family cases and must pursue funding to accomplish this objective.

Third, the committee asks that this Court clarify the committee's responsibilities for monitoring and ensuring compliance by the circuits with the mandates of this Court and of the Family Court Initiative.

Fourth, the committee asks that it be allowed to make revisions to the forms on an

annual basis given the large volume of forms and of the need to change those forms whenever statutes affecting the forms are revised.

Finally, the committee asks for this Court's support in obtaining increased state funding of court support services to meet these goals.

Before addressing the committee's concerns, we believe that evaluation, review, and perhaps reorganization of both the rules and steering committees may be warranted. At this time, significant overlap exists as to the duties of the two committees. Both committees have provided extremely valuable services in implementing rules and policies regarding the ever- increasing involvement of courts in family matters. The efforts of both committees are to be highly commended. The steering committee has been very instrumental in providing direction for improving assistance and access to the courts for family law litigants. However, a review of the recommendations submitted for rule and form revisions reflects that a significant amount of duplication has occurred in the efforts of the committees. To continue in dual roles appears to be unproductive and costly. To avoid further duplication, we believe that it may be in the best interests of all concerned for the two committees either to have more specifically defined areas of responsibility or to be combined to create one comprehensive body for proceeding with the design and implementation of plans for future development in the area of family law and changes to the rules and forms.

As previously mentioned, we also have concerns that we may have further complicated rather than simplified the family law process through the creation of family law divisions and the adoption of the rules and forms. The very fact that the package of forms and rules consists of over 550 pages is evidence of that complication.

In reviewing the rules and forms, we believe several changes might simplify the process to enhance access. First, we believe that the judgments should be deleted from the forms and be placed in a "bench book" for distribution to judges. Pro se litigants should not be required to provide judges with blank judgment forms. It may be that the Conference of Circuit Judges should appoint a select committee to develop appropriate forms for judicial orders and decrees in family law matters. Second, perhaps the forms and accompanying instructions should be deleted entirely from the rule-making process and be grouped instead into packets for distribution according to the type of proceeding. The forms could then be evaluated and changed on an "as needed" basis and be approved by this Court as simplified forms through opinion rather than being confined by the rule-making process.

The Court recognizes that the manner in which family law cases are processed is an access issue which necessitates significant attention because it can have a greater effect on individual litigants than any other area of the law. To that end, we request the committees to make recommendations by September 1, 1998, regarding how best to accomplish the objectives outlined in this section of this opinion.

CONCLUSION

We commend the work of both committees in their efforts to further simplify the rules and forms. We recognize that the work regarding simplification will be a continuing process. Further, as noted above, we believe that many of the proposed changes that we have declined to approve in this opinion may have merit. As such, we will allow revisions to the proposed changes and/or additional comments to the matters discussed

in this opinion to be submitted to this Court no later than May 1, 1998. This Court may set any of those issues on which comment is received for oral argument during the Court's June 1998 oral argument calendar.

Accordingly, we adopt the amendments to the Florida Family Law Rules of Procedure as set forth in Appendix A and the revised forms and related instructions as set forth in Appendix B effective midnight, March 1, 1998.

It is so ordered.

KOGAN, C.J., and SHAW, HARDING, WELLS, ANSTEAD and PARIENTE, JJ., concur.

NO MOTION FOR REHEARING WILL BE ENTERTAINED BY THE COURT GIVEN THAT WE WILL BE ACCEPTING COMMENTS UNTIL MAY 1, 1998, TO BE CONSIDERED IN JUNE 1998.

Original Proceeding - Florida Family Law Rules of Procedure

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Comments regarding Family Law Rules