

THE ELEVENTH JUDICIAL CIRCUIT
DADE COUNTY, FLORIDA

CASE NO. 22-1
(Court Administration)

ADMINISTRATIVE ORDER
NO. 98-2 A1
(Amending AO No. 98-2)

**IN RE: AMENDMENT TO
ADMINISTRATIVE ORDER NO. 98-2,
AUTHORIZING ADDITIONAL LAW
ENFORCEMENT OFFICERS TO
SERVE DOMESTIC OR REPEAT
VIOLENCE INJUNCTIONS** /

WHEREAS, to ensure expeditious service of injunctions for protection against domestic violence, the Florida Legislature, pursuant to Section 741.30(8)(a), has empowered the Chief Judge of each circuit, in consultation with the appropriate sheriff, to authorize other law enforcement agencies to effect personal service of an injunction on a respondent residing or otherwise located within the agency's jurisdiction; and

WHEREAS, pursuant to Administrative Order No. 98-2, effective February 1, 1998, municipal law enforcement officers are authorized to personally serve injunctions for protection against domestic or repeat violence upon a respondent who resides or who has been otherwise located within their municipality; and

WHEREAS, considering the significant population increase in Miami-Dade County since the entry of Administrative Order No. 98-2, the Court, in conjunction with the Miami-Dade County Police Department, has determined that it is necessary to authorize additional law enforcement agencies to serve said injunctions in the community to ensure the prompt administration of justice and the safety of the individuals residing in the community; and

WHEREAS, the Director of the Miami-Dade County Police Department, in collaboration with the Municipal Law Enforcement agencies, has drafted uniform procedures for the service of such injunctions within Miami-Dade County, Florida.

NOW, THEREFORE, pursuant to the authority vested in me as Chief Judge of the Eleventh Judicial Circuit of Florida, the following procedures are hereby authorized for Municipal Law Enforcement Officers and Florida International University Police Officers to serve injunctions for protection against domestic or repeat violence:

**I. PROCEDURES FOR SERVING DOMESTIC VIOLENCE OR REPEAT VIOLENCE
INJUNCTIONS ON THE SCENE OF A DOMESTIC CALL.**

- A. Cases where a petitioner (person who obtained the injunction) is in possession of an emergency service packet

1. The officer should locate the following (these headings appear in the upper right corner of each document): Petition for Injunction for Protection; Order to Appear for Hearing; and Ex Parte Temporary Injunction for Protection (along with any attachments).
2. The officer shall serve the respondent with the Petition for Injunction for Protection, Order to Appear for Hearing, Ex Parte Temporary Injunction, and all other documents contained in the emergency service packet.
3. The officer should instruct the respondent (the person being served) to appear at the hearing according to the time and place indicated on the Order to Appear for Hearing.
4. The officer should then review line by line each page of the Ex Parte Temporary Injunction with the respondent. Since only those lines initialed by the judge are applicable and enforceable, the initialed lines should be the only lines reviewed with the respondent.
5. The officer must follow the "Law Enforcement Service Instructions" on the page (usually yellow) titled "Sheriff of Dade County\Civil Process Bureau" and fax the service sheet to the Miami-Dade County Police Department Civil Process Bureau.

B. Cases where the petitioner has only one copy of the injunction.

1. The officer shall serve the respondent with this copy, explaining what is contained in the injunction. (See paragraph number (A)(4) above.)
2. If there is a service sheet, the officer should follow its instructions for completion and fax it to the Miami-Dade County Police Department Civil Process Bureau. (See paragraph number (A)(5) above.)
3. If there is no service sheet, the officer must write his or her name, badge number, agency, date, and time of service on the face of the injunction and give it to the respondent. In addition, the officer must take a case number and write a police report which contains the service information (officer's name, badge number, agency, date, and time of service upon the respondent) and the court case number which appears on the injunction and fax the report to the Miami-Dade County Police Department Warrants Bureau.
4. The officer should also provide the service information and court case number of the injunction to the petitioner and direct him or her to return to the clerk of court to obtain additional copies of the injunction.

C. Cases where the petitioner has no copy of the injunction but claims an injunction has been issued by a judge.

1. No service can be made. All injunctions require personal service of the injunction itself.
2. The officer must prepare a police report and, if necessary, should utilize applicable arrest powers for any other violations of law.

II. MUNICIPAL LAW ENFORCEMENT OFFICERS AND FLORIDA INTERNATIONAL UNIVERSITY POLICE OFFICERS are hereby authorized to personally serve injunctions for protection against domestic or repeat violence upon a respondent who resides or who has been otherwise located within their municipality, college campus, or locality. This authorization **is not** limited to respondents located on the scene of a domestic violence call.

This Administrative Order shall become effective immediately. Except as amended herein, Administrative Order No. 98-2, entered in Case No. 98-1 (Court Administration), remains in full force and effect until further order of the court.

DONE AND ORDERED in Chambers at Miami-Dade County, Florida, this 29th day of August 2022.

**NUSHIN G. SAYFIE, CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA**