

ADMINISTRATIVE ORDER
NO. 2016-06

IN THE CIRCUIT COURT OF THE
NINTH JUDICIAL CIRCUIT, IN AND
FOR OSCEOLA COUNTY, FLORIDA

**ADMINISTRATIVE ORDER RECALLING CERTAIN ACTIVE DEPARTMENT OF
REVENUE CHILD SUPPORT WRITS ISSUED BETWEEN JANUARY 1, 1999,
TO THE PRESENT, OSCEOLA COUNTY**

WHEREAS, pursuant to Article V, section 2(d) of the Florida Constitution and section 43.26, Florida Statutes, the chief judge of each judicial circuit is charged with the authority and the power to do everything necessary to promote the prompt and efficient administration of justice; and

WHEREAS, to create and maintain an organization capable of effecting the efficient, prompt, and proper administration of justice for the citizens of this State, the chief judge is required to exercise direction, *see* Fla. R. Jud. Admin. 2.215(b)(2), (b)(3); and

WHEREAS, by Administrative Order dated February 27, 1998, the Supreme Court of Florida ordered that, pursuant to Florida Family Law Rule of Procedure 12.491, hearing officers may be utilized in this Circuit to consider proceedings for the enforcement of support in both Title IV-D and non-Title IV-D cases; and

WHEREAS, by Administrative Order No. 07-95-44, the Chief Judge has implemented the provisions of rule 12.491 in the Ninth Judicial Circuit; and

WHEREAS, there exists approximately 64 outstanding active Department of Revenue (DOR) Child Support writs issued between January, 1999, to the present in Osceola County; and

WHEREAS, the DOR has moved for the recall of these outstanding writs and for the denial of any pending DOR motion for contempt, due to the termination of DOR enforcement services; and

WHEREAS, the manpower required for service and execution of the writs places a tremendous burden on the Osceola County Sheriff's Office and interferes with the efficient administration of justice; and

WHEREAS, the manpower required for record-keeping along with the physical housing and storage of these writs, places a tremendous burden on the Osceola Clerk of Court and interferes with the efficient administration of justice; and

WHEREAS, the recalling of the active writ does not terminate a party's obligation to pay child support as required by a Final Order or Final Judgment entered by the Court; and

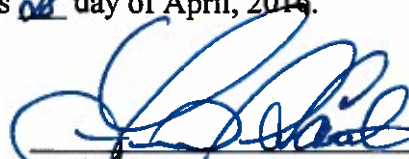
WHEREAS, the party owed child support, either on their own or with a private attorney, or with renewed services from the DOR Child Support Enforcement Program, may seek remedies for enforcement with the court;

NOW, THEREFORE, I, Frederick J. Lauten, pursuant to the authority vested in me as Chief Judge of the Ninth Judicial Circuit of Florida, under Florida Rule of Judicial Administration 2.215, hereby order the following, effective **immediately**, to continue until further order and superseding any provisions in prior Administrative Orders which may be inconsistent:

The Osceola County Clerk of Court shall recall all outstanding active Department of Revenue Child Support writs issued between January 1, 1999, to the present. The outstanding writs are specifically listed and attached hereto as "Attachment A."

THEREFORE, IT IS ORDERED that all outstanding Department of Revenue Child Support writs issued between January 1, 1999, to the present are hereby **RECALLED AND QUASHED**; and outstanding motions for contempt filed by the Department of Revenue on the cases set forth in "Attachment A" are **DENIED**.

DONE AND ORDERED at Orlando, Florida, this 28th day of April, 2016.


Frederick J. Lauten
Chief Judge

Copies provided to:

Clerk of Court, Orange County
Clerk of Court, Osceola County
General E-Mail Distribution List
<http://www.ninthcircuit.org>

Osceola Cty Writ List for Recall.xlsx

Attachment A

Case Year	Nu	Base Dep Num	Respondent	Writ active	Writ order date
1991	DR	002001	JOHN BENZIES	yes	8/20/2009
1992	DR	000151	HUGH ALLEN BIRCHFIELD	yes	3/11/2008
1993	DR	001931	CALVIN DAVIS	yes	12/12/2014
1993	DR	001949	MARIA GONZALEZ	yes	11/8/2017
1994	DR	002381	ROBERT RATFIELD	yes	1/8/2003
1995	DR	000110	THERESSA C STEVENS	yes	1/8/2013
1996	DR	000952	RICARDO RAMOS	yes	5/10/2011
1997	DR	000098	CARMEN DIAZ	yes	10/27/2007
1997	DR	000586	ELOY VIDAL	yes	7/20/2007
1997	DR	001625	MADRED DOUGLAS	yes	12/21/2012
1998	DR	002714	JOSE MALDONADO	yes	7/9/2008
1999	DR	001874	ERROL G. SMITH JR	yes	1/16/2015
2000	DR	003216	JOSE A. FELICIANO	yes	1/17/2013
2001	DR	003962	FRANCIS ANDREW BREWER	yes	5/21/2009
2002	DR	000203	DREW W. LEMMOND	yes	7/5/2011
2002	DR	000883	LIONEL POWELL	yes	6/29/2007
2002	DR	001311	CARLOS E. TORRES	yes	2/19/2013
2002	DR	003354	JOHNNY CARDENAS	yes	10/31/2013
2002	DR	003424	LUIS A. GUZMAN JR	yes	8/15/2014
2003	DR	004644	FELIX ROJAS	yes	11/14/2013
2003	DR	005133	JAMES R. EVANS	yes	2/1/2011
2004	DR	001622	NELSON RIVERA	yes	8/13/2012
2004	DR	001802	RICARDO PASCASIO	yes	8/12/2014
2004	DR	004416	VICTOR M. ROSARIO	yes	12/5/2012
2004	DR	005054	KENNETH COTTO	yes	2/20/2015
2004	DR	005504	EMMANUEL LALANNE	yes	8/2/2012
2005	DR	000023	ROBERT L. LAMB	yes	8/15/2014
2005	DR	001986	JOSE GONZALEZ	yes	10/21/2011
2005	DR	004351	EDWIN RUIZ	yes	1/28/2013
2005	DR	004794	ISMAEL J. RUIZ	yes	3/4/2009
2006	DR	002231	THOMAS D SR. ROWLANDS	Yes	5/12/2014
2006	DR	003750	CONFESOR JR. MARTINEZ	Yes	9/15/2014
2006	DR	003833	HECTOR HERNANDEZ	Yes	1/31/2013
2007	DR	000327	EARL B DANIELS	Yes	12/28/2010
2007	DR	001240	JASON L. WOODS	Yes	6/19/2009
2007	DR	003130	VICTOR RIVERA	Yes	1/21/2009
2007	DR	003346	FELIX H. OSORIO	Yes	5/10/2011
2007	DR	004002	BRENT M SEXTON	Yes	2/13/2009
2007	DR	005055	MATHEW D. BUCKMAN	Yes	5/2/2014
2008	DR	001036	DAVID WHIPKEY	Yes	11/3/2014
2008	DR	004440	ISRAEL R RIVERA	Yes	3/19/2014
2008	DR	005791	CHRISTIAN SANCHEZ	Yes	11/22/2013
2009	DR	000399	GILBERTO BATISTA DE SOUZ	Yes	1/7/2011

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Case Year	Nu	Base Dep Num	Respondent	Writ active	Writ order date
2009	DR	004696	MARIA C MOLINA	Yes	10/22/2013
2009	DR	004702	ELIJAH BAIN	Yes	9/25/2013
2010	DR	001864	ERNESTO J TORRES RIVERA	Yes	11/26/2013
2010	DR	002359	JOSEPH BEARD	Yes	10/27/2014
2010	DR	002371	LUIS A DENIS	Yes	8/13/2012
2010	DR	002386	ALAN LUTCHMAN	Yes	12/17/2012
2010	DR	003558	JORGE I LOGRONO	Yes	6/18/2013
2010	DR	004792	GILBERTO R ACEVEDO	Yes	9/15/2014
2010	DR	005380	MARCUS MAYS	Yes	11/20/2012
2011	DR	000725	SHAWN THORPE	Yes	1/29/2015
2011	DR	000739	WILSON L REYES	Yes	10/14/2014
2011	DR	004532	ROBLAN P BOLUFFER	Yes	1/14/2014
2012	DR	001310	WILLIAM L WALKER	Yes	4/2/2013
2012	DR	002032	EXCEL M JONES	Yes	8/15/2014
2014	DR	002125	JOSEPH S BUCHANAN	Yes	10/13/2015
2002	DR	001522	JEREMIAH ATWELL	yes	3/1/2011
2009	DR	000955	RICKI L LACKEY	yes	1/31/2013
2013	DR	005392	RONNIE CATO	yes	1/8/2015
1995	DR	000317	DANIAL WILSON	yes	11/19/2014
2007	DR	001614	EDWARD GUTIERREZ	yes	11/7/2013
2011	DR	000707	RENE L ZENTENO	yes	6/3/2015