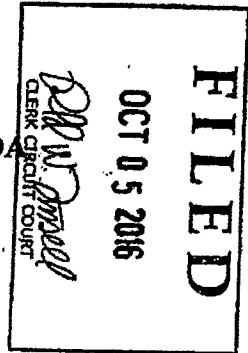


IN THE CIRCUIT COURT, FOURTH JUDICIAL CIRCUIT,  
IN AND FOR DUVAL, CLAY AND NASSAU COUNTIES, FLORIDA

FOURTH AMENDED ADMINISTRATIVE ORDER NO. 95-16



IN RE: **FAMILY LAW  
FOURTH JUDICIAL CIRCUIT TIMESHARING GUIDELINES  
(LOCAL AND LONG DISTANCE)**

WHEREAS, the judges of the Family Law Division of this Circuit, in consultation with members of the Family Law Bar, have deemed it advisable to create timesharing guidelines for use in cases where the parents of a child or children do not reside together; and

WHEREAS, the judges of the Family Law Division and members of the Family Law Bar of this Circuit, after substantial study and consultation, have recommended the adoption of the attached documents, but emphasize that these guidelines are not mandatory, nor binding on any party. The guidelines are adopted for the purpose of assisting the parties in their litigation; and

WHEREAS, the Chief Judge of the Fourth Judicial Circuit of the State of Florida has reviewed the attached timeshare guidelines, and determined that they should be implemented as to matters before the Family Law Division, and pursuant to Rule 2.215, Florida Rules Judicial Administration.

IT IS THEREUPON,

**ORDERED AND ADJUDGED:**

1. The contents of the attached documents entitled

**"FOURTH JUDICIAL CIRCUIT  
LOCAL TIMESHARING GUIDELINES"**

and

**"FOURTH JUDICIAL CIRCUIT COURT  
LONG DISTANCE TIMESHARING GUIDELINES"**

are hereby adopted as guidelines for litigation in the Family Law Division of the Fourth Judicial Circuit.

2. This Fourth Amended Administrative Order No. 95-16 shall take effect immediately, and remain in effect thereafter until further Order of this Court. The Third Amended Administrative Order No. 95-16, entered chronologically out of sequence as a "Third Amended" on October 5, 2016, is hereby rescinded and superseded by this "Fourth Amended" Order.

**DONE AND ORDERED** in Chambers at Jacksonville, Duval County, Florida, this 5 day of OCT., 2016.

  
**MARK H. MAHON**  
Chief Judge

cc:

- All Judges in the Fourth Judicial Circuit
- Senior Judges in the Fourth Judicial Circuit
- The Honorable Robert M. Foster, Administrative Judge, Nassau County
- The Honorable John H. Skinner, Administrative Judge, Clay County
- All Magistrates in the Fourth Judicial Circuit
- The Honorable Matthew A. Shirk, Esq., Public Defender
- The Honorable Angela B. Corey, Esq., State Attorney
- The Honorable Ronnie Fussell, Clerk of the Circuit Court, Duval County
- The Honorable Tara S. Green, Clerk of the Circuit Court, Clay County
- The Honorable John A. Crawford, Clerk of the Circuit Court, Nassau County
- The Honorable Jason R. Gabriel, Esq., General Counsel
- The Honorable Mike Williams, Sheriff, Jacksonville Sheriff's Office
- The Honorable Rick Beseler, Sheriff, Clay County
- Lt. Mark Cowan, Clay County Sheriff's Office Courthouse Security
- Major Steve Weintraub, Duval County Courthouse Security
- Sgt. Kenneth Davis, Supervisor of Courthouse Security, Nassau County Sheriff's Office
- Margaret Jones, Office of the Clerk of Court, Clay County
- Carla Colson, Office of Clerk of Court, Nassau County
- Jim Kowalski, Esq., Executive Director JALA
- Stephen Mosca, Esq., President, Florida Ass'n of Crim. Defense Lawyers (Local Chapter)
- Charles Bishop, Family Court Manager, Fourth Circuit
- James Gardner, Director, Alternative Dispute Resolutions (ADR)
- Joseph G. Stelma, Jr., Fourth Judicial Circuit Administrator
- Eve Janocko, Chief Deputy Trial Court Administrator
- Caroline Emery, Esq., Court Counsel
- Jacksonville Bar Association
- Nassau County Bar Association
- Clay County Bar Association
- Fourth Circuit Court Law Library, Duval County
- Judicial Staff Attorneys, Fourth Judicial Circuit

**FOURTH JUDICIAL CIRCUIT COURT**  
**LONG DISTANCE TIMESHARING GUIDELINES**

NEITHER PARENT SHALL CONCEAL THE WHEREABOUTS OF ANY CHILD(REN) OF THE PARENTS, AND EACH PARENT SHALL KEEP THE OTHER ADVISED AT ALL TIMES OF THE RESIDENTIAL ADDRESS, EMAIL ADDRESS, AND PHONE NUMBERS WHERE THE CHILD(REN) WILL BE STAYING WHILE IN THE CUSTODY OF EITHER PARENT. EACH PARENT SHALL NOTIFY THE OTHER IMMEDIATELY (NO LATER THAN 3 HOURS) OF ANY EMERGENCY PERTAINING TO ANY CHILDREN OF THE PARENTS.

"REASONABLE" TIME-SHARING WITH THE CHILD(REN) SHALL TAKE PLACE AT SUCH TIME AND PLACE AS THE PARENTS MAY AGREE. IF THE PARENTS CANNOT REACH AN AGREEMENT AS TO DETAILS OF TIMESHARING, THE COURT MAY CONSIDER THESE GUIDELINES IN CRAFTING A TIMESHARING SCHEDULE, AFTER TAKING INTO CONSIDERATION THE FACTORS ENUMERATED UNDER APPLICABLE FLORIDA LAW, AS APPROPRIATE. THIS TIMESHARING SCHEDULE IS SUGGESTED AS A GUIDELINE, AS CIRCUMSTANCES MAY VARY SIGNIFICANTLY DUE TO THE DISTANCE BETWEEN THE PARENTS AND THE SPECIFIC LOCATIONS OF THEIR RESPECTIVE RESIDENCES.

Promoting Mutual Respect: These guidelines are predicated upon the premise that the parents will each afford the other the utmost of mutual respect. Each parent shall seek to promote and encourage the love and esteem of the child for the other parent. Neither parent shall intentionally do anything to estrange or alienate the child from the other parent. Neither parent shall make any derogatory remarks about the other parent or the other parent's family in the presence of the child, nor shall either parent allow others to do so. Each parent shall be pleasant and polite in communicating with the other parent.

The child(ren) have a right to spend substantial quality time with both parents and it is the intent of these Guidelines that the child(ren) spend substantial time with both parents. Each of the parents shall exercise the utmost good faith and shall consent to all reasonable timeshare requests by the other parent. Both parents are expected to provide access to the child(ren) at unscheduled times, if requested, and if to do so does not unreasonably disrupt prior planned activities of the child(ren) or the other parent. The parent that lives in excess of 150 miles shall be entitled to and shall have the following timesharing with the child(ren).

1. **WEEKENDS:** The parent who lives in excess of 150 miles may exercise alternate weekend timesharing, as provided in the Fourth Judicial Circuit Local Timesharing Guidelines, in the vicinity of the residence where the child(ren) are the majority of the time. Alternately, the parent that lives in excess of 150 miles shall have weekend timesharing at a location designated by that parent one weekend per month, on any weekend during a month that would encompass a three-day weekend, as well as timesharing in the vicinity of the residence where the child(ren) are the majority of the time, on the alternate weekend. In the event there is no such three-day

weekend during a given month, the first full weekend of the month shall be the weekend designated for timesharing, unless otherwise agreed by the parents. Said timesharing shall commence as early as practicable on the day before the holiday or Friday, whichever comes first, and conclude at 5:00 p.m. on Sunday or the day before school resumes, whichever is later.

2. **HOLIDAYS:**

A. **Christmas/Winter Break Vacation:** The intent is for the parents to equally divide the number of days the child(ren) have off from school for the Winter Break holiday, including weather days. The parent that lives in excess of 150 miles shall be entitled to the first part of the break in odd-numbered years, from after school/work/daycare on the day school recesses for the holiday, for a total number of days equal to one-half of the Winter Break, returning the child(ren) to the majority timeshare parent at 6:00 p.m. on the last day of his/her part of the break. The parent that lives in excess of 150 miles shall be entitled to the second part of the break in even-numbered years, picking the child(ren) up at 9:00 a.m. on the day beginning the second half of the break, and returning the child(ren) to the majority parent at 6:00 p.m. on the night before school resumes. In even-numbered years, the majority timeshare parent shall be entitled to the first part of the break as described above and in odd-numbered years shall be entitled to the second part of the break, as described above.

B. **Spring Vacation:** The parent that lives in excess of 150 miles shall have timesharing during the entire spring break every year, commencing on the day school recesses for the break until 6:00 p.m. on the day before school resumes.

C. **Thanksgiving:** The parent that lives in excess of 150 miles shall have time sharing in even-numbered years, from the day school recesses for the holiday until 6:00 p.m. on Sunday immediately following the holiday. In odd-numbered years, the majority timeshare parent shall have the Thanksgiving holiday.

D. **Mother's Day/Father's Day:** Mother's Day and Father's Day shall be spent with the parent being honored by the holiday in question, from the Friday prior to the holiday until 6:00 p.m. on Sunday. The parent that lives in excess of 150 miles shall have timesharing for this holiday in the vicinity of the child(ren)'s residence, unless said timesharing coincides with that parent's summer vacation timesharing.

E. **Birthdays:** The child(ren) shall celebrate their birthday(s) in the home of the majority timeshare parent unless the birthday falls on a regularly scheduled timesharing date with the other parent.

F. **Non-Specified Holidays:** Should the parents recognize a religious holiday not specifically mentioned herein, then the parents shall alternate the holiday. Each parent shall cooperate with the other so that the parent who lives in excess of 150

miles will have the entire holiday in even-numbered years. The parents shall cooperate to work out beginning and ending times for such timesharing. Should only one parent recognize a religious holiday not specifically mentioned herein, then that parent shall be entitled to reasonable timesharing with the child(ren) during that holiday period in every year, with the parents cooperating to work out the beginning and ending times for such holiday timesharing.

3. **SUMMER VACATION** The parent that lives in excess of 150 miles shall have summer timesharing with the minor children, commencing 5 days following the end of the school term and ending two weeks prior to the start of the new school term. During said summer vacation timesharing, the parent that usually has the children for the majority of the time during the year shall have timesharing as set forth above. The majority parent's timesharing shall take place in the vicinity of that parent's home.

4. **SCHOOL CALENDARS**: School calendars and event calendars shall be provided to the parent who lives in excess of 150 miles by the parent living in the child's school district, immediately upon receipt. The parent living in the child's school district shall also advise the other parent of events not appearing on school calendars as soon as practical after becoming aware of the dates of such events. It is strongly recommended that the parents use OurFamilyWizard.com or TalkingParents.com in order to facilitate the child(ren)'s schedule(s).

5. **CONFLICTS**: Regular weekend and summer vacation timesharing shall be held in accordance with the schedule set out herein. Should there be any conflict between the regularly scheduled and the holiday timesharing, the holiday timesharing shall control, to-wit: the timesharing set out in paragraphs 2 and 3 takes precedence over the timesharing set out in paragraph 1.

6. **TRANSPORTATION COSTS**: Transportation costs shall be agreed upon by the parents or left to the discretion of the Court. The criteria the Court may consider in allocating transportation costs include, but are not limited to the following:

- a) Relative financial positions of the parents;
- b) Extent and regularity of timesharing by the parent that lives in excess of 150 miles;
- c) Distance;
- d) The parent responsible for and the circumstances of the relocation;
- e) Any other factor which the Court deems relevant to the particular circumstances of the parents.

7. **MODE OF TRANSPORTATION**: The mode or method of transportation shall be

agreed upon by the parents or left to the discretion of the Court. The distance between the parents and the inconvenience and burdens imposed upon the child(ren) shall be considered in determining the mode of transportation.

8. **WAITING PERIOD:** The child(ren) and the parents shall be required to wait a reasonable period of time for the visiting parent to pick up the child(ren) to begin any timesharing. Consideration shall be made for the distance between the various parents and the mode of transportation used to exercise the timesharing, as well as unforeseen delays and flight schedules.

9. **CANCELLATIONS:** Cancellation by the parent that lives in excess of 150 miles in any of the aforementioned timesharing shall be made in writing at least 14 days prior to the scheduled commencement of said timesharing.

10. **PARENT/CHILD(REN) CONTACT:** The parents shall permit the child to have telephone, email, and/or other electronic communication, including audio/visual contact through features such as Skype or Facetime with the other parent, at any reasonable time. If the parents cannot agree on the days and times for such communication, then the child shall be permitted at a minimum to speak with the other parent on Mondays, Wednesdays, and Fridays at 7:30 p.m. EST. Neither parent shall monitor, intercept, interrupt or listen to communications between the child and the other parent absent a Court order authorizing them to do so. If a parent takes away phone privileges from a child as a form of punishment, the child shall still be permitted to have telephone or other such contact with the other parent as set forth herein.