

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT  
IN AND FOR INDIAN RIVER, MARTIN, OKEECHOBEE AND ST. LUCIE COUNTIES,  
STATE OF FLORIDA

**ADMINISTRATIVE ORDER NO: 2017 - 07**

**IN RE: MUNICIPAL POLICE DEPARTMENTS AND SERVICE OF PROCESS IN  
DOMESTIC VIOLENCE, REPEAT VIOLENCE, SEXUAL VIOLENCE,  
DATING VIOLENCE, AND STALKING INJUNCTION CASES**

WHEREAS the Sheriff has jurisdiction to serve process in all domestic violence, repeat violence, sexual violence, dating violence and stalking injunction cases;

WHEREAS sections 741.30(8)(a), 784.046(8)(a), and 784.0485(8)(a) of the Florida Statutes provide that the Chief Judge of each circuit, in consultation with the appropriate Sheriff(s), may authorize law enforcement agencies within the Chief Judge's jurisdiction to effect service of injunctions for protection against domestic violence, repeat violence, sexual violence, dating violence and stalking;

Now, therefore, I, Elizabeth Metzger, having satisfied the statutory prerequisite and pursuant to the authority vested in me as Chief Judge of the Nineteenth Judicial Circuit under Florida Rule of Judicial Administration 2.215, do hereby

ORDER the following:

All municipal police departments located in Indian River, Martin, St. Lucie, and Okeechobee Counties and their individual sworn officers are authorized to effect service of process in lieu of the Sheriffs of said Counties when provided a certified copy of an injunction or other order related to domestic violence, repeat violence, sexual violence, dating violence, or stalking as provided in sections 741.30(8), 784.046(8), and 784.0485(8), Florida Statutes.

When serving an injunction or other orders related to domestic violence, repeat violence, sexual violence, dating violence, or stalking, law enforcement officers must make personal service upon the respondent and use service and verification procedures consistent with those of the Sheriff. Questions regarding service of process should be directed to the Sheriff's Office with jurisdiction over the residence of the petitioner.

The Clerk of the Circuit Court must provide a certified copy of any injunction or other order related to domestic violence, repeat violence, sexual violence, dating

violence, or stalking for service by law enforcement or the Sheriff. When forwarding a certified copy of an injunction or other order for service, the Clerk also must provide a Return of Service/Certificate of Non-Service in substantially the same format as Exhibit "A" attached to this Administrative Order.

When effecting service of an injunction or other order, the law enforcement officer shall complete the Return of Service/Certificate of Non-Service. The officer shall promptly, or otherwise within 24 hours of service of process, call in and electronically transmit a copy of the Return of Service/Certificate of Non-Service to the Sheriff's Office with jurisdiction over the residence of the petitioner. If attempts at service are unsuccessful, the law enforcement officer attempting service shall promptly call in and transmit the Return of Service/Certificate of Non-Service and include relevant facts to indicate the reason for non-service.

Following receipt of the Return of Service/Certificate of Non-Service, the Sheriff's Office shall promptly file a copy with the Clerk of the Court in accordance with the provisions of chapter 48, Florida Statutes, or, if not practicable, on the next business day following receipt.

Nothing herein changes the existing policy that primary responsibility for service of process in domestic violence, repeat violence, sexual violence, dating violence, and stalking injunction cases remains with the Sheriffs of Indian River, Martin, St. Lucie, and Okeechobee Counties.

DONE AND ORDERED this 12th day of May, 2017 at Stuart in Martin County, Florida.

  
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ELIZABETH A. METZGER, CHIEF JUDGE

- cc: All Circuit 19 Judges  
All Circuit 19 Clerks  
All Circuit 19 Law Enforcement Agencies  
Rupert J. Smith Law Library  
All Local Voluntary Bar Associations  
State Attorney  
Public Defender