

CF OPERATING PROCEDURE
NO. 30-5

STATE OF FLORIDA
DEPARTMENT OF
CHILDREN AND FAMILIES
TALLAHASSEE, June 1, 1998

Legal

CASES REQUIRING ENTRY OF A FINAL ORDER

1. Purpose. This operating procedure requires department attorneys assigned to administrative litigation to provide certain documentation to the Agency Clerk.
2. Scope. This operating procedure applies to all attorneys handling administrative litigation for the department.
3. Filing Requirement. All cases in which a formal request for an administrative hearing pursuant to the provisions of chapter 120, Florida Statutes, is filed with the Agency Clerk require entry of a Final Order, regardless of disposition following filing of the request for hearing.
 - a. For cases in which an administrative law judge (ALJ) of the Division of Administrative Hearings or a department-appointed informal hearing officer issue a Recommended Order, the Agency Clerk will prepare a Final Order based upon the record compiled by the ALJ or hearing officer.
 - b. For cases which do not produce a Recommended Order from the ALJ or hearing officer, it is the responsibility of the attorney representing the department to provide the Agency Clerk with any Closing Orders, Orders of Dismissal, etc., by which the ALJ or hearing officer concludes the administrative proceeding. It is the responsibility of the attorney representing the department to also provide the Agency Clerk with copies of motions, voluntary dismissals, stipulations, settlement agreements, or other documents which form the basis for entry of a Closing Order from the Division of Administrative Hearings or other Order disposing of the case prior to entry of a Recommended Order.
4. Providing Documents to Agency Clerk. The documents described in paragraph 3b must be provided to the Agency Clerk within 15 days of rendition of the Closing Order from the Division of Administrative Hearings or other Order disposing of the case prior to entry of a Recommended Order.

BY DIRECTION OF THE SECRETARY:

(Signed original copy on file)

SAMARA H. NAVARRO, D.B.A.
Deputy Secretary