

Understanding the Confirmation of Issues

It is the responsibility of the person who started the case, usually the petitioner, to file a [Confirmation of Issues](#) form with the clerk's office by the due date indicated on the Case Schedule. Both parties should complete and sign the form, unless there is an order prohibiting contact, in which case you check the appropriate boxes on page 2.

If the parties agree with the statements listed on page 1 (see "What am I agreeing to in a Joint Representation?" below), then both parties should complete and sign the form and file it with the Clerk. If parties file this document by the case schedule deadline and have filed all other mandatory documents then parties do not need to go to the Status Conference hearing listed on their case schedule.

What am I agreeing to in a "Joint Representation"?

If you check the box on page 1, you are agreeing that each of the five items below has or will be done as required by the Case Schedule:

1. **Service:** The other party has been served with the Summons and Petition, signed a Joinder or has accepted the papers voluntarily and signed an Acceptance of Service form.
2. **Mandatory pleadings:** The Summons, Petition, Response to Petition, Proof of Service and proposed parenting plan (if the case involves children) have been filed with the Court. For Modification cases, an Order Granting Adequate Cause has been entered. For Petitions to Establish a Parenting Plan, proof of paternity has been filed.
3. **No additional issues will be raised:** You agree that only those issues stated in the original Petition and Response will be raised at trial. If there are additional issues to resolve, you should raise them at the Status Conference.
4. **No problem with deadlines:** If you anticipate that you will not be able to comply with a deadline listed in the Case Schedule, you must ask the judge to set a new deadline at the Status Conference.
5. **All parties have cooperated:** You or your attorney, the other party or their attorney have discussed and agree with the representations made on the form.

What if the other party does not cooperate to complete the Confirmation of Issues?

If you and the other party or the other party's attorney fail to cooperate with completing the Confirmation of Issues, file the form with the Clerk and mark the appropriate box(es) on page 2.

Also, file a Proof of Mailing or Hand Delivery Form ([FL All Family 112](#)) send a copy of both forms to the other party or the other party's attorney. **You must attend the Status Conference on the date in your Case Schedule.**

What if the other party has not filed a Response?

If the other party has not filed a Response to the Petition **and** there is no joinder or joint petition filed, check the box on the top of page 2 indicating a mandatory pleading has not been filed. **You will need to attend the Status Conference.**

Certificate Regarding Mediation

The Confirmation of Issues form has a section entitled "Certificate Regarding Mediation". Fill out the Petitioner's and the Respondent's information (mailing address, telephone number, etc.) in the middle of page 2 of the Confirmation of Issues form. Answer the remaining questions regarding mediation. Note: If a party is alleging there is domestic violence, Family Court Services will not conduct mediation.

Be advised that the court asks the parties to indicate if there is an *allegation* of domestic violence, child abuse, or sexual abuse. Therefore even if one party has alleged any of these issues, then the box next to "Yes" should be checked.

What if we do not agree on the Parenting Plan?

Unless you and the other party file an agreed Parenting Plan for your children with the court, you must check the box on the Certificate Regarding Mediation that indicates parenting is contested. When the court sees that the parenting is contested, the court will automatically refer your case to mediation with Family Court Services. The court will notify you by mail when your case has been referred to mediation. Parties should read the notice and follow the instructions in the letter.

What will happen if we do not file a Confirmation of Issues?

If you do not file a Confirmation of Issues form, **you and the other party must appear at the Status Conference** on the date indicated on your case schedule. If you fail to appear, the Clerk will send you a notice requiring you to appear at a Non-Compliance hearing and you will be charged a fee for failing to appear (currently \$50.00). Additional charges may be imposed and your case may be dismissed if you miss the Non-Compliance hearing.

If you file the Confirmation of Issues form and the first box on the top of the first page is not marked, if there is a signature missing, or if the first box is marked and should not be (for example, if a Response has *not* been filed), **you and the other party must appear at the Status Conference.** If you do not appear at that hearing, a fine will be imposed and your case may be dismissed.