

IN THE CIRCUIT COURT, FOURTH
JUDICIAL CIRCUIT, IN AND FOR
NASSAU COUNTY, FLORIDA.

CASE NO.: _____
DIVISION: A

IN RE: THE MARRIAGE/MATTER OF:

Petitioner,
and

Respondent.
_____ /

ORDER DIRECTING PARTIES TO UTILIZE OUR FAMILY WIZARD¹

This matter came before the court for consideration/hearing on _____. *The Court having reviewed the file and being fully advised in the premises and/or based upon the consent of the parties,* the Court hereby finds:

- A) The parties are having a difficult time communicating regarding their minor child(ren).
- B) It is in the best interests of the children for the Court to order the parties to utilize an application called Our Family Wizard to ensure that communications are improved.
- C) The use of the application substantially reduces the need for the parties to return to Court and thus, saves both parties money in the long run.
- D) The application allows for parents to set schedules, make changes to events, trade/swap time, if there is an agreement, to apply for and receive reimbursement for reimbursable expenses and to communicate regarding the health and welfare of children and timesharing, when necessary. It also provides for a central location where information regarding each child can be maintained including allergies, blood type, health insurance information, etc.
- E) The application furthers the goals of co-parenting and furthers communication that is in the best interests of the children as set forth in Section 61.13 of the Florida Statutes.

It is therefore ORDERED:

- 1) The parties shall communicate regarding their child(ren) via www.ourfamilywizard.com. The parties are ordered to visit the website and each enroll in the program for at least a one-year subscription not later than 10 calendar days from today.
- 2) The cost is approximately \$100 per year per party. If the parties will have difficulty paying this amount, they may apply for a scholarship with the company that operates this application.

¹ Updated August 23, 2018.

- 3) The Court requests that Our Family Wizard provide a scholarship to _____ because that person earns less than the minimum wage on a full time basis. The Court requests that this scholarship continue (until further Court order)(for one year)(other parameteers). Alternatively, the _____ shall pay for the _____'s subscription.
- 4) Neither party shall fail to renew the annual subscription to the website as set forth above without a stipulation signed by both parties or a court order.
- 5) The parties shall thereafter conduct all communications regarding shared parenting matters using the website's features. This includes but is not limited to scheduling alterations and reimbursable expense matters. The parties shall thereafter not email, text, or telephone, but shall post all communication exclusively on the website with the exception that the parties may communicate by telephone or text messaging regarding matters of an emergency nature regarding a child(ren) that must be acted upon in less than 48 hours. In the case of such an emergency the subject and general content of any such communication shall be memorialized by a Journal entry in the Calendar feature.
- 6) The parties' communications should not be unduly repetitive. If the parties are not communicating effectively, the Court reserves jurisdiction to order one or both parties to Emotional Management Training with Clearview Concepts.
- 7) The parties shall use the Calendar (manage one shared parenting time calendar from separate households including proposing temporary changes), Info Bank (All of your family's information in one place, including contact details, school schedules, and medical information), and Expense (track shared expenses for unreimbursed medical costs, child support, extracurricular activities, and more) features and reserve the Message feature for information the others do not accommodate.
- 8) If an entry requires a response the receiving parent shall respond within 48 hours unless the entry itself indicates a longer time frame is acceptable. The parties shall utilize the Messaging feature when information cannot be conveyed in the Calendar, Expense, and Info Bank features.
- 9) The Court orders the parties to utilize the Expense features of the website to record and formalize all potentially reimbursable expenses. An electronic file of the receipt for payment must be attached to each request or record. If a parent is not capable of posting a photograph or scan of a hard copy receipt, he or she shall mail a hard copy of the document by regular first class mail on the day following the electronic announcement in the Expense section. Each parent shall preserve the original of any scanned or photographed document that is posted.

- 10) All parents' entries shall be viewable via a Professional Account to both parties' attorney(s) of record and the Judge assigned. Both parties shall authorize Professional Access to any Court appointed Guardian Ad Litem or Social Investigator using the "Permission for Professional Access" document.
- 11) The parties shall elect to receive text or email alerts about new activity using the On Action option.
- 12) The utilization of the "OurFamilyWizard" website shall not be deemed as a *per se* violation of any existing Injunction for Protection so long as there is no disparagement of any Petitioner in the Injunction for Protection case by any Respondent in the Injunction case and so long as there are no threats of violence made by the Respondent in the Injunction case using the application. Both parties shall keep a copy of this Order with Any Injunctions for Protection against Violence.
- 13) Although it appears that there are no significant issues regarding health reimbursements are presently before the court, the court orders the parties to take advantage of the Expense tools, utilizing OFWpay, on the website to have a future record of all potentially reimbursable expenses in order to mitigate the necessity to litigate in the future over such matters.
- 14) The parties are ordered to use the Our Family Wizard check-in feature as soon as it becomes available when they arrive for exchanges with children and when they depart, if they are not taking the children with them because the other party to the exchange has failed to appear for the exchange.
- 15) The records from the application shall be considered business records of the parties as that term is used in the Florida Rules of Evidence unless either party files a motion in limine at least 10 days before any future hearing at which such records may be introduced.
- 16) This Order of Court shall remain in full force and effect until further Order of Court and the Court reserves jurisdiction to enforce this Order.

DONE AND ORDERED in Chambers in Fernandina Beach, Nassau County, Florida, this ____ day of _____, 20____.

STEVEN M. FAHLGREN
CIRCUIT JUDGE

Copies to:
Petitioner
Respondent