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09/02/2004 at 12:39 PM, BOB INZER, CLERK OF COURTS

IN THE SECOND JUDICIAL
CIRCUIT OF FLORIDA

OFFICE OF THE CHIEF JUDGE

ADMINISTRATIVE ORDER NO: 91-04

IN RE: PROCEDURES FOR EMERGENCY HEARINGS

WHEREAS, there is currently a lack of procedures for determining how to process emergency hearings when the judge assigned to the case is unavailable; and

WHEREAS, a basic determination has to be made to confirm that the request for an emergency hearing is in fact needed; It is therefore

ORDERED THAT:

The following procedures shall apply when requests to schedule emergency hearings are made in the circuit criminal or civil divisions of the Second Judicial Circuit:

1. For the purposes of this order, emergency civil and criminal hearings shall be defined as, "Those non-routine matters which, by their nature, require the immediate action by a judge to prevent physical harm, property damage or hardship and which are of such a critical nature that the swift intervention by the court is deemed necessary."

2. A request for an emergency hearings shall be presented to the judge assigned to the case.

3. In the event that the judge assigned to the case is unavailable, the request for an emergency hearing shall be brought to the Chief Judge (or Acting Chief Judge)

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to determine whether an emergency hearing is needed. For the purpose of this order, the unavailability of the judge shall mean that the judge is physically not present in the county courthouse in which the emergency hearing must be heard.

4. If the Chief Judge decides that the emergency hearing does in fact require immediate attention of a judge, the court administrator's office will be notified and a judge will be identified to handle the emergency hearing.

5. Only the judge identified to handle the emergency hearing shall be permitted to resolve the emergency. If the judge assigned the emergency is unable to rule on the emergency matter due to a conflict or any other reason, the court administrator's office should again be contacted and another judge will be identified to resolve the emergency matter.

DONE AND ORDERED in Chambers at Tallahassee, Leon County, Florida this 3rd day of ~~August,~~ September 1991.

WILLIAM L. GARY
CHIEF JUDGE

cc: All Judges

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