20030095669 RECORDED IN PUBLIC RECORDS LEON COUNTY FL BK: 2954 PG: 850,
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A TRUE COPY
Attest:
SID J. WHITE, Clerk
Supreme Court of Florida
By
Chief Deputy Clerk

APPROVED BY THE
SUPREME COURT OF FLORIDA
October 26, 1994
SID J. WHITE
CLERK SUPREME COURT

IN THE SECOND JUDICIAL
CIRCUIT OF FLORIDA.

OFFICE OF THE CHIEF JUDGE

LOCAL RULE 92-1
AMENDMENT TO LOCAL RULE 90-2

IN RE: FAMILY LAW DIVISION

WHEREAS, The Supreme Court of Florida has mandated that each circuit develop a local rule establishing a Family Division in its circuit, or a means to coordinate family law matters that affect one family, if the circuit or part of the circuit is of such limited size that it is unable to administratively justify such a division; and

WHEREAS, four of the counties in this circuit are of such limited size that a circuit judge is not required on a full-time basis to meet all of the needs of the circuit court in such counties; and

WHEREAS, only Leon and Gadsden Counties are of such size as to require more than one circuit judge on a full-time basis, and Gadsden County is of such limited size that one circuit judge is able to effectively handle all family matters, as well as all other general civil circuit court matters in Gadsden and Liberty Counties; and

WHEREAS, this circuit presently has ten (10) circuit judges provided by law, two (2) of which are needed on a full-time basis to handle all circuit court matters in Gadsden and Liberty Counties, the remaining eight being available to handle all other civil and criminal cases in the four other counties, including Leon County; and

WHEREAS, the demands of Leon County require the assignment of two (2) circuit judges, full-time, to handle criminal cases exclusively, and one circuit judge to handle juvenile, with the juvenile judge having some time available to handle other matters; and

WHEREAS, by virtue of there being only five circuit judges available to handle all civil cases in Leon County, and all civil and criminal cases in Franklin, Jefferson and Wakulla Counties; and

WHEREAS, by virtue of the extensive amount of litigation that involves state government, which includes, but is not limited to,

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prisoner petitions and insurance receiverships, which must be handled exclusively by the circuit court of Leon County; and

WHEREAS, the coordination of family law matters that affect one family must be accomplished in such a manner as to insure the other judicial needs in Leon, Franklin, Wakulla and Jefferson Counties continue to be met; and

WHEREAS, when The Supreme Court of Florida issued its mandate referenced above, it noted that there is a need for each circuit to design a family division to best serve its particular area, and that geography, population, and available facilities are all factors which must be considered in tailoring a Family Division to the needs of a particular circuit; and

WHEREAS, after full consideration of all the foregoing matters and a full consideration of the needs of all of the citizens of the Second Circuit, as well as all of the lawyers and judges,

IT IS THEREFORE RESOLVED by the Judges of the Second Judicial Circuit that a Family Division in this circuit shall be established in Leon County in the manner specified hereafter. No Family Division shall be established for any of the other counties, and in all counties of this circuit there shall be established a means to coordinate family law matters that affect one family, all as established in the following manner:

A. JUDGES ASSIGNED

1. In Gadsden, Wakulla, Jefferson, Franklin and Liberty Counties, the Circuit Judge assigned to the Civil Division of those respective counties shall handle all juvenile dependency proceedings and probate and guardianship proceedings, including Myers Act and Baker Act cases. Such judge shall obtain information from the the Clerk of the Courts in those respective counties concerning pending juvenile delinquency proceedings and criminal proceedings affecting any family member, including active probation or community control supervision. Such judge shall utilize mediation services developed by the Family Law Division of Leon County, as is deemed appropriate in the cases assigned to such judges in their respective counties.

2. In Leon County there shall be a Family Law Division. The Family Law Division shall be composed of full-time circuit judges to the extent practicable.

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B. PROCEDURES

1. The judges of the Family Law Division shall prepare for adoption by Administrative Order approved by the Chief Judge, uniform pretrial orders, uniform forms and orders to the extent practicable, and such other uniform procedures as they shall deem will facilitate the orderly and efficient handling of family law cases.

2. The Administrative Judge of the Family Law Division, as appointed by the Chief Judge, shall be responsible for controlling the assignment of different cases involving the same family so that all matters pending in circuit court at any one time involving two or more family members shall be handled by one judge. If any case or cases assigned to the Family Law Division as specified above involve a child who is the subject of a dependency or delinquency proceeding, such case or cases shall be assigned to the Juvenile Division for future proceedings during the pendency of such juvenile matters. The Administrative Judge shall obtain information from the Clerk concerning pending Baker Act or Myers Act proceedings and any criminal cases, including active probation or community control supervision, and provide that information to the judge assigned to the Family Law Division case as specified above.

3. The full-time Administrative Judge shall handle, when practicable, all emergency hearings for all Leon County family cases which cannot be handled on an emergency basis by the judge to whom the case has been assigned. The Administrative Judge shall be responsible for developing a mediation program to be available for the Family Law Division judges, as well as the judges handling family matters in Gadsden, Wakulla, Jefferson, Franklin and Liberty Counties. The civil judges in Gadsden, Wakulla, Jefferson, Franklin and Liberty Counties may order mediation as they deem appropriate in the cases assigned to such individual judges.

C. TYPES OF CASES ASSIGNED

The jurisdiction of the Family Law Division shall include dissolution of marriage, simplified dissolution of marriage, child custody and support, URESA, domestic violence, repeat violence, name changes, adoptions, paternity suits, parental responsiblity, separate maintenance, annulment, and modification proceedings.

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The foregoing Rule shall amend Local Rule 90-2 which designates divisions and case assignments.

This Rule shall be implemented by the Judges of the Second Judicial Circuit on July 1, 1992, if approved by The Supreme Court of Florida.

WILLIAM L. GARY
Chief Judge
Second Judicial Circuit

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STATE OF FLORIDA

COUNTY OF LEON:

CERTIFICATE

I HEREBY CERTIFY that a majority of the Judges of the Second Judicial Circuit have approved the adoption of the aforementioned Local Rule.

WILLIAM L. GARY
Chief Judge
Second Judicial Circuit
12-30-91

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