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IN THE SECOND JUDICIAL CIRCUIT OF FLORIDA

OFFICE OF THE CHIEF JUDGE

ADMINISTRATIVE ORDER NO: 99-02

IN RE: **CIRCUIT AND COUNTY COURT JUDGE ASSIGNMENTS, SECOND JUDICIAL CIRCUIT**

WHEREAS, Rule 2.050(b)(4) of the Florida Rules of Judicial Administration provides that the chief judge shall assign judges to the court in divisions and shall determine the length of each assignment; it is therefore,

ORDERED THAT: the following circuit court assignments shall become effective March 1, 1999, and expire on July 1, 2001.

I. LEON COUNTY

A. Criminal Division

Circuit Judges John E. Crusoe, Janet E. Ferris and George S. Reynolds III, shall be assigned to the Criminal Division and assigned all felony cases and criminal appeals from county court, together with all pending and previously scheduled hearings and trial dates and times associated therewith, as follows:

1. Circuit Judge Janet E. Ferris, Division A, Courtroom 3A.

2. Circuit Judge George S. Reynolds III, Division B, Courtroom 3B.

3. Circuit Judge John E. Crusoe, Division C, Courtroom 3D.

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Division C shall be assigned all statewide grand jury cases, all felony drug intervention cases, all felony intake cases and any other cases assigned by the administrative judge of the criminal division.

B. Civil Division

Circuit Judges Terry P. Lewis, L. Ralph Smith, Jr., and N. Sanders Sauls shall be assigned to the Civil Division and assigned all general civil cases, a portion of prisoner petitions and civil appeals from county court, excluding probate and family law division cases, together with all pending and previously scheduled hearings and trial dates and times associated therewith, as follows:

1. Circuit Judge Terry P. Lewis, 40% of all general civil cases and 40% of all prisoner petitions.

2. Circuit Judge L. Ralph Smith, Jr., 40% of all general civil cases and 40% of all prisoner petitions.

3. Circuit Judge N. Sanders Sauls, 20% of all general civil cases and 20% of all prisoner petitions.

C. Family Law Division

Circuit Judges Charles D. McClure and Kathleen F. Dekker shall be assigned to the Family Law Division and assigned all family law cases, together with all pending and previously scheduled hearings and trial dates and times associated therewith, as follows:

1. Circuit Judge Charles D. McClure, 50% of all family law cases.

2. Circuit Kathleen F. Dekker, 50% of all family law cases.

Cases shall be distributed proportionately to the above division judges. The family law division shall include the following categories of civil cases: dissolution of marriage, simplified dissolution of marriage, child custody and support, URESA, domestic violence, repeat violence, name changes, adoptions, paternity suits, parental responsibility, separate maintenance, annulment and modification proceedings.

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D. Juvenile and Juvenile Drug Intervention Division

Circuit Judge Nikki A. Clark shall be assigned to the Juvenile and Juvenile Drug Intervention Division and assigned all juvenile cases, together with all pending and previously scheduled hearings and trial dates and times associated therewith.

E. Probate Division

Circuit Judge John E. Crusoe shall be assigned to the Probate Division and assigned all probate cases, together with all pending and previously scheduled hearings and trial dates and times associated therewith.

II. **WAKULLA COUNTY**

Circuit Judge N. Sanders Sauls shall be assigned all circuit criminal, civil, juvenile and probate cases, including all appeals from county court, together with all pending and previously scheduled hearings and trial dates and times associated therewith.

III. **GADSDEN COUNTY**

A. Circuit Judge William L. Gary shall be assigned all circuit criminal and juvenile cases, including criminal appeals from county court, together with all pending and previously scheduled hearings and trial dates and times associated therewith.

B. Circuit Judge P. Kevin Davey shall be assigned all circuit civil and probate cases, including civil appeals from county court, together with all pending and previously scheduled hearings and trial dates and times associated therewith.

IV. **JEFFERSON COUNTY**

Circuit Judge F. E. Steinmeyer III shall be assigned all circuit criminal, civil, juvenile and probate cases, including all appeals from county court, together with all pending and previously scheduled hearings and trial dates and times associated therewith.

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V. FRANKLIN COUNTY

Circuit Judge F. E. Steinmeyer III shall be assigned all circuit criminal, civil, juvenile and probate cases, including all appeals from county court, together with all pending and previously scheduled hearings and trial dates and times associated therewith.

VI. LIBERTY COUNTY

A. Circuit Judge William L. Gary shall be assigned all circuit criminal and juvenile cases, including criminal appeals from county court, together with all pending and previously scheduled hearings and trial dates and times associated therewith.

B. Circuit Judge P. Kevin Davey shall be assigned all circuit civil and probate cases, including civil appeals from county court, together with all pending and previously scheduled hearings and trial dates and times associated therewith.

VII. MISCELLANEOUS ASSIGNMENTS

A. Administrative Judges

The following judges are appointed as administrative judges in the following divisions:

1. Circuit Judge George S. Reynolds III - Criminal Division.

2. Circuit Judge Kathleen F. Dekker - Family Law Division

3. Circuit Judge Terry P. Lewis - Civil Division

4. Circuit Judge P. Kevin Davey - Gadsden/Liberty Circuit Divisions

The Administrative Judge of the Criminal Division and the Administrative Judge of the Civil Division shall be responsible for selecting a judge from their division for qualifying the venire during their respective trial weeks.

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The Administrative Judge of the Family Law Division (Leon County) shall assign to a judge of that division the circuit-wide emergency 24-hour beeper for Injunctions for Domestic and Repeat Violence.

B. Collections Court

Circuit Judge John E. Crusoe is assigned to all Leon County Collections Court cases.

C. Weekend and Holiday Duty

A rotation list shall be prepared by the court administrator to designate a particular circuit or county judge to serve as the duty judge on holidays and weekends. The duty judge shall have the responsibility of handling all first-appearance proceedings in Franklin, Gadsden, Jefferson, Leon, Liberty and Wakulla Counties. The duty judge shall also handle any arrest warrants, petitions for injunction, emergency hearings or other time critical matters brought to the duty judge's attention.

D. Prisoner Petition Intake

Circuit Judge John E. Crusoe will be responsible for prisoner petition intake functions in Leon County.

VIII. CROSS - ASSIGNMENT

All circuit judges are cross-assigned to be able to serve as a county judge in all six (6) counties within the Second Judicial Circuit (Franklin, Gadsden, Jefferson, Leon, Liberty and Wakulla counties).

All county judges of the six (6) counties within the Second Judicial Circuit (Franklin, Gadsden, Jefferson, Leon, Liberty and Wakulla counties) are cross-assigned to serve as a circuit judge in any of the counties aforementioned, and are also cross-assigned to serve as a county judge in any of the other counties aforementioned.

It is the intent of this provision to allow all judges to be able to act in an emergency situation on a case that is assigned to another judge or to sign orders or judgments that have been agreed to by all parties for another judge if the assigned judge is unavailable. Any other action taken by a judge on a case, not assigned to him or her, should be reported to the assigned judge as soon as practicable, and only when the other judge is unavailable or at the assigned judge's specific request.

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IX. EMERGENCY MATTERS AND HEARINGS

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

A. For the purpose 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 of such critical nature that the swift intervention by the court is deemed necessary."

B. A request for an emergency hearing shall be presented in writing to the judge assigned to the case.

C. In the event that the judge assigned to the case is unavailable, the written request for an emergency hearing shall be brought to the chief judge 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 courthouse in which the emergency must be heard and will remain so for such period that necessity requires the matter to be submitted to the chief judge.

D. If the chief judge decides that the written request for an 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.

E. 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.

X. SIMPLIFIED DISSOLUTION CASES

A. County judges in each of the counties of the Second Judicial Circuit shall have jurisdiction over all simplified dissolution of marriage cases.

B For the purposes of public convenience and administrative efficiency, simplified dissolution of marriage cases may be filed in the Circuit

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Civil Division of the clerks' offices in each of the counties in the Second Judicial Circuit. Such cases are in the county court's jurisdiction and shall be processed accordingly.

C. This order shall not supersede other orders assigning county court judges to serve as circuit judges on a temporary basis or any order establishing a county court judge upon consent as a temporary backup to a circuit court judge.

XI. TERMINATION OF PREVIOUS ADMINISTRATIVE ORDER

On the effective date of this order, March 1, 1999, the following administrative order is hereby terminated:

> Administrative Order 97-15, In Re: Circuit and County Court Judicial Assignments, Second Judicial Circuit, dated November 14, 1997, along with amendments to Administrative Order 97-15 dated December 31, 1998, and January 21, 1999.

Done and Ordered in Chambers at Tallahassee, Leon County, Florida, this 8th day of February, 1999.

GEORGE S. REYNOLDS III
CHIEF JUDGE

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