R20020003214
RECORDED IN
PUBLIC RECORDS LEON CNTY FL
BK: R2607 PG: 02287
JAN 09 2002 04:41 PM
BOB INZER, CLERK OF COURTS

IN THE SECOND JUDICIAL CIRCUIT OF FLORIDA

OFFICE OF THE CHIEF JUDGE

ADMINISTRATIVE ORDER 2002-1

IN RE: ASSIGNMENT OF CIRCUIT COURT, CRIMINAL DIVISION CASES IN LEON COUNTY

WHEREAS, the chief judge is charged by Florida Rule of Judicial Administration 2.050(b)(4) with the responsibility of assigning judges to the courts and divisions; and

WHEREAS, there is a desire to equitably proportion the Leon County Circuit Criminal Division workload;

It is **THEREFORE**

ORDERED that:

I. ASSIGNMENT OF NEW CASES, INCLUDING VOP'S/FDLE STATUTE TABLE

A. Unless otherwise stated in this order, the Leon County Circuit Court Criminal Division caseload shall be apportioned on the basis of a weighted case assignment system.

B. Leon County circuit criminal cases shall be assigned a weighted factor according to the type/degree of offense alleged. Criminal cases shall be weighted as follows.

DIVISION	WEIGHT	DEGREE/TYPE
A, B, & C	100	Life
A, B, & C	95	Capital
A, B, & C	90	First
A, B, & C	85	Second
A, B, & C	80	Third - Persons Crimes
A, B, & C	75	First - Persons Crimes
A, B, & C	70	Second Non - Persons Crimes

UNOFFICIAL DOCUMENT
CLERK OF THE CIRCUIT COURT & COMPTROLLER LEON COUNTY GWEN MARSHALL
UNOFFICIAL DOCUMENT

R20020003214
RECORDED IN
PUBLIC RECORDS LEON CNTY FL
BK: R2607 PG: 02288
JAN 09 2002 04:41 PM
BOB INZER, CLERK OF COURTS

A, B, & C	60	Third - Non Persons Crimes
E	50	Third - Felony Worthless Checks
M & N	40	Misdemeanor - First
M & N	35	Misdemeanor - PWBC
M & N	30	Misdemeanor - Second
T	25	Traffic - Criminal/Infraction/Other
V	20	Circuit Civil
V	15	County Civil
Any/All/NA	10	County Ordinance
Any/All/NA	5	City Ordinance
A, B, & C	4	Not Charged
Z	3	Blue Writ

Shaded areas are provided for informational purposes only and are not applicable for the judicial assignment of felony cases.

C. If there is more than one count, the count with the most serious degree of criminal offense charged pursuant to the Florida Department of Law Enforcement (FDLE) statute table, shall be the count used when determining the division assignment. Unless otherwise specified in this order, the Leon County Management Information Services and the Felony Division of the Leon County Clerk of the Courts shall implement the necessary procedures to ensure that Felony Divisions A, B and C are assigned weighted cases, within each weight category, on a proportionate basis.

D. Changes and periodic updates to the FDLE statute table shall only be made by the trial court technology office, the director of the courts for the clerk of the courts and/or felony supervisor. No other users shall have the ability to update this table. Criminal offenses submitted for entry into the CJIS system that do not conform to the FDLE statute table, shall be returned to the originating agency for correction.

II. PENDING CASES

A. If there is a pending case or pending VOP (active or inactive cases) in Division A, B or C then all new cases and/or new VOP's irrespective of the weight assigned to the new case or new VOP, shall be assigned to the division in which there is a pending case or pending VOP.

UNOFFICIAL DOCUMENT
CLERK OF THE CIRCUIT COURT & COMPTROLLER
LEON COUNTY
GWEN MARSHALL
UNOFFICIAL DOCUMENT

R20020003214
RECORDED IN
PUBLIC RECORDS LEON CNTY FL
BK: R2607 PG: 02289
JAN 09 2002 04:41 PM
BOB INZER, CLERK OF COURTS

III. HISTORY

A. Prior history of case assignment to a division is not relevant in the judicial assignment of felony cases.

IV. BALANCING/PROPORTIONATING DIVISIONS A, B, AND C

A. It is the intent of this order for Divisions A, B, and C to have a balanced/proportioned number of cases within each weight category. For example, if in weight category 95, Division A has received three (3) more cases than Divisions B or C due to pending cases, then Divisions B and C would receive the next six (6) cases (three cases each for Divisions B and C) with a weight 95. The goal is an equal number of assignments of new cases within each weight category for Divisions A, B, and C, not an equal number of pending cases.

B. The number of cases assigned to Divisions D and E will not be balanced/proportionate rather the number of cases in Divisions D and E will be dependent upon the number of cases automatically or manually assigned/reassigned based on filings by casetype such as felony drug court, worthless checks, and statewide grand jury cases.

V. JUDGE REASSIGNMENTS AND TRANSFERS

A. Under this order, cases reassigned (reassigned from one felony judge to another felony judge) or transferred (transferred from circuit court to county court) should decrement from the appropriate assignment category (based on the weight of the most serious charge) from the division it is being reassigned/transferred and increment the appropriate assignment category (based on the weight of the most serious charge) to which it is being reassigned/transferred.

VI. MISCELLANEOUS

A. If there are co-defendants the assignment program shall use the first named defendant to determine if there are pending cases in Divisions A, B, or C.

B. For assignment purposes, when a case reopens for any reason, the most serious degree of criminal offense in the sentencing phase shall be used to determine category weight. If there is no statute in the sentencing phase, then the most serious degree of criminal offense in the prosecutor and initially phases, respectively, shall be used to determine category weight. The case shall then be assigned to Divisions A, B or C as set forth in this order.

C. Since the FDLE statute table does not specifically identify Grand Theft by PWBC, felony drug intervention cases or statewide prosecution cases, these cases will be manually reassigned by the felony clerk from Divisions A, B, or C to Division D

UNOFFICIAL DOCUMENT
CLERK OF THE CIRCUIT COURT & COMPTROLLER
LEON COUNTY
GWEN MARSHALL
UNOFFICIAL DOCUMENT

R20020003214
RECORDED IN
PUBLIC RECORDS LEON CNTY FL
BK: R2607 PG: 02290
JAN 09 2002 04:41 PM
BOB INZER, CLERK OF COURTS

(statewide prosecution cases) or Division E (felony drug intervention cases and Grand Theft by PWBC) to conform with Administrative Order 2001-11A Re: Circuit and County Court Judge Assignments.

D. While Administrative Order 2001-11A Re: Circuit and County Court Judge Assignments, Second Judicial Circuit provides that Leon County Felony Division D shall be assigned all felony intake cases, under this order all felony intake cases shall be assigned to Divisions A, B, or C. However, the Felony Division of the Leon County Clerk of the court shall calendar and schedule all felony intake cases before Division D.

E. Unless otherwise specified by this order, cases shall not be reassigned or transferred without further order of the court.

F. Administrative Order 1999-10 and all amended versions of Administrative Order 1999-10 are rescinded.

G. The chief judge shall approve any effective date for any automated application either being developed or enhanced to comply with this order.

DONE and ORDERED in chambers at Tallahassee, Leon County, Florida, this 9th day of January 2002.

William L. Gary
Chief Judge

UNOFFICIAL DOCUMENT
CLERK OF THE CIRCUIT COURT & COMPTROLLER
LEON COUNTY
GWEN MARSHALL
UNOFFICIAL DOCUMENT