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IN THE SECOND JUDICIAL CIRCUIT OF FLORIDA.

OFFICE OF THE CHIEF JUDGE

ADMINISTRATIVE ORDER NO. 2002-20

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

WHEREAS, there is a need to amend the circuit judge assignments due to the retirement of Circuit Judge F. E. Steinmeyer III on January 6, 2003; and

WHEREAS, rule 2.050(b)(4), Florida Rules of Judicial Administration, provides that the Chief Judge shall assign judges to the courts and divisions and shall determine the length of each assignment, it is therefore

ORDERED that the following judicial assignments shall become effective January 1, 2003, and expire at midnight, June 30, 2003, unless earlier modified by subsequent order.

I. LEON COUNTY

A. Criminal Division.

Circuit Judges Thomas H. Bateman III, James C. Hankinson, Kathleen F. Dekker, Jonathan E. Sjostrom and William L. Gary 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 James C. Hankinson, Division A, 33 1/3% of all Criminal Division cases not assigned to Division D.

2. Circuit Judge Kathleen F. Dekker, Division B, 33 1/3% of all Criminal Division cases not assigned

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to Division D.

3. Circuit Judge Thomas Bateman, Division C, 33 1/3% of all Criminal Division cases not assigned To Division D.

4. Circuit Judge William L. Gary, Division D.

Division D shall be assigned all statewide grand jury cases, all felony intake cases, misdemeanor appeals from county court, and any other cases assigned by the administrative judge of the criminal division.

5. Circuit Judge Jonathan E. Sjostrom, Division E.

Division E shall be assigned all felony drug intervention cases and all worthless check cases.

B. Civil Division

Circuit Judges Nikki Ann Clark, P. Kevin Davey, Charles A. Francis, Janet E. Ferris and L. Ralph Smith, Jr. shall be assigned all general civil cases, a portion of the prisoner petitions and civil appeals from County Court, excluding probate and family law division cases, together with all pending and previously scheduled hearings, trial dates and times associated therewith, as follows:

1. Circuit Judge Nikki Ann Clark, 25% of all general civil cases and 25% of all prisoner petitions.

2. Circuit Judge P. Kevin Davey, 25% of all general civil cases and 25% of all prisoner petitions.

3. Circuit Judge Charles A. Francis, 25% of all general civil cases and 25% of all prisoner petitions.

4. Circuit Judge Janet E. Ferris, 12.5% of all general civil cases and 12.5% of all prisoner petitions.

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5. Circuit Judge L. Ralph Smith, Jr. 12.5% of all general civil cases and 12.5% of all prisoner petitions.

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C. Family Law Division

Circuit Judges John E. Crusoe and John C. Cooper (effective January 7, 2003) shall be assigned to the family law division and assigned all family law cases, together with all pending and previously scheduled hearings, trial dates and times associated therewith, as follows:

1. Circuit Judge John Crusoe, 50% of all family law cases and 50% of all juvenile dependency cases.

2. Circuit Judge John C. Cooper, 50% of all family law cases and 50% of all juvenile dependency cases.

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

D. Juvenile Delinquency and Juvenile Drug Intervention Division

Circuit Judge Jonathan E. Sjostrom shall be assigned to the juvenile division and assigned all juvenile delinquency cases together with all pending and previously scheduled hearings, trial dates and times associated therewith.

E. Probate Division

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

F. County Court Criminal Division

County Judges Timothy D. Harley, James O. Shelfer and

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Don Modesitt shall be assigned to the Criminal Division together with all pending and previously scheduled hearings and trial dates and times associated therewith, as follows:

1. County Judge Timothy D. Harley - Misdemeanor

2. County Judge James O. Shelfer - Misdemeanor and First Appearances

3. County Judge Don Modesitt - Traffic

G. County Court Civil Division

County Judges Judith W. Hawkins and Augustus D. Aikens, Jr. shall be assigned to the Civil Division together with all pending and previously scheduled trial dates and times associated therewith, as follows:

1. County Judge Judith W. Hawkins, 50%

2. County Judge Augustus D. Aikens, 50%

II. GADSDEN COUNTY AND LIBERTY COUNTY

A. Circuit Judge Terry Lewis shall be assigned all circuit criminal and juvenile delinquency cases, including criminal appeals from County Court, together with all pending and previously scheduled hearings, trial dates and times associated therewith.

B. Circuit Judge George Reynolds shall be assigned all circuit civil cases, family law cases, probate cases and juvenile dependency cases, including all civil appeals from County Court, together with all pending and previously scheduled hearings, trial dates and times associated therewith.

III 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, trial dates and times associated therewith.

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IV. JEFFERSON COUNTY

Circuit Judge L. Ralph Smith, Jr. 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.

V. FRANKLIN COUNTY

Circuit Judge Janet E. Ferris 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.

V. MISCELLANEOUS ASSIGNMENTS

A. Administrative Judges

The following judges are appointed and shall serve as Administrative Judges in the following divisions:

1. Leon County - Circuit Court

a. Circuit Judge Thomas A. Bateman III - Criminal Division

b. Circuit Judge P. Kevin Davey - Civil Division

c. Circuit Judge John Crusoe - Family Law Division

The administrative judges of the criminal division and civil division shall be responsible for selecting a judge from their respective division for qualifying the venire during their trial weeks.

2. Leon County Court

a. County Judge Tim Harley is appointed and shall serve as the Administrative Judge for the County Court.

b. The county judges shall continue to have jurisdiction over all simplified dissolution of marriage cases.

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c. This order shall not supersede over orders assigning county court judges on a temporary basis or any order establishing a county judge as a temporary backup to a circuit judge.

3. Gadsden, Jefferson, Liberty, Wakulla and Franklin Counties

a. The circuit judges assigned to counties, other than Leon County, shall be responsible for qualifying the venire during their respective trial weeks.

b. Circuit Judge William L. Gary shall serve as Administrative Judge.

B. Collections Court

Circuit Judge Jonathan E. Sjostrom shall be assigned to all Leon County collection court cases.

C. Weekend and Holiday Duty

The Court Administrator shall prepare a rotation list designating a particular circuit or county judge to serve as the duty judge on holidays and weekends. The duty judge shall handle all first appearance proceedings in Leon, Franklin, Gadsden, Liberty, Jefferson and Wakulla Counties. The duty judge shall also handle any arrest warrants, petitions for injunctions, emergency hearings or other emergency matters brought to the duty judge's attention.

D. Intake

Circuit Judge William L. Gary shall be responsible for prisoner petition intake functions in Leon County.

VI. EMERGENCY MATTERS

A. Cross-Assignments

All circuit judges and county judges in Leon, Gadsden, Jefferson, Liberty,

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Franklin and Wakulla Counties are hereby cross-assigned to preside over any emergency within their individual counties or assignments at the circuit or county jurisdictional level.

B. Emergency Hearings

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

1. For the purpose of this order, emergency criminal, civil and family 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 a critical nature that the swift intervention of the court is deemed necessary."

2. A request for an emergency hearing shall be presented in writing 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 Chief Judge pro tem, 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.

4. If the Chief Judge decides that the emergency hearing does require the immediate attention of a judge, the office of the Court Administrator shall be notified and a judge shall be identified to handle the emergency.

5. Only the judge identified to handle the emergency hearing shall be permitted to resolve the emergency. If the judge assigned to the emergency is unable to rule on the emergency matter due to a conflict or any other reason, the Court Administrator's office

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shall again be contacted and another judge shall be identified to resolve the emergency.

VII. COUNTY COURT JURISDICTION

A. County Judge Back-up Policy:

1. The county judges of the Second Judicial Circuit may be assigned in their respective counties to supplement and aid the circuit court. However, county judges shall not be assigned to handle contested family law cases, or child support and/or enforcement cases, except on a case by case basis and upon their consent pursuant to a specific order of the Chief Judge, or in emergencies.

2. Each circuit judge is likewise assigned to supplement and aid the county court in the county to which the circuit judge is assigned when the county judge is unavailable.

B. Simplified Dissolution Cases.

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

2. For the purposes of public convenience and administrative efficiency, simplified dissolution of marriage cases may be filed in the Circuit Civil Division of the clerk's office in each of the counties of the Second Judicial Circuit, and shall be processed accordingly.

3. 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.

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VIII. TERMINATION OF PREVIOUS ADMINISTRATIVE ORDERS

On the effective date of this order, January 1, 2003, the following Administrative Orders are hereby terminated:

Administrative Order No. 2001-11 and 2001-11A, IN RE: Circuit and County Court Judge Assignments, Second Judicial Circuit, dated December 27, 2001 and December 28, 2001 and Administrative Order No. 2002-12, IN RE: County Judge Assignments/Leon County, Florida, dated August 14, 2002.

DONE AND ORDERED in Chambers at Tallahassee, Leon County, Florida, this 26th day of November, 2002.

WILLIAM L. GARY
CHIEF JUDGE

cc: All Circuit and County Judges, Second Judicial Circuit
All Clerk's of Court, Second Judicial Circuit
Public Defender
State Attorney

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