

IN THE SECOND JUDICIAL CIRCUIT OF
FLORIDA

OFFICE OF THE CHIEF JUDGE

ADMINISTRATIVE ORDER NO. 2005-07

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

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 are the judicial assignments for the Second Judicial Circuit shall remain in effect until midnight, June 30, 2007, unless modified by subsequent order.

I. **LEON COUNTY**

A. **Circuit Court Criminal Division.**

Circuit Judges John C. Cooper, Jonathan E. Sjostrom, Kathleen F. Dekker, and Charles A. Francis 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 John C. Cooper, Division A.**

Division A shall be assigned 33.33% of all Criminal Division cases not assigned to Divisions D and E.

2. **Circuit Judge Kathleen F. Dekker, Division B.**

Division B shall be assigned 33.33% of all Criminal Division cases not assigned to Divisions D and E.

3. **Circuit Judge Jonathan E. Sjostrom, Division C.**

Division C shall be assigned 33.33% of all Criminal Division cases not assigned to Divisions D and E.



4. **Circuit Judge Charles A. Francis, Division D.**

Division D shall be assigned all felony intake cases, statewide grand jury cases, and misdemeanor appeals from county court.

5. **Special Assignment, Division E.**

County Court Judge Judith W. Hawkins shall be assigned all felony drug intervention cases and felony worthless check cases.

B. **Circuit Court Civil Division**

Circuit Judges Terry P. Lewis, Thomas Bateman III, Janet E. Ferris, and William L. Gary 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 Janet E. Ferris**

29.16% of all general civil cases and 29.16% of all prisoner petitions.

2. **Circuit Judge Terry P. Lewis**

29.17% of all general civil cases and 29.17% of all prisoner petitions.

3. **Circuit Judge Thomas Bateman III**

29.17% of all general civil cases and 29.17% of all prisoner petitions.

4. **Circuit Judge William L. Gary**

12.5% of all general civil cases and 12.5% of all prisoner petitions.

C. **Family Law Division**

Circuit Judges Nikki Ann Clark, James C. Hankinson, John E. Crusoe and Angela Dempsey 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 Nikki Ann Clark**

33.33% of all family law cases, except domestic violence cases, 33.33% of all juvenile dependency cases, and 25% of all domestic violence cases.

2. **Circuit Judge John E. Crusoe**

33.33% of all family law cases, except domestic violence cases, 33.33% of all juvenile dependency cases, and 25% of all domestic violence cases.

3. **Circuit Judge James C. Hankinson**

33.33% of all family law cases, except domestic violence cases, 33.33% of all juvenile dependency cases, and 25% of all domestic violence cases.

4. **Circuit Judge Angela Dempsey**

All juvenile delinquency cases and 25% of all domestic violence cases by assuming the caseload assignment previously held by Judge James C. Hankinson.

5. **Special Assignment**

County Judge Augustus D. Aikens, Jr. shall be assigned all juvenile drug intervention cases.

The family 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, juvenile dependency and juvenile delinquency.

D. **Probate Division**

1. Circuit Judge L. Ralph Smith 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.



2. County Judge Augustus D. Aikens, Jr. is hereby assigned all Baker Act and Marchman Act proceedings with the Probate Division and is hereby designated primary backup to the probate division.

E. County Court Criminal Division

County Judges Augustus D. Aikens, Jr., Timothy Harley and James O. Shelfer shall be assigned to the Criminal Division, which shall include all pending and previously scheduled hearings and trial dates and times associated therewith, and shall rotate among themselves all Misdemeanor and Traffic case dockets.

F. First Appearances

First Appearance shall be assigned to Leon County Judges on a rotating basis as determined and assigned by the Administrative Judge of the County Court.

G. County Court Civil Division

County Judges Judith W. Hawkins and Donald S. Modesitt shall be assigned to the Civil Division, which shall include all pending and previously scheduled trial dates and times associated therewith, as follows:

1. **County Judge Judith W. Hawkins**

50% of all civil cases.

2. **County Judge Donald S. Modesitt**

50% of all civil cases.

II. GADSDEN COUNTY

- A. Circuit Judge P. Kevin Davey shall be assigned all circuit criminal cases, including criminal appeals from County Court.
- B. Circuit Judge George S. Reynolds, III, shall be assigned all circuit civil cases, family law cases, probate cases and juvenile dependency cases, including all civil appeals from County Court.
- C. Circuit Judge Angela Dempsey, shall be assigned all juvenile delinquency cases, 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.

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 William L. Gary 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 George S. Reynolds, III, shall be assigned all circuit civil cases, family law cases, probate cases and juvenile dependency cases, including all civil appeals from County Court.
- B. Circuit Judge L. Ralph Smith shall be assigned all circuit criminal cases, including criminal 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 and shall serve as Administrative Judges in the following divisions:

- 1. **Leon County - Circuit Court**
 - a. Circuit Judge Kathleen F. Dekker - Criminal Division
 - b. Circuit Judge Janet E. Ferris - Civil Division
 - c. Circuit Judge Nikki Ann Clark - Family Law Division



2. **Leon County Court**

- a. County Judge James O. Shelfer is appointed and shall serve as the Administrative Judge for the County Court.
- b. This order shall not supersede other orders assigning county court judges on a temporary basis or any order assigning a county judge as a temporary backup to a circuit judge.

3. **Gadsden, Jefferson, Liberty, Franklin and Wakulla 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 Charles A. Francis shall serve as Administrative Judge in Jefferson, Liberty, Franklin and Wakulla Counties.
- c. Circuit Judge Charles A. Francis shall serve as Administrative Judge in Gadsden County for all matters other than the Family Law Division.

4. **Family Law Division of the 2d Judicial Circuit**

- a. Circuit Judge George S. Reynolds, III is hereby designated Administrative Judge in Gadsden County and Liberty County for the purpose of coordinating family law matters in those counties.
- b. Circuit Judge William L. Gary is hereby designated Administrative Judge in Franklin County for the purpose of coordinating family law matters in that county.
- c. Circuit Judge N. Sanders Sauls is hereby designated Administrative Judge in Wakulla County for the purpose of coordinating family law matters in that county.
- d. Circuit Judge L. Ralph Smith, Jr. is hereby designated Administrative Judge in Jefferson County for the purpose of coordinating family law matters in that county.



B. Collections Court

County Judge Judith W. Hawkins shall be assigned to all Leon County Collection Court cases.

C. Weekend and Holiday Duty

The Trial 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, search warrants, petitions for injunctions, emergency hearings or other emergency matters brought to the duty judge's attention. For the purposes of this order, the weekend shall commence at 5:00 p.m. on Friday and terminate at 8:00 a.m. on Monday. Holiday duty, other than those falling during weekend duty, shall commence at 5:00 p.m. the day before the holiday and terminate at 8:00 a.m. the day after the holiday. **The duty judge shall be available by telephone to address emergency calls at all times during their rotation, and shall be responsible for providing telephone numbers (including cell phone) to the Trial Court Administrator so that the duty judge may be reached at all times during the duty rotation.**

VIII. EMERGENCY MATTERS

A. Cross-Assignments

All circuit judges and county judges in Leon, Gadsden, Jefferson, Liberty, Franklin and Wakulla Counties are hereby cross-assigned to preside over any emergency within their individual counties or assignments in the circuit or county court.

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 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 requires the immediate attention of a judge, the Office of Court Administration shall be notified and a judge shall be identified to handle the emergency.
5. Only the judge identified to handle the emergency 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 Office of Court Administration shall again be contacted and another judge shall be identified to resolve the emergency.

IX. BACK-UP AND SUPPLEMENTAL ASSIGNMENTS

A. Circuit Judges

Each circuit judge of the Second Judicial Circuit is assigned to supplement and aid the county court in the county to which the circuit judge is assigned. Each circuit judge is also authorized to supplement and aid any other judge or county judge in the circuit when the circuit judge is unavailable or otherwise requests assistance, or is assigned by the Chief Judge.

B. County Judges

Each county judge of the Second Judicial Circuit is temporarily 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, in their respective counties, except in an emergency or when expressly assigned by the Chief Judge. Each county judge of the Second Judicial Circuit is authorized to supplement and aid any county judge or circuit judge in the circuit when a county judge or circuit judge is unavailable or otherwise requests assistance, or is assigned by the Chief Judge.



C. 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.

D. Jury Qualification

Leon County Judge James O. Shelfer is assigned to qualify the Leon County jurors on Friday and Monday jury selection days.

X. SCHEDULING OF COURTROOMS AND HEARING ROOMS

The scheduling of all courtrooms and hearing rooms in Leon County shall be assigned by the Office of Court Administration under the supervision of the Chief Judge.

XI. EFFECTIVE DATE AND PREVIOUS ADMINISTRATIVE ORDERS

This order shall be effective December 1, 2005, except as to the assignment of Circuit Judge Angela Dempsey to the Leon County delinquency cases which assignment shall take effect on November 14, 2005. Administrative Order No. 2005-02 shall be superseded and terminated effective on such respective dates.

DONE and ORDERED in Chambers at Tallahassee, Leon County, Florida, this 3rd day of November, 2005.


 CHARLES A. FRANCIS
 Circuit Judge

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

