20080002201 RECORDED IN PUBLIC RECORDS LEON COUNTY FL BK: 3810 PG: 311,
01/09/2008 at 10:11 AM, BOB INZER, CLERK OF COURTS

IN THE COURTS OF THE SECOND JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA

Administrative Order No. 2008-01

IN RE: APPOINTMENT OF THE OFFICE OF CRIMINAL CONFLICT AND CIVIL REGIONAL COUNSEL, FIRST DISTRICT OF FLORIDA

ORDER

WHEREAS, pursuant to Section 27.40 and Section 27.511, Florida Statutes, and Chapter 2007-62, Laws of Florida, on or after January 1, 2008, the Office of Criminal and Civil Regional Counsel, First District (hereinafter **RCC1**) is required to be appointed in all civil and criminal cases within the Second Judicial Circuit in which provision is made for court-appointed counsel, but the public defender is unable to provide representation due to a conflict of interest or is not authorized to provide representation; and

WHEREAS, by letter dated January 3, 2008, the **RCC1** has notified this court that it is not yet sufficiently operational to provide representation of clients; that it is only able to handle dependency cases in the Second Judicial Circuit; and has requested this Court to consider such notice as a request to withdraw from each appointed case, other than dependency, without further motion and to appoint registry counsel until such time as **RCC1** notifies the court in writing that it is able to accept appointments to other types of cases; and

WHEREAS, pursuant to the mandatory provisions of Section 27.40 and Section 27.511, Florida Statutes, and Chapter 2007-62, Laws of Florida, the **RCC1** was appointed as conflict counsel to represent a juvenile in the Circuit Court of the Second Judicial Circuit, in and for Leon County, Florida, Case Number 2007 CJ 1365, and the **RCC1** filed a motion to withdraw based upon the inability to accept appointments for the reason stated in said motion to withdraw; and

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WHEREAS, on January 8, 2008, after hearing on said motion to withdraw, an order was entered by the presiding judge authorizing the **RCC1** to withdraw from that case on the basis that the **RCC1** is not able to provide representation at this time; and

WHEREAS, Section 27.40, Florida Statutes and the interest of justice and due process require that this court insure the continued appointment of alternative counsel to assist the indigent citizens of the Second Judicial Circuit; and

WHEREAS, pursuant to the authority and responsibility vested in the undersigned as Chief Judge pursuant to Rule 2.215, Fla. R. Jud. Admin., this Court finds, based upon the above-referenced order entered in Case No. 2007 CJ 1365, and the written notice of January 3, 2008, from the **RCC1** that **RCC1** is not sufficiently operational to handle any cases within the Second Judicial Circuit, other than dependency cases, it is therefore

ORDERED:

1. **Until further order of this Court**, all of the Judges and the Clerks of Court in the Second Judicial Circuit shall insure initial appointment of the **RCC1** in those cases in which the Public Defender is granted leave to withdraw from a case because of a conflict.

2. **Until further order of this Court,** the **RCC1's** motion for leave to withdraw in Case Number 2007 CJ 1365 shall apply to all cases, except Dependency cases, in which the **RCC1** has been appointed since January 1, 2008, and all future cases in which the **RCC1** will be appointed pursuant to the statutory requirement, and it shall not be necessary for the **RCC1** to file a separate motion to withdraw in each of those cases.

3. **Until further notice by this Court,** the Judges of each court within the Second Judicial Circuit and the Clerk of Court in each county within the Second Judicial Circuit will treat

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the motion to withdraw filed by the **RCC1** in Case Number 2007 CJ 1365 as having been filed in each case in which the **RCC1** has been appointed, and shall appoint conflict counsel through the use of the existing Attorney Registry Lists.

DONE AND ORDERED in Chambers at Tallahassee, Leon County, Florida, on this 9th day of January, 2008, *nunc pro tunc* January 1, 2008.

Charles A. Francis

CHARLES A. FRANCIS
Chief Judge

Photocopies and electronic copies furnished to:

All Judges, Second Judicial Circuit
All Clerks of Court, Second Judicial Circuit
Patsy Williams, Court Administration, Second Judicial Circuit
Victoria Montanaro, Executive Director, Justice Administrative Commission
Jeffrey Lewis, Regional Conflict Counsel, District 1
Nancy Daniels, Public Defender, Second Judicial Circuit

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