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11/05/2010 at 03:59 PM, BOB INZER, CLERK OF COURTS

IN THE SECOND JUDICIAL CIRCUIT OF FLORIDA

OFFICE OF THE CHIEF JUDGE

ADMINISTRATIVE ORDER 2010 - 10

IN RE: CIRCUIT JUDGE AND COUNTY JUDGE ASSIGNMENTS

WHEREAS, Administrative Order 2009-01, In Re: Circuit Judge and County Judge Assignments, Second Judicial Circuit, as amended currently sets forth the assignments for the judges of the Second Judicial Circuit; and

WHEREAS, Rule 2.215 (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 which shall take effect on January 1, 2011, and shall remain in effect until modified by subsequent order.

I. LEON COUNTY.

A. Circuit Court Criminal Division.

Circuit Judges Charles A. Francis, James C. Hankinson, Charles W. Dodson, Angela C. Dempsey and Josefina M. Tamayo shall be assigned to the Criminal Division and assigned all cases as follows:

1. **Circuit Judge James C. Hankinson, Division A.**

   Division A shall be assigned one-third of all Criminal Division cases not assigned to Division D and E.

2. **Circuit Judge Charles W. Dodson, Division B.**

   Division B shall be assigned one-third of all Criminal Division cases not assigned to Division D and E.

3. **Circuit Judge Josefina M. Tamayo, Division C.**

   Division C shall be assigned one-third of all Criminal Division cases not assigned to Division D and E.

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4. **Circuit Judge Angela C. Dempsey, Division D.**

Division D shall be assigned all felony intake cases and such violation of probation and other proceedings as may be determined by the Administrative Judge of the Criminal Division. Circuit Judge Angela C. Dempsey shall be assigned the primary responsibility for Division D, but all circuit judges assigned to the Criminal Division are designated as backup to Judge Dempsey when she is absent to handle her Franklin County assignments on a rotation or other basis as determined by the Administrative Judge of the Criminal Division. Circuit Judge Dempsey shall be assigned all statewide prosecution proceedings and all motions for extraordinary and unusual fee determinations.

5. **Special Jury Trial Backup Assignment.**

Circuit Judge Angela C. Dempsey shall be assigned as primary backup for Criminal Division jury selections and trials to the extent permitted by her Franklin County assignment. Appropriate coverage of her Franklin County assignment will be her first priority.

6. **Chief Judge Charles A. Francis, Misdemeanor Appeals.**

All misdemeanor appeals from county court shall be assigned to Chief Judge Charles A. Francis.

7. **Special Assignments.**

a. Division E County **Judge Ronald W. Flury** shall be assigned all felony drug intervention cases.

b. All felony worthless check cases shall be assigned equally to each of the five Leon County Judges.

c. **Circuit Judge Dawn Caloca-Johnson** shall be assigned all felony mental health cases.

B. Circuit Court Civil Division.

Circuit Judges Terry P. Lewis, Jackie L. Fulford, James O. Shelfer and Chief Judge Charles A. Francis shall be assigned to the Civil Division and assigned all civil cases, prisoner civil petitions, and civil appeals from county court, excluding Probate and Family Law Division cases, as follows:

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1. **Circuit Judge Terry P. Lewis.**

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

2. **Circuit Judge Jackie L. Fulford.**

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

3. **Circuit Judge James O. Shelfer.**

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

4. **Chief Judge Charles A. Francis.**

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

C. Family Division.

Circuit Judges George S. Reynolds, III, Dawn Caloca-Johnson, Mark E. Walker, Karen A. Gievers and Frank E. Sheffield shall be assigned to the Family Division and assigned all family law cases. The Family Division shall include the following category of cases: dissolution of marriage, division and distribution of property arising out of dissolution of marriage, annulment, support unconnected to dissolution of marriage, paternity, child support, URESA/UIFSA, custodial care of and access to children, adoption, name change, declaratory judgment actions related to premarital, marital and postmarital agreements, civil domestic violence and repeat violence injunctions, juvenile dependency and delinquency, and termination of parental rights. These cases, together with all pending and previously scheduled hearings, trial dates and times associated therewith, shall be assigned as follows:

1. **Circuit Judge George S. Reynolds, III.**

   40% of all Family Division cases, excepting juvenile delinquency and dependency, domestic violence and repeat violence cases; 11.1% of the domestic violence and repeat violence cases; and an equal rotation as Family Division duty judge.

2. **Circuit Judge Mark E. Walker.**

   40% of all Family Division cases, excepting juvenile delinquency and dependency, domestic violence and repeat violence cases; 11.1%

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of the domestic violence and repeat violence cases; and an equal rotation as Family Division duty judge.

3. **Circuit Judge Frank E. Sheffield.**

20% of all Family Division cases, excepting juvenile delinquency and dependency, domestic violence and repeat violence cases; 11.1% of the domestic violence and repeat violence cases; and an equal rotation as Family Division duty judge.

4. **Circuit Judge Dawn Caloca-Johnson.**

All United Family Court Section cases as defined and identified pursuant to Administrative Order 2006-3; all juvenile dependency cases; 33.3% of the domestic violence and repeat violence cases; and an equal rotation as Family Division duty judge.

5. **Circuit Judge Karen A. Gievers.**

All juvenile delinquency cases; 33.4% of the domestic violence and repeat violence cases; and an equal rotation as Family Division duty judge.

6. **Special Assignments.**

All Simplified Dissolution of Marriage cases are assigned equally to each of the five Leon County Judges.

7. **Family Division Assignment of the General Magistrates.**

The General Magistrates shall be assigned to assist the Circuit Judges by hearing Family Division cases, except juvenile dependency and termination of parental rights trials, juvenile delinquency, domestic violence, and repeat violence cases. Circuit Judges should not individually refer cases to, or call upon the General Magistrates to handle cases, except as directed by the Administrative Judge of the Family Division, subject to the direction of the Chief Judge. The Administrative General Magistrate, at his discretion, may have cases where representation is subsequently provided by an attorney or attorneys reassigned back to the assigned Circuit Judge.

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8. **Miscellaneous.**

Administrative Order 2004-01, In Re: Unified Family Court and Administrative Order 2004-08, In Re: Appointment of Thomas W. Lager as General Master of the Second Judicial Circuit and Administrative Order 2009-05, In Re: Appointment of Gordon D. Cherr as General Magistrate and Hearing Officer of the Second Judicial Circuit, shall remain in full force and effect excepting any provision concerning the assignment of cases to judges and general magistrates which may be inconsistent with this order. Administrative Order 2006-03, In Re: Establishment of Unified Family Court Section, shall remain in full force and effect except paragraph 7, which is specifically superseded by this order.

D. Probate Division.

1. **Circuit Judge Karen A. Gievers** shall be assigned to the Probate Division and assigned all probate cases.

2. **Circuit Judge George S. Reynolds, III**, is hereby assigned as primary backup to the Probate Division.

3. **County Judge Augustus D. Aikens, Jr.** shall be assigned all Baker Act and Marchman Act proceedings in the Probate Division.

E. Leon County Court Criminal Division.

County Judges Augustus D. Aikens, Jr., Nina Ashenafi Richardson, Ronald W. Flury, Judith W. Hawkins, and Robert R. Wheeler shall be assigned to the County Court Criminal Division which shall include all pending and previously scheduled hearing and trial dates and times associated therewith, as follows:

1. **County Judges Augustus D. Aikens, Jr.**

Twenty percent (20%) of all criminal cases.

2. **County Judge Nina Ashenafi Richardson.**

Twenty percent (20%) of all criminal cases.

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3. **County Judge Ronald W. Flury.**

Twenty percent (20%) of all criminal cases and one hundred percent (100%) of all misdemeanor mental health court cases.

4. **County Judge Judith W. Hawkins.**

Twenty percent (20%) of all criminal cases and one hundred percent (100%) of all misdemeanor drug court cases.

5. **County Judge Robert R. Wheeler.**

Twenty percent (20%) of all criminal cases and backup to County Judge Ronald W. Flury for misdemeanor mental health court cases.

F. Leon County First Appearances.

All First Appearances, except otherwise assigned weekend and holiday duty, shall be assigned on a rotating basis as determined and assigned by the Administrative Judge of the Leon County Court.

G. Leon County Court Civil Division.

County Judges Augustus D. Aikens, Jr., Nina Ashenafi Richardson, Ronald W. Flury, Judith W. Hawkins, and James O. Shelfer shall be assigned to the County Court Civil Division which shall include all pending and previously scheduled hearing and trial dates and times associated therewith, as follows:

1. **County Judge Augustus D. Aikens, Jr.**

Twenty percent (20%) of all civil cases.

2. **County Judge Nina Ashenafi Richardson.**

Twenty percent (20%) of all civil cases.

3. **County Judge Ronald W. Flury.**

Twenty percent (20%) of all civil cases.

4. **County Judge Judith W. Hawkins.**

Twenty percent (20%) of all civil cases.

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5. **County Judge Robert R. Wheeler.**

Twenty percent (20%) of all civil cases.

H. **Leon County Collections Court.**

All five Leon County Judges shall be equally assigned all Leon County collections cases.

II. **GADSDEN COUNTY.**

A. **Circuit Judge Jonathan Sjostrom** shall be assigned all circuit criminal cases, juvenile delinquency, and criminal appeals from county court.

B. **Circuit Judge John C. Cooper** shall be assigned all circuit civil cases, family cases, probate cases, juvenile dependency cases, and civil appeals from county court.

C. **County Judge Kathy L. Garner** shall be assigned all county court cases and shall be primary backup to assist with juvenile delinquency cases.

D. Administrative General Magistrate Thomas W. Lager shall be assigned to assist Circuit Judge John C. Cooper with the juvenile dependency cases, but only to the extent authorized by law and court rules.

III. **WAKULLA COUNTY.**

A. **Circuit Judge N. Sanders Sauls** shall be assigned all circuit criminal cases, civil cases, family cases, including juvenile delinquency and dependency cases, probate cases, and all appeals from county court.

B. **County Judge Jill C. Walker** is hereby assigned all county court cases and shall be primary backup to handle dependency and delinquency cases.

IV. **JEFFERSON COUNTY.**

A. **Circuit Judge Frank E. Sheffield** shall be assigned all circuit criminal cases, civil cases, family cases, including juvenile delinquency and dependency cases, probate cases, and all appeals from county court.

B. **County Judge Robert R. Plaines** is hereby assigned all county court cases.

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V. **FRANKLIN COUNTY.**

A. **Circuit Judge Angela C. Dempsey** shall be assigned all circuit criminal cases, civil cases, family cases, including juvenile delinquency and dependency cases, probate cases, and all appeals from county court.

B. **County Judge Van Russell** is hereby assigned all county court cases.

VI. **LIBERTY COUNTY.**

A. **Circuit Judge John C. Cooper** shall be assigned all circuit civil cases, family cases, including juvenile dependency cases, probate cases, and civil appeals from county court.

B. **Circuit Judge Jonathan Sjostrom** shall be assigned all circuit criminal cases, juvenile delinquency cases, and criminal appeals from county court.

C. **County Judge Kenneth L. Hosford** is hereby assigned all county court cases.

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 James C. Hankinson - Criminal Division.

b. Chief Judge Charles A. Francis - Civil Division.

c. Circuit Judge George S. Reynolds, III - Family Division.

2. **Leon County Court.**

a. County Judge Ronald W. Flury is appointed and shall serve as Administrative Judge for the County court.

b. This order shall not supercede other orders assigning county judges on a temporary basis or any order assigning a county judge as a temporary backup to a circuit judge.

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

a. Chief Judge Charles A. Francis shall retain all administrative judge responsibilities for Gadsden, Jefferson, Liberty, Franklin and Wakulla Counties, except as to Family Division cases.

b. Circuit Judge John C. Cooper is hereby designated Administrative Judge in Gadsden County and Liberty County for the purpose of coordinating Family Division case matters in those counties.

c. Circuit Judge Angela C. Dempsey is hereby designated Administrative Judge in Franklin County for the purpose of coordinating Family Division case matters in that county.

d. Circuit Judge Frank E. Sheffield is hereby designated Administrative Judge in Jefferson County for the purpose of coordinating Family Division case matters in that county.

e. Circuit Judge N. Sanders Sauls is hereby designated Administrative Judge in Wakulla County for the purpose of coordinating Family Division case matters in that county.

4. **Duties of Administrative Judges.**

Those Judges designated administrative judges hereunder are expressly given the authority, consistent with this order and other applicable administrative orders, to assist with the administrative supervision of the designated court or division and shall provide for duty coverage when requested by the Chief Judge. No Administrative Judge is delegated the authority to enter any administrative order as that authority is reserved to the Chief Judge.

B. **Weekend and Holiday Duty.**

The trial court administrator shall prepare a rotation list designating a particular circuit court county judge to serve as a duty judge on holidays and weekends. The duty judge shall handle all first appearance proceedings in Franklin, Gadsden, Leon, 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

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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 rotations, 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, family or probate divisions and county courts of the Second Judicial Circuit.

1. For the purpose of this order, emergency circuit criminal, civil, family or probate and county court matters shall be defined as nonroutine matters which, by their nature, require the immediate action by a judge to prevent physical harm, irreparable property damage or a 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 the judge assigned to the case is unavailable, and a duty judge has not been designated to address such emergency request, the request for an emergency hearing shall be brought to the Chief Judge or Acting 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 a period that necessity requires the matter to be submitted to the Chief Judge.

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4. If the Chief Judge determines that there is an emergency that requires the immediate attention of the 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, the Office of Court Administration shall again be contacted and another judge shall be identified to resolve the emergency.

IX. BACKUP 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 circuit or county judge in the circuit when the circuit judge or county judge is unavailable or otherwise request 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 other circuit or county judge in the circuit when the circuit judge or county judge is unavailable or otherwise requests assistance, or is assigned by the Chief Judge.

C. Simplified Dissolution of Marriage 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

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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.

1. All five Leon County Judges shall be assigned to qualify the Leon County jurors on a rotating basis as determined and assigned by the Administrative Judge of the Leon County Court.

2. The circuit judges assigned to Gadsden, Franklin, Jefferson, Liberty and Wakulla Counties shall be responsible for qualifying the jury venire during their respective trial weeks.

X. SCHEDULING OF COURTROOMS AND HEARING ROOMS.

Courtroom and hearing room assignment and scheduling in Leon County shall be made by the Office of Court Administration under the supervision of the Chief Judge.

XI. EFFECTIVE DATE AND PREVIOUS ASSIGNMENT ORDERS.

This order shall be effective January 1, 2011, whereupon Administrative Order 2009-01, as amended, shall be superseded and terminated, and this order shall remain in effect until modified by subsequent order.

DONE and ORDERED in Tallahassee, Leon County, Florida, November 4, 2010.

Charles A. Francis

CHARLES A. FRANCIS
Chief Judge

Copies furnished to:

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

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