20180018087 RECORDED IN PUBLIC RECORDS LEON COUNTY FL BK: 5175 PG: 1651,
03/28/2018 at 09:18 AM, GWEN MARSHALL, CLERK OF COURTS

IN THE SECOND JUDICIAL CIRCUIT OF FLORIDA

OFFICE OF THE CHIEF JUDGE

ADMINISTRATIVE ORDER 2018-04

IN RE: CIRCUIT AND COUNTY JUDGE ASSIGNMENTS

WHEREAS, Administrative Order 2016-03, In Re: Circuit Judge and County Judge Assignments, as amended five times, currently sets forth the assignments for the judges of the Second Judicial Circuit of Florida; 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 July 1, 2018, and shall remain in effect until modified by subsequent order.

I. LEON COUNTY.

A. Circuit Court Criminal Division. Circuit Judges Francis J. Allman, Angela C. Dempsey, James C. Hankinson, and Robert E. Long, Jr. and all Leon County Judges shall be assigned to the Criminal Division and assigned all cases as follows:

1. Division A: Circuit Judge James C. Hankinson. Division A shall be assigned twenty-five percent (25%) of all Criminal Division cases not assigned to Divisions E or SW.

2. Division B: Circuit Angela C. Dempsey. Division B shall be assigned twenty-five percent (25%) of all Criminal Division cases not assigned to Divisions E or SW.

3. Division C: Circuit Judge Robert E. Long, Jr. Division C shall be assigned twenty-five percent (25%) of all Criminal Division cases not assigned to Divisions E or SW by assuming the case load previously assigned to Circuit Judge Robert R. Wheeler, including all pending and scheduled hearing and trial dates and times.

4. Division D: Circuit Judge Francis J. Allman. Division D shall be assigned twenty-five percent (25%) of all Criminal Division cases not assigned to Divisions E or SW by assuming the case load previously assigned to Circuit Judge Martin A. Fitzpatrick, including all pending and scheduled hearing and trial dates and times.

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5. Division E: Felony Worthless Checks. All felony worthless check cases shall be assigned equally to each of the five Leon County Judges.

6. Division SW: Statewide Prosecution Cases. All statewide prosecution cases shall be in Division SW and assigned to Circuit Judge James C. Hankinson.

7. Felony Miscellaneous Matters.

(a) Extraordinary and/or Unusual Fee Requests. All extraordinary and unusual fee requests shall be assigned to Circuit Judge James C. Hankinson.

(b) County Criminal Appeals: Judge Angela C. Dempsey. All appeals from county criminal court shall be assigned to Circuit Judge Angela C. Dempsey.

(c) Felony Drug Court Cases: Leon County Judge Nina Ashenafi-Richardson. All Felony Drug Court cases shall be assigned to County Judge Nina Ashenafi-Richardson.

B. Circuit Court Civil Division. Circuit Judges Kevin J. Carroll, John C. Cooper, Charles W. Dodson, Karen Gievers, and Terry P. Lewis 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:

1. Division S: Circuit Judge Karen Gievers. Division S shall be assigned thirty percent (30%) of all civil cases and thirty percent (30%) of all civil prisoner petitions.

2. Division U: Circuit Judge John C. Cooper. Division U shall be assigned thirty percent (30%) of all civil cases and thirty percent (30%) of all civil prisoner petitions by assuming the case load previously assigned to Circuit Judge Charles W. Dodson, including all pending and scheduled hearing and trial dates and times.

3. Division V: Circuit Judge Terry P. Lewis. Division V shall be assigned twelve percent (12%) of all civil cases and twelve percent (12%) of all civil prisoner petitions.

4. Division X: Circuit Judge Charles W. Dodson. Division X shall be assigned fourteen percent (14%) of all civil cases and fourteen percent (14%) of all civil prisoner petitions by assuming the case load previously assigned to Circuit Judge John C. Cooper, including all pending and scheduled hearing and trial dates and times.

5. Division Y: Circuit Judge Kevin J. Carroll. Division Y shall be assigned fourteen percent (14%) of all civil cases and fourteen percent (14%) of all civil prisoner petitions by assuming the case load previously assigned to Circuit Judge James O. Shelfer, including all pending and scheduled hearing and trial dates and times.

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6. County Civil Appeals: Judge Terry P. Lewis. All appeals from county civil court shall be assigned to Circuit Judge Terry P. Lewis.

C. Family Division. The Family Division shall include the following categories 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; adoptions under Chapter 63; name change; declaratory judgment actions related to premarital, marital, and post marital agreements; all civil injunctions (related to domestic violence, repeat violence, dating violence, sexual violence, and stalking); all matters under Chapter 39, including juvenile dependency and termination of parental rights; and juvenile delinquency. Chief Judge Jonathan Sjostrom and Circuit Judges Dawn Caloca-Johnson, Martin A. Fitzpatrick, J. Lee Marsh, and James O. Shelfer and all Leon County Judges shall be assigned to the Family Division and assigned all Family Division cases as follows:

1. Division G: Chief Judge Jonathan Sjostrom. Division G shall be assigned all Unified Family Court Section cases as defined and identified pursuant to Administrative Order 2013-08; all matters under Chapter 39, including juvenile dependency, termination of parental rights, and adoption cases (excluding uncontested adoptions filed under Chapter 63); and an equal rotation as Family Division duty judge.

2. Division H: Circuit Judge James O. Shelfer. Division H shall be assigned all juvenile delinquency cases by assuming the case load previously assigned to Circuit Judge Robert E. Long, Jr., including all pending and scheduled hearing and trial dates and times. Division H shall not be assigned matters arising under Chapter 39, including juvenile dependency and termination of parental rights cases, except as otherwise ordered by the Chief Judge.

3. Division I: Circuit Judge Martin A. Fitzpatrick. Division I shall be assigned forty percent (40%) of all Family Division cases including all civil injunctions (related to domestic violence, repeat violence, dating violence, sexual violence, and stalking), uncontested adoptions filed under Chapter 63, and an equal rotation as Family Division duty judge, excluding juvenile delinquency, juvenile dependency, and termination of parental rights cases, by assuming the case load previously assigned to Circuit Judge Kevin J. Carroll, including all pending and scheduled hearing and trial dates and times.

4. Division J: Circuit Judge J. Lee Marsh. Division J shall be assigned forty percent (40%) of all Family Division cases including all civil injunctions (related to domestic violence, repeat violence, dating violence, sexual violence, and stalking), uncontested adoptions filed under Chapter 63, and an equal rotation as Family Division duty judge, excluding juvenile delinquency, juvenile dependency, and termination of parental rights cases.

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5. Division K: Circuit Judge Dawn Caloca-Johnson. Division K shall be assigned twenty percent (20%) of all Family Division cases including all civil injunctions (related to domestic violence, repeat violence, dating violence, sexual violence, and stalking), uncontested adoptions filed under Chapter 63, and an equal rotation as Family Division duty judge, excluding juvenile delinquency, juvenile dependency, and termination of parental rights cases.

6. Division F: Duty Judge/Civil Injunctions. The Chief Judge shall issue a separate Family division Duty judge Calendar. The Family division Duty judge Calendar shall assign each judge of the Family division an equal duty judge week rotation. Additionally, the Family division Duty judge Calendar shall assign protective injunctions hearing dockets as follows:

a. Division G, Chief Judge Jonathan Sjostrom, two (2) injunction dates per month.

b. Division H, Circuit Judge James O. Shelfer, two (2) injunction dates per month.

c. Division I, Circuit Judge Martin A. Fitzpatrick, four (4) injunction dates per month.

d. Division J, Circuit Judge J. Lee Marsh, four (4) injunction dates per month.

e. Division K, Circuit Judge Dawn Caloca-Johnson, two (2) injunction dates per month.

The judges of the Family division may agree among themselves to exchange duty weeks and injunction docket dates or otherwise arrange coverage with other judges of the Circuit.

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

8. Miscellaneous. Administrative Order 2004-01, In Re: Unified Family Court; Administrative Order 2014-04, In Re: Appointment of Amanda Wall as Administrative General Magistrate of the Second Judicial Circuit of Florida; Administrative Order 2012-05, In Re: Appointment of Acelo Pedroso as General Magistrate of the Second Judicial Circuit of Florida; Administrative Order 2012-06, In Re: Appointment of Thomas W. Lager as Volunteer General Magistrate of the Second Judicial Circuit of Florida; and Administrative Order 2012-07, In Re: Appointment Magistrates of the Second Judicial Circuit of Florida as Child Support Enforcement Hearing Officers of the Second Judicial Circuit shall remain in full force and effect excepting any provision concerning the assignment of cases to judges and magistrates which may be inconsistent with this order. Administrative

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Order 2013-08, In Re: Family Division/Unified Family Court shall remain in full force and effect except as the same is specifically superseded by this order.

9. Family Division Referrals to the Magistrates. The magistrates shall be referred cases by the Circuit Family Law Administrative Judge to assist the Circuit Judges by hearing pro se family cases, except juvenile dependency and termination of parental rights trials, juvenile delinquency, domestic violence, and repeat violence cases, throughout the circuit as determined necessary by the Circuit Family Law Administrative Judge, subject to the direction of the Chief Judge. Circuit Judges shall not individually refer cases to, or call upon the magistrates to handle cases, except as directed or authorized by the Circuit Family Law Administrative Judge. The Administrative Magistrate, at his or her discretion, may have cases where representation is subsequently provided by an attorney or attorneys returned back to the assigned Circuit Judge.

D. Probate Division.

1. General Probate Cases. Circuit Judge James O. Shelfer shall be assigned all probate cases, except Baker Act and Marchman Act proceedings, by assuming the case load previously assigned to Circuit Judge Robert E. Long, Jr., including all pending and scheduled hearing and trial dates and times.

2. Baker Act and Marchman Act Cases. Leon County Judge Augustus D. Aikens, Jr., shall be assigned all Baker Act and Marchman Act proceedings in the Probate Division, and shall hear all Risk Protection Order cases that come before the court during regular business hours.

E. Leon County Court Criminal Division. Leon County Judges Augustus D. Aikens, Jr., Nina Ashenafi-Richardson, Stephen Everett, Ronald W. Flury, and J. Layne Smith shall be assigned to the County Court Criminal Division as follows:

1. County Judge Augustus D. Aikens, Jr., shall be assigned twenty percent (20%) of all criminal cases.

2. County Judge Nina Ashenafi-Richardson shall be assigned twenty percent (20%) of all criminal cases.

3. County Judge Stephen Everett shall be assigned twenty percent (20%) of all criminal cases. Judge Stephen Everett shall also be assigned all cases on the Leon County Court mental health criminal court docket, by assuming the case load previously assigned to County Judge Ronald W. Flury, including all pending and scheduled hearing and trial dates and times.

4. County Judge Ronald W. Flury shall be assigned twenty percent (20%) of all criminal cases.

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5. **County Judge J. Layne Smith** shall be assigned twenty percent (20%) of all criminal cases.

F. Leon County First Appearance. 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, Stephen Everett, Ronald W. Flury, and J. Layne Smith shall be assigned to the County Court Civil Division as follows:

1. **County Judge Augustus D. Aikens, Jr.,** shall be assigned twenty percent (20%) of all civil cases.

2. **County Judge Nina Ashenafi-Richardson** shall be assigned twenty percent (20%) of all civil cases.

3. **County Judge Stephen Everett** shall be assigned twenty percent (20%) of all civil cases.

4. **County Judge Ronald W. Flury** shall be assigned twenty percent (20%) of all civil cases.

5. **County Judge J. Layne Smith** shall be assigned twenty percent (20%) of all civil cases.

II. FRANKLIN COUNTY.

A. Circuit Judge Terry P. Lewis 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 shall be assigned all county court cases and all first appearances, except otherwise assigned weekend and holiday duty.

III. GADSDEN COUNTY.

A. Circuit Judge Barbara K. Hobbs shall be assigned all circuit criminal cases, juvenile delinquency, and misdemeanor appeals from county court.

B. Circuit Judge Robert R. Wheeler shall be assigned all circuit civil cases, family cases, probate cases, juvenile dependency cases, and civil appeals from county court, by assuming the case load previously assigned to Circuit Judge Francis J. Allman, including all pending and scheduled hearing and trial dates and times.

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C. County Judge Kathy L. Garner shall be assigned all county court cases, all first appearances, except otherwise assigned weekend and holiday duty, and primary backup to assist with juvenile delinquency cases.

IV. JEFFERSON COUNTY.

A. Circuit Judge Dawn Caloca-Johnson 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 shall be assigned all county court cases, and all first appearances, except otherwise assigned weekend and holiday duty.

V. LIBERTY COUNTY.

A. Circuit Judge Barbara K. Hobbs shall be assigned all circuit criminal cases, juvenile delinquency cases, and misdemeanor appeals from county court.

B. Circuit Judge Robert R. Wheeler shall be assigned all circuit civil cases, family cases, including juvenile dependency cases, probate cases, and civil appeals from county court, by assuming the case load previously assigned to Circuit Judge Francis J. Allman, including all pending and scheduled hearing and trial dates and times.

C. County Judge Kenneth L. Hosford shall be assigned all county court cases, and all first appearances, except otherwise assigned weekend and holiday duty.

VI. WAKULLA COUNTY.

A. Circuit Judge Charles W. Dodson shall be assigned all circuit criminal cases, juvenile delinquency cases, mortgage foreclosure cases, and criminal appeals from county court, by assuming the case load previously assigned to Circuit Judge James O. Shelfer, including all pending and scheduled hearing and trial dates and times.

B. Circuit Judge Kevin J. Carroll shall be assigned all circuit civil cases, excluding mortgage foreclosure cases, family cases, including juvenile dependency cases, probate cases, and civil appeals from county court, by assuming the case load previously assigned to Circuit Judge John C. Cooper, including all pending and scheduled hearing and trial dates and times.

C. County Judge Jill C. Walker shall be assigned all county court cases, all first appearances, except otherwise assigned weekend and holiday duty, and primary backup to handle dependency and delinquency cases.

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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. Criminal Division – Circuit Judge James C. Hankinson.

b. Civil Division – Circuit Judge John C. Cooper.

c. Family Division – Circuit Judge Dawn Caloca-Johnson.

2. Leon County Court. Leon County Judge Ronald W. Flury shall be assigned as administrative judge for the county court.

3. Franklin, Gadsden, Jefferson, Liberty, and Wakulla Counties. Chief Judge Jonathan Sjostrom shall retain administrative authority for Franklin, Gadsden, Jefferson, Liberty, and Wakulla Counties.

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. Administrative judges may recommend the adoption of administrative orders as they may see fit, but no administrative judge is delegated the authority to enter any administrative order, as that authority is reserved to the Chief Judge.

B. Circuit-wide Weekend and Holiday Duty Judge. The trial court administrator shall prepare a rotation list designating each circuit and county judge to serve as circuit-wide duty judge on weekends and holidays. The circuit-wide weekend and holiday duty judge shall handle all first appearance proceedings for all counties of the Circuit.

The circuit-wide weekend and holiday duty judge shall also handle any arrest warrants, search warrants, petitions for injunctions, emergency hearings, or other emergency matters brought to the circuit-wide weekend and holiday duty judge's attention only while the court is convened for the weekend and holiday first appearance hearings.

Once weekend and holiday court concludes for the day, Leon County emergency matters shall be addressed by the Leon County Duty Judge. Emergency matters in all other counties of the Circuit shall be addressed in accordance with the provisions of Section VII, Emergency Matters, below.

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C. Leon County Duty Judge. In accordance with Administrative Order 2015-04, In Re: Leon County Duty Judge, the Chief Judge shall promulgate a Leon County duty judge assignment document so that a judge shall be available as directed in this administrative order to handle after-hours applications for search warrants and other emergency matters in Leon County, to include Risk Protection Orders.

The Leon County duty judge shall not be responsible for emergency matters in counties in other than Leon County. Emergencies in Franklin, Gadsden, Jefferson, Liberty, and Wakulla Counties shall be the responsibility of the local county judge or duly assigned circuit judge.

The Leon County duty judge shall be available by telephone to address emergency calls at all times during their rotations.

D. Veterans Treatment Court. All Veterans Treatment Court cases shall be assigned to Leon County Judge Augustus D. Aikens, Jr.

VIII. EMERGENCY MATTERS.

A. Cross-Assignments. All circuit judges and county judges in all counties of the Circuit are hereby cross-assigned to preside over any emergency within all counties of the circuit.

B. Emergency Hearings. The following procedures shall apply when requests to schedule emergency hearings are made in the circuit and county courts of the Circuit.

1. For the purpose of this order, emergency circuit court matters shall be defined as non-routine matters which, by their nature, require 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. Circuit judges assigned to Franklin, Gadsden, Jefferson, Liberty, and Wakulla Counties shall communicate with the county judge in each county to ensure effective coverage of emergency matters. In each such county, the assigned circuit and county judges shall be contacted to attempt to resolve emergency matters pending the availability of the assigned judge. If the circuit and county judges in such counties are unavailable, the matter shall be referred to the Chief Judge.

4. In Leon County, if the judge assigned 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 to determine whether an emergency hearing is needed.

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For the purpose of this order, "unavailable" means that the judge is physically not resent 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.

5. 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.

Only the judge identified to handle the emergency shall be permitted to resolve the emergency. If a 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 Circuit is authorized to supplement and aid any other circuit or county judge in the circuit when the circuit 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 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 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.

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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 shall be made by the Office of Court Administration under the supervision of the Chief Judge.

XI. EFFECTIVE DATA AND PREVIOUS ASSIGNMENT ORDERS. This order shall be effective July 1, 2018, whereupon Administrative Order 2016-03, as amended, shall be superseded and terminated. This order shall remain in effect until modified by subsequent order.

DONE and ORDERED in chambers in Tallahassee, Leon County, Florida, this 28th day of March 2018.

JONATHAN SJOSTROM
Chief Judge

Copies furnished to:
All Circuit and County Judges, Second Judicial Circuit
All Clerks of the Court, Second Judicial Circuit
State Attorney, Second Judicial Circuit
Public Defender, Second Judicial Circuit
Office of Court Administration, Second Judicial Circuit

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