

IN THE EIGHTH JUDICIAL CIRCUIT OF FLORIDA

REVISED GENERAL ASSIGNMENT OF JUDGES ORDER

April 10, 2006 through July 2, 2006

Whereas, Florida Rule of Judicial Administration 2.050 requires the Chief Judge to develop an administrative plan for all courts within this circuit that is “compatible with the development of the capabilities of the judges in such a manner that each judge will be qualified to serve in any division;” and

Whereas, the geography of this circuit requires temporary assignments of county judges in circuit court to provide prompt disposition of cases and to efficiently administer the courts, *see*, Art. V, § 11(b), Fla. Const., and *Judges of the Polk County Court by Herring, v. Ernst*, 615 So. 2d 276 (2d DCA 1993) (assignment of circuit court jurisdiction to a county judge must be temporary). It is therefore

ORDERED that

The assignments set forth in this General Assignment Order are reflected on a Master Calendar which is hereby incorporated. The Master Calendar is published annually and may be revised as needed by order of the Chief Judge.

For purposes of this General Assignment Order, probate assignments include cases involving estates, incapacity and guardianship; medical treatment and mental health cases arising under Chapters 381, 384, 390, 392, 393, 394, 397, 415, 765, 916, 945, Florida Statutes, are assigned to the Family Court Division; and for administrative purposes “Jimmy Ryce” cases are assigned to the Circuit Criminal Division.

The judicial assignments for the Eighth Judicial Circuit for the period stated above are as follows:

CIRCUIT CIVIL AND PROBATE DIVISION ASSIGNMENTS

Judge	County	Division or Assignment
Hon. Toby S. Monaco Administrative Judge	Alachua	Circuit Civil Division "K", Probate Division "A" (even numbered cases)
Hon. Robert E. Roundtree, Jr.	Alachua	Circuit Civil Division "J", Probate Division "B" (odd numbered cases)
Hon. Stan R. Morris	Alachua Union	"W" Extraordinary Writs Circuit Civil, Probate, Extraordinary Writs
Hon. Phyllis M. Rosier	Baker and Bradford	Circuit Civil, Probate, Extraordinary Writs
Hon. Maurice V. Giunta	Gilchrist and Levy	Circuit Civil, Probate, Extraordinary Writs

FAMILY COURT DIVISION ASSIGNMENTS

Family Court assignments include Unified Family Court (Division "UFC"), Juvenile Delinquency, Juvenile Dependency, Domestic Violence (including Repeat, Dating, and Sexual Violence), Domestic Relations, Dependency Drug Court, Juvenile Drug Court, CINS/FINS, Petition for Waiver of Parental Notice of Termination of Pregnancy, and Adoptions*. In Alachua County, for administrative and assignment purposes, Mental Health Division "S" and Medical Treatment Division "Q" are considered part of the Family Court Division.

Judge	County	Division or Assignment
Hon. Ysleta W. McDonald Administrative Judge	Alachua	Unified Family Court Division** Juvenile Dependency, Juvenile Delinquency, Juvenile Detention (Tuesday-Friday), Shelter Hearings (Tuesday-Friday) CINS/FINS, Adoptions - Div AD
Hon. James P. Nilon	Alachua	Division "F" & Division "M", Division "N" & "P" DOR, Shelter Hearings (Monday), Juvenile Detention (Monday)
Hon. Frederick D. Smith	Alachua	Division "H", Simplified Dissolutions, Medical Treatment "Q", Mental Health "S"***
Hon. Mark W. Moseley	Alachua	Division "DV" Domestic Violence, Family Division "AA"

Judge	County	Division or Assignment
Hon. Phyllis M. Rosier	Baker & Bradford	Unified Family Court, Domestic Relations, Shelter Hearings, Adoptions, CINS/FINS, Juvenile Delinquency, Juvenile Dependency, Domestic, Repeat, Dating and Sexual Violence, Mental Health, Medical Treatment, Petitions for Judicial Waiver of Parental Notice of Termination of Pregnancy
Hon. Stan R. Morris	Union	Unified Family Court , Domestic Relations, Shelter Hearings, Adoptions, CINS/FINS, Juvenile Delinquency, Juvenile Dependency, Domestic, Repeat, Dating and Sexual Violence, Mental Health, Medical Treatment, Petitions for Judicial Waiver of Parental Notice of Termination of Pregnancy
Hon. Maurice V. Giunta	Gilchrist & Levy	Unified Family Court, Domestic Relations, Shelter Hearings, Adoptions, CINS/FINS, Juvenile Delinquency, Juvenile Dependency, Domestic, Repeat, Dating and Sexual Violence, Mental Health, Medical Treatment, Petitions for Judicial Waiver of Parental Notice of Termination of Pregnancy

* Cases involving Petitions for Judicial Waiver of Parental Notice of Termination of Pregnancy in Alachua County will be assigned to the Family Division judges on a rotating basis

** These Unified Family Court cases are family-related cases that are conjoined with a dependency case.

*** Civil commitment petitions filed in Division "S" involving juveniles will be reassigned to Judge McDonald by the Chief Judge.

All circuit judges and county court judges when acting as circuit judges of the Eighth Judicial Circuit are designated as juvenile court judges for the purpose of Chapters 39 and 985, Florida Statutes, and may conduct detention or shelter hearings as appropriate. A review pursuant to section 39.402(12), Florida Statutes, shall not be required when the shelter hearing was conducted by a juvenile court judge.

CIRCUIT CRIMINAL DIVISION ASSIGNMENTS

Judge	County	Division or Assignment
Hon. Martha Ann Lott Administrative Judge	Alachua	Division I (A-E), Division V (Incompetency Cases), Felony (Adult) Drug Court, "Jimmy Ryce" cases
Hon. Peter K. Sieg	Alachua Gilchrist	Division II (F-K), Post Conviction Relief (all Alachua Divisions) Criminal, Post Conviction Relief, "Jimmy Ryce" cases
Hon. David A. Glant	Alachua Bradford and Baker	Division III (L-R) Criminal, Post Conviction Relief, "Jimmy Ryce" cases
Hon. Robert P. Cates	Alachua Levy	Division IV (S-Z) Criminal, Post Conviction Relief, "Jimmy Ryce" cases
Hon. Stan R. Morris	Union	Criminal, Post Conviction Relief, "Jimmy Ryce" cases

APPELLATE DIVISION ASSIGNMENTS

The Administrative Judge of the Appellate Division is Stan R. Morris. The Panels as assigned below will sit as contemplated by the Master Calendar and Admin. Ord. No. 2.1091.

Panel	Panel Members		
Feb. 2, 2006	Hon. Toby S. Monaco*	Hon. David A. Glant	Hon. Robert P. Cates
May 4, 2006	Hon. Martha Ann Lott*	Hon. Peter K. Sieg	Hon. Maurice V. Giunta
Aug. 3, 2006	Hon. Mark W. Moseley*	Hon. Robert E. Roundtree	Hon. Stan R. Morris
Nov. 2, 2006	Hon. Ysleta W. McDonald*	Hon. Phyllis M. Rosier	Hon. James P. Nilon

* These panel members are assigned as the “primary” judge for pre-panel proceedings. See Admin. Order No. 2.1090(A).

PROCEDURE FOR CALENDARING CIRCUIT COURT CASES

All cases under circuit court jurisdiction shall be calendared before the circuit judge assigned to the division in which the case has been filed. When a rule, statute or procedure mandates expedited judicial action on a matter and the judge assigned to the division is unavailable, the Chief Judge shall assign a judge to hear the case or cases pursuant to this order. This judge will be the next available circuit judge or a county judge in the county of jurisdiction.

TRIAL WEEK JUDICIAL ASSIGNMENTS

Jury trials will be scheduled during the first four weeks of the month. The first trial week will begin the first Monday of the month. Except as approved by the Chief Judge, judges of the divisions set forth below and County judges who provide Circuit Civil and Felony assistance will schedule trials and reserve their calendar as primary judge and acting Circuit Judges as indicated, until it has been determined that trials are covered circuit wide.

Trial Week One		
Alachua County	Circuit Civil	Division K & J
Alachua County	Circuit Criminal	Division I
Alachua Co. Circuit Civil and Felony Assistance	County Civil	Division IV
Levy County	Circuit Civil	
Bradford County	Circuit Civil	

Trial Week Two		
Alachua County	Circuit Criminal County Criminal	Division II Division I
Alachua Co. Circuit Criminal Assistance	County Civil	Division V
Union County	Circuit Criminal/Civil (alternating months - Criminal (Felony) beginning January) County Criminal	
Levy County	County Criminal	

Trial Week Three		
Alachua County	Circuit Criminal County Criminal	Division III Division II
Alachua Co. Circuit Criminal Assistance	County Civil	Division IV
Bradford County	Circuit Criminal County Criminal	
Baker County	Circuit Criminal/Civil County Criminal	

Trial Week Four		
Alachua County	Circuit Criminal County Criminal	Division IV Division III
Alachua Co. Circuit Criminal Assistance	County Civil	Division V
Gilchrist County	Circuit Criminal/ Civil (alternating months - Criminal (Felony) beginning January) County Criminal	
Levy County	Circuit Criminal	

An exception to this assignment is that the Baker, Bradford, Levy, and Gilchrist Circuit Judges with Family or Civil assignments will not reserve civil trial weeks on their calendar.

The Master Calendar includes schedule changes due to holidays and conferences, which affect the assignments in this section. The Master Calendar is incorporated into this assignment calendar and should be referred to when holidays and judicial conferences arise.

COUNTY DIVISION ASSIGNMENTS FOR ALACHUA COUNTY

Judge	Division or Assignment
Hon. Mary Day Coker Administrative Judge	Criminal I A-G Misdemeanor Mental Health Court
Hon. Victor L. Hulslander	Criminal II H-N
Hon. William E. Davis*	Criminal III O-Z
Hon. Walter M. Green	Civil IV Circuit Civil & Felony assistance
Hon. Thomas M. Jaworski	Civil V Felony assistance Alachua County Canvassing Board

*Judge William E. Davis appointed for a term starting April 14, 2006.

TEMPORARY ASSIGNMENT OF COUNTY COURT JUDGES AS CIRCUIT JUDGES

Hon. Mary Day Coker, Hon. William E. Davis, Hon. Walter M. Green, Hon. Victor L. Hulslander, Hon. Thomas M. Jaworski, Hon. Joseph M. Williams, Hon. Johnny R. Hobbs, Jr., Hon. Edward Philman, Hon. Joseph E. Smith, and Hon. David L. Reiman, County Court Judges for Alachua, Baker, Bradford, Gilchrist, Levy, and Union Counties are hereby temporarily appointed Circuit Judges for the Eighth Judicial Circuit. Under this appointment they are vested with all and singular powers and prerogatives conferred by the Constitution and Laws of the State of Florida as a Circuit Judge on a temporary basis to hear, conduct and determine all matters which are presented to them as follows:

1. **Temporary injunctions in Domestic, Repeat, Sexual and Dating violence** cases under Chapters 741 (domestic violence), and 784 (repeat, sexual, and dating violence), Florida Statutes;
2. **Juvenile detention** hearings (delinquency) and **shelter** hearings (dependency) under Chapters 39 (shelter hearings), 984 (CINS/FINS), and 985 (detention hearings), Florida Statutes;
3. **Mental health and medical treatment**, examination or testing cases arising under Chapters 381, 384, 390, 392, 393, 394, 397, 415, 765, 916, 945, Florida Statutes;
4. Any matters arising **during duty judge hours**;
5. Orders of **Arrest** and Orders of **Release** for civil contempt upon the **Child Support Enforcement** Hearing Officer's recommendation;
6. Hear and determine all **bail** issues in felony cases at first appearance hearings, even though a circuit judge initially set bail upon the issuance of a *capias* or a warrant, **except** where a sentence for contempt has already been imposed;
7. **Arrest warrants** and **search warrants**, including petitions, motions or applications; and
8. Conduct **first appearance** for arrestees who are detained pursuant to an order of arrest/writ of bodily attachment for **civil contempt connected with child support enforcement** and, unless the Defendant purges out, the first appearance judge will hold the Defendant in custody and continue the hearing until the next regular business day of the court at 12:00 p.m. where the Defendant will appear before the Child Support Enforcement Hearing Officer.

Additionally, to provide prompt disposition of cases and to efficiently administer the courts, all county court judges of the Eighth Judicial Circuit are temporarily appointed as circuit court judges to adjudicate any issue pending in any circuit court case in the Eighth Judicial Circuit.

TEMPORARY ASSIGNMENT OF CIRCUIT JUDGES AS COUNTY COURT JUDGES

To provide prompt disposition of cases and to efficiently administer the courts, all circuit court judges of the Eighth Judicial Circuit are temporarily appointed to adjudicate any pending issue in any county court case in the Eighth Judicial Circuit.

**ASSIGNMENT OF COUNTY COURT JUDGES OF THE EIGHTH
JUDICIAL CIRCUIT TO OTHER COUNTIES WITHIN THE CIRCUIT**

Inasmuch as it is necessary for the orderly administration of the County Courts of the Eighth Judicial Circuit, the various County Court Judges of the circuit are appointed to hear, conduct, and determine matters of county court jurisdiction which are presented to them in all counties of the circuit.

COMMITTEE ASSIGNMENTS

The following are the committee assignments for 2006:

(1) Honorable Frederick D. Smith, Circuit Judge, and Honorable Mary Day Coker, County Court Judge, are appointed to the Alachua County Public Safety Coordinating Council pursuant to section 951.26, Florida Statutes. The purpose of the council is to assess the population status of all detention or correctional facilities owned or contracted by the county, or the county consortium, and formulating recommendations to ensure that the capacities of such facilities are not exceeded. Such recommendations shall include an assessment of the availability of pretrial intervention or probation programs, work-release programs, substance abuse programs, gain-time schedules, applicable bail bond schedules, and the confinement status of the inmates housed within each facility owned or contracted by the county, or the county consortium. The council may also develop a local public safety plan for future construction needs.

(2) Honorable Martha Ann Lott is recognized as Chairperson of the Jail Assessment and Recommendations Task Force (JART), a subcommittee of the Public Safety Coordinating Council (PSCC).

(3) Honorable Frederick D. Smith is appointed to the Indigent Services Committee of the Eighth Judicial Circuit pursuant to section 27.42, Florida Statutes. The responsibility of the Indigent Services Committee is to manage the appointment and compensation of court-appointed counsel within a circuit pursuant to sections 27.40 and 27.5303, Florida Statutes.

(4) Honorable David L. Reiman is appointed Administrative Judge of the Regional County Court Judges and shall attend the Administrative Judges' Meetings in this capacity.

(5) Honorable Robert E. Roundtree, Jr. is appointed Chairman of the Court Emergency Management Group. This circuit-wide group is responsible for coordinating and planning the Court's response to emergency situations.

(6) Honorable Frederick D. Smith is the Chairman of the Bench Bar Committee which is constituted pursuant to Administrative Order No. 8.470 for the purpose of promoting professionalism among the members of the bar and judges.

(7) Honorable Robert E. Roundtree, Jr. is appointed Chairman of the Alachua County Courthouse Security Committee. This committee is responsible for managing security issues for the two Alachua County Courthouses.

(8) Honorable Toby S. Monaco is appointed Chairman of the Social and Entertainment Committee.

(9) Honorable Robert E. Roundtree, Jr. is appointed as Chairman of the Alachua County Capital Projects and Space Development Committee. This committee is responsible for managing the Alachua County capital projects and courthouse space developments.

(10) Honorable James P. Nilon is appointed as Chairman of the Criminal History Review Panel. This panel is responsible for reviewing the criminal history reports of prospective court employees and contractors.

(11) Honorable Mark W. Moseley is appointed Chairman of the Judicial Library Committee. This committee is responsible for reviewing and managing the judicial library services including the "on line" services in all six counties.

This Order replaces all prior General Assignment of Judges Orders.

ORDERED on the 10th day of April, 2006.

s/s

FREDERICK D. SMITH, CHIEF JUDGE