

**IN THE EIGHTH JUDICIAL CIRCUIT OF FLORIDA  
GENERAL ASSIGNMENT OF JUDGES  
ADMINISTRATIVE ORDER**

***July 1, 2008 through December 31, 2008***

WHEREAS, Florida Rule of Judicial Administration 2.215 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 (Fla. 2d DCA 1993) (assignment of circuit court jurisdiction to a county judge must be temporary);

THEREFORE, it is hereby

**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, 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**

| <b>Judge</b>                                | <b>County</b>      | <b>Division or Assignment</b>   |
|---|--------------------|---|
| Hon. Toby S. Monaco<br>Administrative Judge | Alachua            | Circuit Civil Division "K", Probate Division "A"<br>(even numbered cases) |
| Hon. Robert E. Roundtree, Jr.               | Alachua            | Circuit Civil Division "J", Probate Division "B"<br>(odd numbered cases)  |
| Hon. Frederick D. Smith                     | Alachua            | Division "W", Extraordinary Writs   |
|   | Union              | Circuit Civil, Probate, Extraordinary Writs                               |
| Hon. Mark W. Moseley                        | Baker and Bradford | Circuit Civil, Probate, Extraordinary Writs                               |
| Hon. David A. Glant                         | 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.

| <b>Judge</b>                                    | <b>County</b> | <b>Division or Assignment</b>   |
|---|---------------|---|
| Hon. Ysleta W. McDonald<br>Administrative Judge | Alachua       | Division DV – Domestic Violence, Family<br>Division "H", Division "N" and Division "P"<br>(DOR) |
| Hon. James P. Nilon                             | Alachua       | Division "F", Division "AD" and "UFC"**,<br>Shelter Hearings, Dependency, CINS/FINS             |
| Hon. Stan Griffis                               | Alachua       | Juvenile Delinquency, Delinquency Drug Court,<br>Juvenile Detention, Family Division "AA"       |
| Hon. Robert P. Cates                            | Alachua       | Mental Health Divisions "S"*** and "Q", Family<br>Division "M", Simplified Dissolutions         |
| Hon. Mark W. Moseley                            | Baker         | Family and Mental Health  |
|   | Bradford      | Family, Mental Health, Juvenile Delinquency and<br>Juvenile Dependency                          |
| Hon. Joseph M. Williams                         | Baker         | Juvenile Delinquency and Juvenile Dependency  |

|   |                  |   |
|---|------------------|---|
| Hon. David A. Glant   | Gilchrist & Levy | Family, Mental Health, Juvenile Delinquency and Juvenile Dependency<br><i>(Domestic Violence and Juvenile Delinquency assignment through August 31, 2008)</i> |
| Hon. Edward Philman<br><i>(assignment effective September 1, 2008)</i>  | Gilchrist        | Domestic Violence and Juvenile Delinquency  |
| Hon. Joseph E. Smith<br><i>(assignment effective September 1, 2008)</i> | Levy             | Domestic Violence and Juvenile Delinquency  |
| Hon. Frederick D. Smith   | Union            | Family  |
| Hon. David L. Reiman  | Union            | Juvenile Delinquency, Juvenile Dependency and Mental Health   |

\* 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 Griffis 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<br>Administrative Judge | Alachua                                       | Division I (A-E), Division V (Incompetency Cases) |
|  | Gilchrist                                     | Criminal cases                                    |
| Hon. Phyllis M. Rosier                       | Alachua                                       | Division II (F-K), Felony Adult Drug Court        |
|  | Baker   | Criminal Cases                                    |
| Hon. Peter K. Sieg                           | Alachua                                       | Division III (L-R), Post Conviction Relief        |
|  | Bradford                                      | Criminal cases                                    |
| Hon. Stan R. Morris                          | Alachua                                       | Division IV (S-Z), Jimmy Ryce Division "R"        |
|  | Levy  | Criminal Cases                                    |
|  | Baker, Bradford,<br>Gilchrist, Levy,<br>Union | Jimmy Ryce Division                               |
| Hon. David L. Reiman                         | Union   | Criminal cases                                    |

### APPELLATE DIVISION ASSIGNMENTS

The Administrative Judge of the Appellate Divisions is Frederick D. Smith. The Panels as assigned below will sit as contemplated by the Master Calendar and Admin. Ord. No. 2.1091.

| Panel         | Panel Members                  |                         |                      |
|---------------|--------------------------------|-------------------------|----------------------|
| Jan. 4, 2008  | Hon. Robert E. Roundtree, Jr.* | Hon. Stan Griffis       | Hon. Martha Ann Lott |
| April 3, 2008 | Hon. David A. Glant*           | Hon. James P. Nilon     | Hon. Robert P. Cates |
| July 18, 2008 | Hon. Stan R. Morris*           | Hon. Peter K. Sieg      | Hon. Toby S. Monaco  |
| Oct. 2, 2008  | Hon. Mark W. Moseley*          | Hon. Ysleta W. McDonald | Hon. Martha Ann Lott |

\* These panel members are assigned as the "primary" judge for pre-panel proceedings. See Admin. Order No. 2.1090(B).

### 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 each month. Judges of the divisions set forth below and Alachua County Court judges who provide jury trial assistance will schedule trials and reserve their calendars as trial court judges during the weeks indicated until it has been determined that all trials are covered circuit wide.

| Trial Week One  |   |
|-----------------|---|
| Alachua County  | Circuit Civil <span style="float: right;">Division K &amp; J</span> |
| Alachua County  | Circuit Criminal <span style="float: right;">Division I</span>      |
| Levy County     | Circuit Civil   |
| Bradford County | Circuit Civil   |

| <b>Trial Week Two</b> |   |                           |
|-----------------------|---|---------------------------|
| Alachua County        | Circuit Criminal<br>County Criminal   | Division II<br>Division I |
| Union County          | Circuit Criminal/Civil (alternating months – Criminal (Felony)<br>beginning January)<br>County Criminal |                           |
| Levy County           | County Criminal   |                           |
| Baker County          | Circuit Criminal<br>County Criminal   |                           |

| <b>Trial Week Three</b> |                                     |                             |
|-------------------------|-------------------------------------|-----------------------------|
| Alachua County          | Circuit Criminal<br>County Criminal | Division III<br>Division II |
| Bradford County         | Circuit Criminal<br>County Criminal |                             |
| Baker County            | Circuit Civil                       |                             |

| <b>Trial Week Four</b> |  |                             |
|------------------------|--|-----------------------------|
| Alachua County         | Circuit Criminal<br>County Criminal  | Division IV<br>Division III |
| Gilchrist County       | Circuit Criminal/ Civil (alternating months - Criminal (Felony)<br>beginning January)<br>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. Thomas M. Jaworski   | Criminal I A-G<br>Alachua County Canvassing Board   |
| Hon. Victor L. Hulslander<br>Administrative Judge of Alachua County Court | Criminal II H-N<br>Misdemeanor Mental Health Court  |
| Hon. Walter M. Green  | Criminal III O-Z<br>Felony Adult Drug Court   |
| Hon. William E. Davis   | Civil IV<br>Circuit-wide Jury Trial Assistance:<br>Trial Weeks 1 and 3 (Monday, Wednesday-Friday) |
| Hon. Mary Day Coker   | Civil V<br>Circuit-wide Jury Trial Assistance:<br>Trial Weeks 2 and 4 (Monday, Wednesday-Friday)  |

#### 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 recommendations;
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.

#### **EXECUTING COURT ORDERS ON BEHALF OF ANOTHER JUDGE**

Upon the request of the judicial assistant or court staff, court orders drafted by or for an assigned judge may be executed by another judge with appropriate jurisdiction if the assigned judge is unavailable.

**TEMPORARY ASSIGNMENTS OF COUNTY COURT JUDGES TO  
CIRCUIT DIVISIONS**

BAKER COUNTY FELONY DRUG COURT AND JUVENILE DELINQUENCY COURT

Honorable Judge Joseph M. Williams is hereby temporarily appointed Circuit Judge for the Eighth Judicial Circuit to hear, conduct and determine all matters presented to him in Baker County Felony Drug Court, Baker County Juvenile Delinquency Court, and Baker County Juvenile Dependency Court.

GILCHRIST COUNTY DOMESTIC VIOLENCE AND JUVENILE DELINQUENCY COURT  
(EFFECTIVE SEPTEMBER 1, 2008)

Honorable Edward Philman is hereby temporarily appointed Circuit Judge for the Eighth Judicial Circuit to hear, conduct and determine all matters presented to him in Gilchrist County Juvenile Delinquency Court and Gilchrist County Domestic Violence Court.

LEVY COUNTY DOMESTIC VIOLENCE AND JUVENILE DELINQUENCY COURT  
(EFFECTIVE SEPTEMBER 1, 2008)

Honorable Joseph E. Smith is hereby temporarily appointed Circuit Judge for the Eighth Judicial Circuit to hear, conduct and determine all matters presented to him in Levy County Juvenile Delinquency Court and Levy County Domestic Violence Court.

UNION COUNTY CIRCUIT CRIMINAL JUVENILE DELINQUENCY, JUVENILE DEPENDENCY AND  
MENTAL HEALTH COURT

Honorable David L. Reiman is hereby temporarily appointed Circuit Judge for the Eighth Judicial Circuit to hear, conduct and determine all matters presented to him in Union County Juvenile Delinquency Court, Union County Juvenile Dependency Court, Union Circuit Criminal Court and Union County Mental Health Court.

## SENIOR JUDGES

Article V, section 2(b) of the Florida Constitution provides that the Chief Justice of the Florida Supreme Court “shall have the power to assign justices or judges, including consenting retired justices or judges, to temporary duty in any court for which the judge is qualified and to delegate to a chief judge of a judicial circuit the power to assign judges for duty in that circuit”. This provision is implemented by section 25.073(1), Florida Statutes, and by Rules 2.205 and 2.215, Florida Rules of Judicial Administration. A senior judge is a retired judge who is eligible to serve on assignment to temporary judicial duty. Fla. R. Jud. Admin. 2.205(a)(3)(D). When necessary for the orderly administration of the Eighth Judicial Circuit, and for the prompt dispatch of the business of the court, the Chief Judge may assign consenting senior judges to temporary service in any court of the Eighth Judicial Circuit, with the authority to hear, conduct, try, determine, and dispose of the cases and matters presented to him or her.

### ADMINISTRATIVE JUDGES AND COMMITTEE ASSIGNMENTS

The following are the Administrative Judges and committee assignments for 2008:

- (1) Honorable Martha Ann Lott is appointed Administrative Judge of the Criminal Division.
- (2) Honorable Toby S. Monaco is appointed Administrative Judge of the Civil and Probate Division.
- (3) Honorable Ysleta W. McDonald is appointed Administrative Judge of the Family Division.
- (4) Honorable Victor L. Hulslander is appointed Administrative Judge of the Alachua County Court Judges.
- (5) Honorable Joseph M. Williams is appointed Administrative Judge of the Regional County Court Judges.
- (6) Honorable Frederick D. Smith, Chief Judge, Honorable Martha Ann Lott, Circuit Judge, and Honorable Victor L. Hulslander, County Court Judge (Chair of the Jail Assessment and Recommendations Task Force), 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.

(7) Honorable Robert E. Roundtree, Jr. is appointed Chairman of the Court Emergency Management Group and Chairman of the Alachua County Courthouse Security Committee. The Court Emergency Management Group is a circuit-wide group responsible for coordinating and planning the Court's response to emergency situations. The Alachua County Courthouse Security Committee is responsible for managing security issues for the two Alachua County Courthouses.

(8) 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.

(9) Honorable Phyllis M. Rosier is appointed Chairman of the circuit-wide Court Accessibility Committee. The focus of this committee is to oversee the initiative of Supreme Court Chief Justice Fred Lewis, with the focus of the project being to ensure access to courts by persons with disabilities pursuant to Title II of the Americans with Disabilities Act, with an emphasis on structural accessibility.

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

(11) 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.

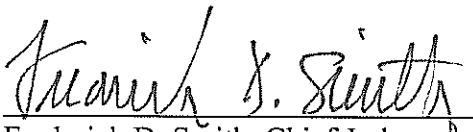
(12) Honorable James P. Nilon is appointed as Chairman of the Criminal History Review Panel. This panel is responsible for reviewing the criminal history reports of prospective court employees, externs and contractors.

(13) Honorable Mark W. Moseley and Honorable Joseph M. Williams are appointed to

the Judicial Library Committee, with Judge Moseley appointed as Chair. 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 20 June 2008.

  
Frederick D. Smith, Chief Judge