

A TRUE COPY

Attest:  
SID J. WHITE, Clerk  
Supreme Court of Florida  
By Dulcie Causeaux  
Chief Deputy Clerk

OFFICE OF THE CHIEF JUDGE  
FOURTEENTH JUDICIAL CIRCUIT

October 26 94

LOCAL RULE

93-05

(Amendment to Local Rule 92-04)

WHEREAS the report of the Commission on Family Courts, established by the legislature in Chapter 90-273, Law of Florida, has stressed the importance of developing procedures for coordinating the delivery of services so as to prevent persons from one family being involved in family law matters before two or more judges; and

WHEREAS the Florida Supreme Court, by Order 77,623, has required each judicial circuit to adopt a local rule to accomplish this objective; and

WHEREAS the Fourteenth Judicial Circuit is ranked second in the State of Florida in caseload per judge; and

WHEREAS the Fourteenth Judicial Circuit is comprised of six counties, mostly rural and semi-rural, and is served by seven circuit judges; and

WHEREAS five of the counties in this circuit are of such limited population that a circuit judge is not required on a full-time basis to meet all of the needs of the circuit court in such counties; and

WHEREAS only Bay County is of sufficient population so as to require more than one circuit judge to handle all Circuit Court matters; and

WHEREAS the demands of Bay County require the assignment of two (2) full-time circuit judges to handle criminal cases exclusively, and one (1) circuit judge to handle all juvenile matters, with the juvenile judge having time to handle other civil matters, including family law matters; and

WHEREAS when the Supreme Court of Florida issued its mandate, it noted that there is a need for each circuit to design a Family Law Division to best serve its particular area, and that geography, population, and available facilities are all factors which must be considered in tailoring a Family Law Division to meet the needs of a particular circuit; and

WHEREAS after full consideration of all the foregoing matters and a full consideration of the needs of all the citizens of the Fourteenth Judicial Circuit, as well as the lawyers and judges, be it therefore

RESOLVED by the judges of the Fourteenth Judicial Circuit that a Family Law Division in this circuit shall be established in the manner specified hereafter. In all counties of this circuit, there shall be established a means to coordinate family law matters that affect one family, all as established in the following manner:

1. In Holmes and Washington counties, one circuit judge is assigned to handle all circuit matters, including all family matters. In Jackson and Calhoun counties, one circuit judge is assigned to handle all circuit matters, including all family matters. In Gulf County, one circuit judge is assigned to handle

all circuit matters; that judge is also assigned to the Family Law Division in Bay County. Such judges assigned to the five smaller counties shall utilize mediation services and parental education/divorce programs developed by the Family Law Division of Bay County, as is deemed appropriate in the cases assigned to such judges in their respective counties.

2. In Bay County, there shall be a Family Law Division. The Family Law Division shall be composed of two circuit judges, with at least seventy percent (70%) of their caseload consisting of family law matters, and one juvenile division judge assigned to all juvenile matters and a percentage of family law and general civil matters.

3. In all counties and all divisions of the Fourteenth Judicial Circuit, the manner of assignment of judges shall be by seniority status, with input from all judges to avoid undue stress in any one division or county. All circuit judge assignments shall be for a two-year term.

4. The judges of the Family Law Division shall prepare uniform forms and orders to the extent practicable, and such other uniform procedures as they shall deem necessary to facilitate the orderly and efficient handling of family law cases.

5. The Administrative Judge of the Family Law Division shall be appointed by the Chief Judge. The Administrative Judge shall be responsible for controlling the assignment of different cases involving the same family, so that all matters pending in Circuit

Court at any one time involving two or more family members shall be handled by one judge. If any case or cases assigned to the Family Law Division as specified above involve a child who is the subject of a dependency proceeding, such case or cases shall be assigned to the Juvenile Division for future proceedings during the pendency of such juvenile matters. The Administrative Judge shall obtain information from the Clerk of Circuit Court and Court Administrator's Offices concerning pending Baker Act, Meyers Act or Mirand Act proceedings and any criminal cases, including active probation or community control supervision, and provide that information to the judge assigned to the Family Law Division case, as specified above. If there is a pending dissolution action, any enforcement of a domestic violence injunction which was entered prior to the dissolution case being filed shall be heard by the Family Law Judge assigned to the dissolution case if that judge is different than the Family Law Division judge that heard the domestic violence case.

6. The Administrative Family Law Judge shall be responsible for developing a mediation program and Parent Education-Divorce/Custody Program to be available for the Family Law Division judges, as well as the judges assigned to Holmes, Washington, Jackson, Calhoun, and Gulf counties. All judges involved in family law matters in the circuit shall have input in such programs.

7. In order to adequately and efficiently establish a successful Family Law Division, adequate funding must be available to

provide court support units. Specifically, a circuit-wide Family Law Coordinator is needed to meet the needs of coordination of the families and the Court. The Fourteenth Judicial Circuit is also in need of funding for hearing officers to handle URESA and HRS Child Support cases for the six counties.

8. All emergency hearings in family law for all counties shall be handled on an emergency basis by the judge to whom the case is assigned. Should the assigned judge not be available, the case shall be handled by the duty judge or any Circuit or Acting Circuit Judge who is available, weekdays or weekends.

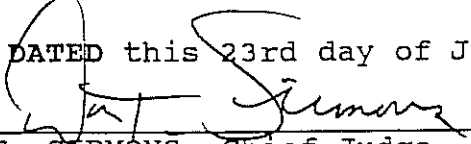
9. The jurisdiction of the Family Law Division shall include dissolution of marriage, simplified dissolution of marriage, child custody and support, URESA, domestic violence, repeat violence, name changes, adoptions, paternity suits, parental responsibility, separate maintenance, annulment, modification proceedings, and juvenile delinquency and dependency proceedings.

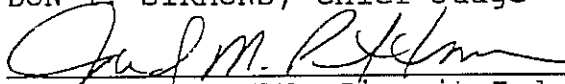
10. The Court Administrator's Office of the Fourteenth Judicial Circuit shall monitor the assignment of these cases and make monthly reports to the Administrative Family Law Judge and Chief Judge in order for the Chief Judge to make appropriate adjustments in the caseload assignments to maintain approximate equality among the judges.

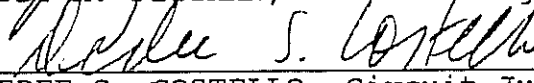
The foregoing Rule shall amend Local Rule 92-04, which did not specifically provide for a Family Law Division.

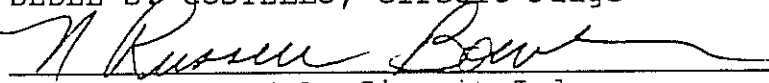
This Rule shall be implemented by the judges of the Fourteenth Judicial Circuit on July 1, 1993, if approved by the Supreme Court of Florida.

DATED this 23rd day of June, 1993.


  
DON T. SIRMONS, Chief Judge


  
JUDY M. PITTMAN, Circuit Judge


  
DEDEE S. COSTELLO, Circuit Judge

  
N. RUSSELL BOWER, Circuit Judge

  
CLINTON E. FOSTER, Circuit Judge

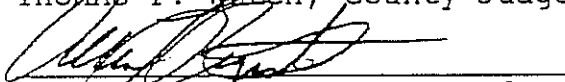
  
RUSSELL A. COLE, JR., Circuit Judge

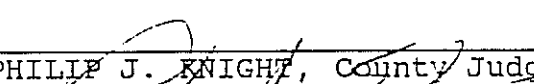
  
JOHN E. ROBERTS, Circuit Judge

  
WILLIAM A. COOPER, JR., County Judge

  
THOMAS R. ELLINOR, County Judge

  
THOMAS F. WELCH, County Judge

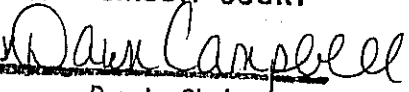
  
ALLEN REGISTER, County Judge

  
PHILIP J. KNIGHT, County Judge

  
ROBERT EARL BROWN, County Judge

DAVID L. TAUNTON, County Judge

  
WOODROW W. HATCHER, County Judge

A CERTIFIED TRUE COPY  
HAROLD BAZZEL, CLERK  
OF THE CIRCUIT COURT  
By   
Deputy Clerk