

IN THE CIRCUIT COURT OF THE 16TH
JUDICIAL CIRCUIT OF THE STATE OF
FLORIDA, IN AND FOR MONROE COUNTY

ADMINISTRATIVE ORDER: 2.004/10-2
AMENDED

IN RE:

CIRCUIT COURT DIVISION
ASSIGNMENTS; OFFICIAL
HEADQUARTERS
_____:

WHEREAS, the Chief Judge is charged by Rule 2.215(b)(4), Florida Rules of Judicial Administration, with the responsibility of assigning judges to courts and divisions in the Circuit, and

WHEREAS, there is a desire to distribute the workload of the Circuit Court on an equitable and geographical basis;

IT IS THEREFORE ORDERED THAT:

A. The Circuit Court caseload shall be apportioned on the basis of the courthouse location at which the case is filed.

1. Civil Division

- a. Three-quarters of cases filed in the Lower Keys Division shall be assigned to Judge David Audlin and one-quarter shall be assigned to Judge Mark H. Jones. All Involuntary Civil Commitment of Sexually Violent Predator cases (ICCSVP), formally referred to as cases reported under the Jimmy Ryce Act, shall be assigned to Judge David Audlin.
- b. All cases filed in the Middle Keys Division, including Involuntary Civil Commitment of Sexually Violent Predator cases, shall be assigned to County Court Judge Ruth Becker.
- c. All cases filed in the Upper Keys Division, including Involuntary Civil Commitment of Sexually Violent Predator cases, shall be assigned to Judge Luis M. Garcia.

The Clerk of the Court is directed to insure the automated civil case system accurately reflects the judges assigned to each case especially in the event of a reassignment.

2. Criminal Division

- a. All circuit criminal cases filed in the Lower Keys Division shall be divided alphabetically by the last name of the

defendant. Cases wherein the defendant's last name starts with the letters A through K shall be assigned to Judge David J. Audlin, Jr. Cases wherein the defendant's last name starts with the letters L through Z shall be assigned to Judge Mark H. Jones. In the event that there are co-defendants in a case, the entire case with all defendants shall be assigned to the judge having jurisdiction over the "A" defendant's case. Cases in the Lower Keys Division that are reopened due to a probation violation charge shall be assigned to the appropriate judge based upon the last name of the defendant, regardless of which judge originally sentenced the defendant to probation.

All new criminal cases shall be scheduled for arraignment on the basis of a felony arraignment calendar that will be published by the Court Administrator's Office. This calendar shall specify the date, time, location, and presiding judge. If the assigned presiding judge is unable to preside over a specific arraignment docket, a substitute judge may be assigned to preside over that docket by the Chief Judge. Any case continued at arraignment shall be continued to the next arraignment docket of the presiding judge.

Judge Mark H. Jones is the designated drug court judge for the Lower Keys Division and as such shall be assigned to all drug diversion cases as well as drug offender probation cases in that Division.

- b. All cases filed in the Middle Keys Division shall be temporarily assigned to County Judge Ruth Becker.

Judge Ruth Becker is the designated drug court judge in the Middle Keys Division and as such shall be assigned to all drug diversion cases as well as drug offender probation cases.

- c. All cases filed in the Upper Keys Division shall be assigned to Judge Luis M. Garcia.

Judge Luis M. Garcia is the designated drug court judge in the Upper Keys Division and as such shall be assigned to all drug diversion cases as well as drug offender probation cases.

The Clerk of the Court is directed to maintain a record of the number of active cases assigned to each judge in the Circuit Criminal Division. A monthly report shall be provided to the Chief Judge listing the number of Circuit Criminal Division new filings and active cases assigned to each judge, including cases which may be assigned to county court judges, senior judges, and other judges who may be assigned from other circuits.

This report shall be provided no later than the 10th day of the following month and shall be copied to the Court Administrator's Office.

2. Family Division

- a. All domestic relations cases filed in the Lower Keys Division, including domestic violence and repeat violence injunctions and juvenile dependency cases shall be assigned to Judge Tegan Slaton.

Judge Tegan Slaton will hear all post-judgment matters in domestic relations cases in the Lower Keys Division, including domestic violence and repeat violence injunctions, whether or not he was the judge who was originally assigned to the case.

All juvenile delinquency cases filed in the Lower Keys Division and all pending cases shall be assigned to Judge Mark H. Jones.

All new delinquency cases shall be scheduled for arraignment on the basis of a juvenile arraignment calendar that will be published by the Court Administrator's Office. This calendar shall specify the date, time, and location.

Judge Mark H. Jones is the designated drug court judge for Juvenile Drug Court and Judge Tegan Slaton is the designated drug court judge for Family Treatment Court cases in the Lower Keys Division.

- b. All domestic relations cases filed in the Middle Keys Division, including domestic violence and repeat violence injunctions, juvenile delinquency and juvenile dependency and all pending cases, shall be assigned to Judge Mark H. Jones.

Judge Mark H. Jones is the designated drug court judge for Juvenile Drug Court and Family Treatment Court cases in the Middle Keys Division.

- c. All domestic relations cases filed in the Upper Keys Division, including domestic violence and repeat violence injunctions, juvenile delinquency and juvenile dependency shall be assigned to Judge Luis Garcia.

Judge Luis M. Garcia is the designated drug court judge for Juvenile Drug Court and Family Treatment Court cases in the Upper Keys Division.

3. Probate and Guardianship Division

- a. All cases filed in the Lower Keys Division and all pending cases in the Lower Keys Division shall be assigned to Judge Tegan Slaton, with the exception of new and pending Mental Health cases, which shall be assigned to Judge David J. Audlin, Jr..
- b. All cases filed in the Middle Keys Division and all pending cases in the Middle Keys Division shall be assigned to County Judge Ruth Becker.
- c. All cases filed in the Upper Keys Division and all pending cases in the Upper Keys Division shall be assigned to Judge Luis M. Garcia.

B. The Clerk is instructed to establish procedures to assure the distribution of cases as prescribed in Section A above.

C. For purposes of travel reimbursement authorized and allowable under Section 112.061, Florida Statutes, the official headquarters for each judge shall be as follows:

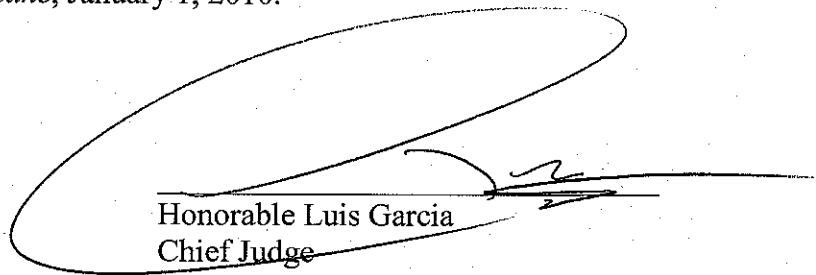
1. Tegan Slaton, Key West
2. Mark H. Jones, Key West
3. David J. Audlin, Jr., Key West
4. Luis M. Garcia, Plantation Key

Nothing herein is intended to preclude the assignment of a Circuit Judge to a secondary office location or division, nor assignment to the County Court when proper judicial administration may require.

D. This Order shall take effect January 1, 2010, and terminate effective December 31, 2010. However, it shall not operate contrary to any incidental reassignment of cases or any other modifications that may have been or may be entered by the Chief Judge.

E. Administrative Order 2.004/10-1, *Circuit Court Division Assignments; Official Headquarters*, is amended in its entirety.

DONE AND ORDERED at Plantation Key, Monroe County, Florida, this 10th day of January, 2010, *nunc pro tunc*, January 1, 2010.



Honorable Luis Garcia
Chief Judge