

**AMENDED ADMINISTRATIVE ORDER GOVERNING BRANCH COURTHOUSES**

**WHEREAS**, the assignment of all available Orange County judges to downtown Orlando would result in significant economies of judicial time and resources; and

**WHEREAS**, misdemeanor, traffic and non-traffic criminal cases requiring jury trial have always been held in downtown Orlando due to the lack of jury trial facilities in the branch courthouses; and

**WHEREAS**, it continues to be appropriate and desirable to provide the branch courthouse communities with traffic infraction hearings in the branch courthouses, as this is a convenience to persons requesting hearings, as well as to police agencies whose officers must appear at such hearings; and

**WHEREAS**, a significantly large percentage of defendants appearing for arraignment in the branch courthouses are likely to enter some form of dispositional plea at that time, thus avoiding the necessity of scheduling trials in those cases; and

**WHEREAS**, the relatively small percentage of county civil and summary claims cases filed in the branch courthouses can be handled by available downtown Orlando judges in such a manner as to maximize the cost effectiveness of tax dollars expended upon such cases especially considering the functions of judicial time, court personnel, and utilization of available space;

**NOW, THEREFORE, I**, Ted Coleman, pursuant to the authority vested in me as Chief

Judge of the Ninth Judicial Circuit of Florida under Florida Rule of Judicial Administration 2.050, do hereby order that, beginning **July 15, 2000** the following case handling and assignment procedures shall become effective:

1. All available Orange County judges will be chambered in downtown Orlando.
2. All county court civil and summary claims cases filed in the branch courthouses will be assigned according to standard blind case assignment practices to one of the four available county judges with civil case handling responsibility.
3. Criminal misdemeanor traffic and non-traffic arraignments will continue to be held in the branch courthouses, according to procedures hereinafter provided.
4. Civil traffic infraction hearings will continue to be held in the branch courthouses, according to procedures as hereinafter provided.
5. Six Orange County judges will be assigned to the Traffic Division and their responsibilities will include the handling of the arraignments and traffic infractions occurring in the branch courthouses.
6. Four Orange County judges will be assigned to the Misdemeanor Division and their responsibilities will include the handling of video arraignments, fugitive warrant matters, and bond hearings.
7. The cases of all traffic misdemeanor defendants, including violations of probation matters, who enter not guilty pleas at arraignment in the branch courthouses will be assigned to the Traffic Division judge who handled the arraignment, unless the defendant's arraignment had initially been scheduled for an earlier date, in which event the case shall be assigned to the

judge who would have handled the arraignment had it occurred when it was initially scheduled.

8. The cases of all non-traffic misdemeanor defendants, including violations of probation matters, who enter not guilty pleas at arraignment in the branch courthouses shall be assigned to the four available judges on a blind rotating basis by the court clerk.

9. When a judge accepting a plea of guilty or no contest at arraignment in a branch courthouse orders a pre-sentence investigation or otherwise delays sentencing to a later date, the court clerk shall schedule the case to be returnable before the judge who accepted the plea, according to times provided by that judge's judicial assistant, for the week of that judge's next rotational appearance at the branch courthouse.

10. IT IS FURTHER ORDERED, that the court clerks will be responsible for the following:

(a) Scheduling traffic infraction hearing dates and times, and providing a notice form to the defendant. This would be accomplished according to a schedule provided to the court clerks by the individual judicial assistant. Whichever judge is scheduled to be in the branch courthouse during the week of the 30th day from the date of the receipt of the traffic citation (time to be computed pursuant to Florida Rule of Traffic Court 6.350) is the judge before whom the infraction hearing will be scheduled. After sixty (60) days following the receipt of a traffic infraction citation, a defendant who hasn't otherwise satisfied the ticket will be accorded an infraction hearing only within the sound discretion of the judge, and the issue as to whether or not a late request for hearing will be granted will be referred to the judge before whom the matter would have been assigned had it been timely requested;

(b) Prepare notices in the courtroom for all future proceedings, according to dates and

times supplied by the appropriate judicial assistant, including jury and non-jury trials, pre-trial conferences, probation violation hearings, sentencings, and ID hearings;

(c) The court files for cases assigned for disposition by a downtown Orlando judge will be forwarded by the branch courthouse clerk's office to the traffic or non-traffic clerk's office downtown as appropriate. Upon disposition of the case the court files will be returned to the branch courthouse clerk's office as appropriate.

11. IT IS FURTHER ORDERED, that the judicial assistants shall be responsible for the following:

(a) Extension requests, show cause and contempt matters, and all post-trial or post-sentencing proceedings and correspondence;

(b) Preparation of calendars and handling of all infraction witness-related matters not covered or contemplated by Florida Rules of Traffic Court 6.340 and 6.150 and continuance requests;

(c) All re-scheduling, except for those matters re-scheduled in the courtroom and therefore handled by the court clerk according to 10 (b) above;

(d) Supplying the clerk with dates and times as appropriate, to be utilized by the clerk during arraignments.

12. IT IS FURTHER ORDERED, that any questions or issues with respect to the handling, scheduling or procedures involved in the subject matter of this Order shall be addressed to the Chief Judge, or in his/her absence, to the Administrative Judge of the County Court, for resolution. Effective July 15, 2000, Administrative Order No. 07-89-36 dated March 2, 1990 shall be vacated and set aside.

**DONE AND ORDERED** at Orlando, Florida, this 10<sup>th</sup> day of July, 2000.

/s/ Ted Coleman  
Ted Coleman  
Chief Judge

Copies to:

All Circuit & County Judges, Ninth Judicial Circuit  
State Attorney's Office, Ninth Judicial Circuit  
Public Defender's Office, Ninth Judicial Circuit  
General Counsel, Orange County Sheriff's Office  
Orange County Corrections  
Orange County Bar Association  
Bar Briefs, Orange County Bar Association  
Paul C. Perkins Bar Association  
Hispanic Bar Association  
Clerk of Courts, Orange County  
Orange County Law Library  
Clerk of Courts, Osceola County  
The Osceola County Bar Association  
The Osceola County Law Library  
The Osceola County Sheriff's Office  
Director, The Osceola County Dept. of Corrections  
Office of the Statewide Prosecutor  
Central Florida Criminal Defense Attorneys Association  
Executive Director of The Florida Bar  
Official Records, Orange County Comptroller

Administrative Order No. 07-89-36-1