

ADMINISTRATIVE ORDER  
NO. 2002-06-04

IN THE CIRCUIT COURT OF THE  
NINTH JUDICIAL CIRCUIT, IN AND  
FOR ORANGE COUNTY, FLORIDA

**AMENDED ORDER GOVERNING ASSIGNMENT OF CASES TO  
SUBDIVISIONS 06-4 AND 08-4 IN THE JUVENILE DIVISION  
OF THE CIRCUIT COURT, ORANGE COUNTY**

**WHEREAS**, pursuant to Article V, section 2(d) of the Florida Constitution and section 43.26, Florida Statutes, the chief judge of each judicial circuit is charged with the authority and the power to do everything necessary to promote the prompt and efficient administration of justice; and

**WHEREAS**, pursuant to the chief judge's constitutional and statutory responsibility for administrative supervision of the courts within the circuit and to create and maintain an organization capable of effecting the efficient, prompt, and proper administration of justice for the citizens of this State, the chief judge is required to exercise direction, *see* Fla. R. Jud. Admin. 2.215(b)(2), (b)(3); and

**WHEREAS**, the Circuit and County Courts in Orange County are organized into divisions for more efficient case and records management;

**WHEREAS**, caseloads in each division are identified by numbered subdivisions to facilitate the exchange of caseloads when changes of division assignment occur; and

**WHEREAS**, by allowing the child to appear before the same judge, the Court becomes familiar with the child and his/her rehabilitative needs;

**NOW, THEREFORE, I**, Frederick J. Lauten, pursuant to the authority vested in me as Chief Judge of the Ninth Judicial Circuit of Florida under Florida Rule of Judicial Administration 2.215, order the assignment of juvenile delinquency cases to Subdivisions 06-4

and 08-4 in the Juvenile Division of the Circuit Court in the following manner, **effective June 20, 2016**, to continue until further order and superseding any provisions in prior Administrative Orders which may be inconsistent:

1. Prior to the filing of a Petition for Delinquency, the State Attorney shall conduct a thorough records check and designate on every petition filed, the subdivision number(s) where the defendant has a prior or pending case, and the corresponding case number(s). The State Attorney shall also identify all co-defendants on each petition and their prior or pending cases numbers and subdivision assignments.

- a) If there are no co-defendants in regard to that petition, and if no prior or pending cases exist, the Clerk of the Juvenile Division shall assign the petition(s) equally and randomly among Subdivisions 06-4 and 08-4 without regard to the nature of the offense.
- b) If there are no co-defendants indicated on the petition but the defendant has pending or prior cases indicated for which the child is still under sentence, the Clerk of the Juvenile Division shall assign the new petition to the subdivision containing the case with the lowest case number.
- c) If there is a co-defendant(s) indicated on the petition, the Clerk of the Court shall assign the new petition to the subdivision of the co-defendant with the lowest case number. When and if a VOP petition is filed based upon the new law violation with co-defendants, the VOP stays with the division where that file was, and will be disposed of after the trial in the other division.

2. Transferring cases:

No case shall be transferred to or from any subdivision except upon order of the Administrative Judge of the Juvenile Division, Chief Judge, or designated judge in the absence of both of the foregoing. Attorneys requesting that a case be transferred to a different subdivision shall submit a Motion to Transfer to the Administrative Judge of the Juvenile Division. The Motion to Transfer shall be substantially in compliance with the Motion to Transfer Form attached hereto.

3. To ensure a balanced caseload among all the subdivisions of the Juvenile Division, when a case is transferred from one subdivision to another, the Clerk of Court shall promptly assign a replacement case to the transferring subdivision in accordance with the procedures provided herein.

4. This Order shall not affect any previously filed and currently assigned juvenile delinquency cases.

5. Administrative Order No. 2002-06-03 is vacated and set aside and has been incorporated and/or amended herein. Vacating an Administrative Order that vacates a prior Order does not revive the prior Order.

**DONE AND ORDERED** at Orlando, Florida, this 2<sup>nd</sup> day of June, 2016.

\_\_\_\_\_/s/\_\_\_\_\_  
Frederick J. Lauten  
Chief Judge

Copies to:  
Clerk of Court, Orange County  
Clerk of Court, Osceola County  
General E-Mail Distribution List  
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IN THE CIRCUIT COURT OF THE  
NINTH JUDICIAL CIRCUIT, IN AND  
FOR ORANGE COUNTY, FLORIDA

STATE OF FLORIDA,

CASE NO.: \_\_\_\_\_

-vs-

DIVISION : \_\_\_\_\_

\_\_\_\_\_ /

**MOTION TO TRANSFER**

(Directed to the Administrative Judge, Juvenile Division)

Comes now the (child) (State) and moves this Honorable Court to enter an Order allowing the transfer of the above matter from Subdivision \_\_\_ to Subdivision \_\_, and would show:

1. That this Motion is made in good faith and is not offered for the purpose of delay.
2. That the undersigned has consulted with opposing counsel(s), and opposing counsel(s) has (have) no objection to the transfer request.
3. That the Judge to whom this matter would be transferred has agreed to accept this matter if it is approved for transfer by the Administrative Judge of the Juvenile Division.
4. That the reason(s) for the requested transfer of this matter is/are:

\_\_\_ This child is a co-defendant, with other defendants, in the following case numbers  
\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.

\_\_\_ That the Judge to whom this case would be transferred is familiar with this child and has other cases before him/her involving this child.

\_\_\_ That the receiving Judge has one of more pending dispositions in front of him/her, and it would be more efficient and serve the interests of justice to have the matters consolidated for disposition.

\_\_\_ That this child is involved in, or will be involved in, the Drug Court Program and this matter would be better handled before the Judge who is presently sitting as the Judge responsible for Drug Court.

\_\_\_ Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

WHEREFORE, it is requested that the above matter be transferred to Subdivision \_\_\_\_, and that a trial date be set in that Subdivision.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Attorney  
Certificate of Service