

ADMINISTRATIVE ORDER
NO. 2016-17

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

**ORDER ON THE ASSIGNMENT OF CIRCUIT AND COUNTY JUDGES TO
TEMPORARY DUTY IN THE CIRCUIT AND COUNTY COURTS
OF THE NINTH JUDICIAL CIRCUIT FOR 2017**

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, delegation of the Chief Justice's assignment power to the chief judges of the judicial circuits is necessary to the proper administration of our court system. As the administrative officer of all courts within a judicial circuit the chief judge is best equipped to assess the needs of each trial court and must be given flexibility to effectively utilize and allocate available judicial labor within the circuit accordingly; and

WHEREAS, pursuant to Florida Rule of Judicial Administration 2.215(b)(4), and acting under the Chief Justice's constitutional power to make temporary judicial assignments to ensure the speedy, efficient, and proper administration of justice, the chief judge may assign any judge to temporary service for which the judge is qualified in any court in the same circuit; and

WHEREAS, it has been officially made known to me that it is necessary for the prompt dispatch of the business of the Circuit and County Courts of the Ninth Judicial Circuit, respectively, that the Judges of the Circuit and County Courts of the Ninth Judicial Circuit be assigned to temporary duty in those courts; and

WHEREAS, the benefits of continued education and the sharing of information statewide realized through the attendance by circuit and county judges at the Florida Conference of Circuit Court Judges and the Florida Conference of County Court Judges, respectively, results in the great majority of circuit court judges or county court judges attending their respective conference at the same time. Consequently, during the conferences each year it is necessary to assign all circuit court judges as county court judges and all county court judges as acting circuit court judges whenever the need arises for emergency and temporary duty; and

WHEREAS, in an effort to allow judges of the entire Circuit to efficiently and effectively handle issues presented within the Circuit in a limited temporary or emergency capacity, eliminate the need to enter individualized orders weekly (or more often), and to avoid undue confusion and uncertainty for the public, litigants and others involved in the court system, this blanket Order assigns all circuit court judges as county court judges and all county court judges as acting circuit court judges whenever the need arises; and

WHEREAS, in accordance with *Physicians Healthcare Plans, Inc. v. Pfeifler*, 846 So. 2d 1129 (Fla. 2003), this Order does not divest a court of jurisdiction, it does not assign a county judge to exclusively circuit work, nor does it assign a circuit judge to exclusively county work. Further, in this time of crowded dockets and extremely limited resources in the state courts system, it is necessary to utilize judicial resources in a cost-effective manner to maximize the

efficient administration of justice. *See, e.g., State v. Brady*, 985 So. 2d 656, 665 (Fla. 2d DCA 2008) in which the appellate court relied upon a similar order to find that a circuit court judge had jurisdiction as an acting county court judge to hear a misdemeanor DUI case;

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 following, **effective January 1, 2017**, unless otherwise provided herein, and to continue until further order of this Court and superseding any provisions in prior Administrative Orders which may be inconsistent:

1. I hereby assign and designate the following Circuit Judges of the Ninth Judicial Circuit, to-wit:

THE HONORABLE GAIL A. ADAMS
THE HONORABLE ALAN S. APTE
THE HONORABLE ELAINE A. BARBOUR
THE HONORABLE ALICE L. BLACKWELL
THE HONORABLE MARK S. BLECHMAN
THE HONORABLE LUIS F. CALDERON
THE HONORABLE KEITH A. CARSTEN
THE HONORABLE A. JAMES CRANER
THE HONORABLE DANIEL P. DAWSON
THE HONORABLE PATRICIA A. DOHERTY
THE HONORABLE ROBERT J. EGAN
THE HONORABLE JENIFER M. HARRIS
THE HONORABLE HEATHER L. HIGBEE
THE HONORABLE JOHN E. JORDAN
THE HONORABLE JOHN MARSHALL KEST
THE HONORABLE SALLY D. M. KEST
THE HONORABLE ALICIA L. LATIMORE
THE HONORABLE FREDERICK J. LAUTEN
THE HONORABLE BOB LEBLANC
THE HONORABLE MARC L. LUBET
THE HONORABLE LETICIA MARQUES
THE HONORABLE JON B. MORGAN
THE HONORABLE LISA T. MUNYON
THE HONORABLE MIKE MURPHY

THE HONORABLE DONALD A. MYERS, JR.
THE HONORABLE JULIE H. O'KANE
THE HONORABLE SCOTT POLODNA
THE HONORABLE RENEE A. ROCHE
THE HONORABLE HEATHER PINDER RODRIGUEZ
THE HONORABLE JOSÉ R. RODRIGUEZ
THE HONORABLE MARGARET H. SCHREIBER
THE HONORABLE TIM SHEA
THE HONORABLE KIMBERLY M. SHEPARD
THE HONORABLE PATRICIA L. STROWBRIDGE
THE HONORABLE DIANA M. TENNIS
THE HONORABLE JANET C. THORPE
THE HONORABLE DANIEL E. TRAVER
THE HONORABLE GREG ALLEN TYNAN
THE HONORABLE CHRISTI L. UNDERWOOD
THE HONORABLE KEVIN B. WEISS
THE HONORABLE KEITH F. WHITE
THE HONORABLE REGINALD K. WHITEHEAD
THE HONORABLE WAYNE C. WOOTEN

to proceed to the County Courts of Orange & Osceola Counties and thereupon, on the **1st day of January, 2017**, and thereafter through the **30th day of June, 2017**, hear, conduct, try and determine the cause or causes which shall from time to time be presented to one or another of them as temporary Judges of the said Courts, and thereafter dispose of any matters considered by them respectively. These Circuit Judges shall also consider those matters which arise during their assignment as emergency duty judge and other matters assigned to them by the Chief Judge that the County Judges of the Ninth Judicial Circuit are unable to hear or dispose of because of crowded dockets in all levels of the Court system. In this manner, when, by some good fortune, judicial time is available, crowded dockets can be alleviated.

2. I hereby assign and designate the following Judges of the County Court of Orange County, to-wit:

THE HONORABLE MARTHA ADAMS
THE HONORABLE FAYE ALLEN

THE HONORABLE MAUREEN A. BELL
THE HONORABLE JEANETTE D. BIGNEY
THE HONORABLE ANDREW L. CAMERON
THE HONORABLE TINA L. CARABALLO
THE HONORABLE NANCY L. CLARK
THE HONORABLE ERIC H. DUBOIS
THE HONORABLE BRIAN F. DUCKWORTH
THE HONORABLE EVELLEN JEWETT
THE HONORABLE STEVE JEWETT
THE HONORABLE DAVID P. JOHNSON
THE HONORABLE GISELA T. LAURENT
THE HONORABLE WILFREDO MARTINEZ
THE HONORABLE ADAM MCGINNIS
THE HONORABLE WAYNE J. SHOEMAKER
THE HONORABLE ELIZABETH J. STARR
THE HONORABLE TANYA DAVIS WILSON

to proceed to the Circuit Courts in and for Orange and Osceola Counties and to the County Court of Osceola County and thereupon on the **1st day of January, 2017**, and thereafter through the **30th day of June, 2017**, hear, conduct, try and determine the cause or causes which shall be presented to them as temporary Judges of the said Courts, and thereafter dispose, respectively, of all matters considered by them during said dates. These County Judges shall also consider those matters which arise during their assignment as emergency duty judge and other matters assigned to them by the Chief Judge that the Circuit Judges of the Ninth Judicial Circuit are unable to hear or dispose of because of crowded dockets in all levels of the court system. In this manner, when, by some good fortune, judicial time is available, crowded dockets can be alleviated.

3. I hereby assign and designate the following Judges of the County Court of Osceola County, to-wit:

THE HONORABLE CAROL ENGEL DRAPER
THE HONORABLE HAL C. EPPERSON, JR.
THE HONORABLE STEFANIA JANCEWICZ
THE HONORABLE HEATHER K. O'BRIEN

to proceed to the Circuit Courts in and for Orange and Osceola Counties and the County Court of Orange County and thereupon on the **1st day of January, 2017**, and thereafter through the **30th day of June, 2017**, hear, conduct, try and determine the cause or causes which shall be presented to them as temporary Judges of the said Courts, and thereafter dispose, respectively, of all matters considered by them during said dates. These County Judges shall also consider those matters which arise during their assignment as emergency duty judge and other matters assigned to them by the Chief Judge that the Circuit Judges of the Ninth Judicial Circuit are unable to hear or dispose of because of crowded dockets in all levels of the court system. In this manner, when, by some good fortune, judicial time is available, crowded dockets can be alleviated.

4. The said Judges of the Circuit and County Courts of the Ninth Judicial Circuit, as above named, under and by virtue of the authority hereof, each vested, individually, with all and singular the powers and prerogatives conferred by the Constitution and Laws of the State of Florida upon a Judge of the Courts to which they are hereby temporarily assigned.

DONE AND ORDERED at Orlando, Florida, this 10th day of November, 2016.

_____/s/_____
Frederick J. Lauten
Chief Judge

Copies provided to:

Clerk of Courts, Orange County
Clerk of Courts, Osceola County
General E-Mail Distribution List
<http://www.ninthcircuit.org>