

IN THE CIRCUIT COURT OF THE
SEVENTEENTH JUDICIAL CIRCUIT, IN
AND FOR BROWARD COUNTY, FLORIDA

ADMINISTRATIVE ORDER NO. I-04-E-2

IN RE:

REMOVAL OF COURT FILES

In accordance with the authority vested in the Chief Judge by Rule 2.050 and pursuant to Rule 2.072, Florida rules of Judicial Administration, it is

ORDERED that:

The Clerk of Court shall transport court files to and from courtrooms, the judges' and general magistrates/hearing officers' offices as necessary in the course of business of the court. Court files shall not be removed from the clerk's office without court authorization upon hearing, with notice thereof to the clerk, with the following exceptions: judicial staff and court administration staff including: the Trial Court Administrator and staff, Deputy Court Administrators and staff, Court Counsel and staff, Judicial Assistants, Judicial Staff Attorneys, Court Case Management staff, Court Mediation and Arbitration Program staff, Court Reporting Services staff, Mental Health/Court Projects staff. Judicial staff and court administration staff removing files from the Clerk's office in addition to the Clerk's Office, shall maintain a tracking mechanism of the files in their possession, including case number, when the file was removed and when it was returned to the Clerk's Office.

The Clerk of Court may allow licensed Florida attorneys to obtain civil and domestic relations court files from the Office of the Clerk of Court for the limited purpose of transporting the court files to the judge within the courthouse in which the file is maintained by the Clerk.

The State Attorney's Office Appeals Division is hereby authorized to remove court files from the Office of the Clerk of Court for the purposes of preparation of responses to all defendant's Motions for Post Conviction Relief, pursuant to Rules 3.850 and/or 3.800, Florida Rules of Criminal Procedure. The Clerk of Court shall retain custody of all court files until such time as the Office of the State Attorney requires the court file to perfect their response to motions of this type. The Office of the State Attorney shall establish a procedure whereby the file shall be properly returned to the Clerk's Office at the conclusion of the proceedings.

This order rescinds and replaces Administrative Orders I-90-E-2 and III-93-A-12.

DONE AND ORDERED in chambers in Fort Lauderdale, Broward county, Florida this 9th day of September, 2004.

/s/DALE ROSS
DALE ROSS, Chief Judge