

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

ADMINISTRATIVE ORDER NO. I-90-D-1

IN RE:

EMPLOYMENT OF COURT PERSONNEL
ADOPTION OF PERSONNEL
REGULATIONS MANUAL

In accordance with the authority vested in the Chief Judge by Rule 2.050 of the Florida Rules of Judicial Administration, and,

WHEREAS, Section 43.26, Florida Statutes (1981), and rule 2.050 of the Florida Rules of Judicial Administration give the Chief Judge the power to do everything necessary to promote the prompt and efficient administration of justice in the Circuit and County Courts of the Seventeenth Judicial Circuit of Florida and to exercise administrative supervision over the officers and employees of the Courts; and

WHEREAS, the State of Florida has not provided sufficient funds or personnel to operate the Broward County Circuit and County Courts; and

WHEREAS, additional employees and personnel are needed to assist the Broward County Court System in the administration of the Courts and the operation of Court programs; and

WHEREAS, Broward County is required by Section 43.28, Florida Statutes (1981), to provide the Court System with appropriate facilities and funding for the employment of personnel necessary to operate the Courts; and

WHEREAS, Broward County has, on an annual basis, appropriated funds for the Court to employ such needed personnel; and

WHEREAS, it is necessary that the Chief Judge exercise jurisdiction over the employees of the Court System in order to promote the efficient administration of the courts, and it is desirable that personnel regulations be adopted to define and clarify the rights and obligations of the employees for the Court System and the procedures for the administration of their employment; and

WHEREAS, Section 110.204 (2)(k), Florida Statutes (1982), exempts all officers and employees of the judicial branch of government from State career service; and

WHEREAS, the Rules and Regulations adopted by the Broward County Commission for the Classified Civil Service of Broward County do not include judicial officers and employees and, by Section 100.03(j) , exempt from Classified Civil Service employees not under the jurisdiction of the Board of County Commissioners of Broward County, Florida; and

WHEREAS, all funds appropriated by Broward County for the use and benefit of the Court system shall be drawn or paid pursuant to warrants or checks authorized by the Chief Judge or designee; and

WHEREAS, the abilities, knowledge, skill, and experience of employees of the Court system are peculiar to the judicial branch of government; and

WHEREAS, employees of the Court System of this Circuit are employed by and serve at the sole discretion of the Chief Judge;

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. All Court employees of the Seventeenth Judicial Circuit , including employees funded by Broward County, are and shall be under the jurisdiction, control, and supervision of the Chief Judge; they serve and shall serve at his/her sole discretion and pleasure; and they do not attain tenure. Nothing contained herein shall prohibit each judicial officer from having individual control over his or her personal staff.

2. The Personnel Regulations Manual of the Circuit and County Courts of the Seventeenth Judicial Circuit Court of Florida in and for Broward County, dated October 26, 1984, and all updates (hereafter referred to as the "Personnel Regulations Manual" or the "Manual") is hereby adopted, effective herewith. All other manuals or editions thereof are declared obsolete. The terms and provisions of such new Personnel Regulations Manual shall govern, regulate, and control all personnel and employment practices and activities of Court system employees, including employment practices and requirements; employee performance evaluations; personnel programs, records, and reports; attendance and leave; prohibited activities and unlawful acts; and the administration of the uniform classification plan and pay plan.

3. A copy of the Personnel Regulations Manual and any future amendments thereto, shall be delivered to or made available to all employees of the Court System.

4. The payment of salaries and benefits of employees of the Court System and all personnel actions with respect to or affecting employees of the Court System, including employees funded by Broward County, shall be authorized and administered by the Court Administrator or designee according to the applicable provisions of the Personnel Regulations Manual or as otherwise authorized, directed, or approved by the Chief Judge or designee.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida, this 30 day of March, 1990.

/s/MIETTE K. BURNSTEIN
MIETTE K. BURNSTEIN, Chief Judge