

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

ADMINISTRATIVE ORDER NO. II-06-F-17

IN RE:

DOMESTIC VIOLENCE

DIVISIONS 57, 58 AND 59
OF UNIFIED FAMILY COURT

WHEREAS, pursuant to Administrative Order II-00-H-4A, the Domestic Violence Court Divisions (57) and (59) currently hear all the Domestic/Repeat Violence Injunctions not associated with a pending dissolution of marriage or paternity; and

WHEREAS, the Judges of the Unified Family Court Domestic Violence Division (58)(35-42, and 44)¹ shall assist the Domestic Violence Court by presiding over Unified Family Court Division (59) violence injunction cases in the event of illness, vacation or other absence of the Division (59) judge and shall coordinate these cases with other related family cases.

THEREFORE, in accordance with the authority vested in the Chief Judge By Rule 2.050, Florida Rules of Judicial Administration and Florida Statutes,

It is ORDERED that:

Unified Family Court Division (59) shall handle Petitions for Injunction against Violence and fifteen (15) day return hearings.

Unified Family Court Division (59) shall be assigned a full docket of evidentiary hearings on said violence cases [fifteen day return hearings].

Judges assigned to Unified Family Court Domestic Violence Divisions (57), (58)/(35-42 and 44), and (59) shall coordinate their vacations to assure that the Division (57), the weekly scheduled Division (58)/(35-42 and 44) coverage judge, and Division (59) judge are not all absent from the courthouse during the same period of time.

When the Unified Family Court Domestic Violence Division (59) judge is absent from the courthouse, the scheduled the Unified Family Court Domestic Violence Division (58)/(35-42 and 44) judge shall be assigned to handle the Division (59) hearings. The Administrative Judge of the Unified Family Court shall prepare a weekly rotation schedule for Division (59) coverage

¹ Division (39) is not included in this reference, or any other reference regarding Division (58)/(35/42 and 44) throughout this Administrative Order.

by Division (58)/(35-42 and 44) judges. Any changes to the schedule shall be provided to the Clerk's Office and court case managers.

In the event a Unified Family Court Division (58)/(35-42 and 44) judge hears a Division (59) case as a result of conflict or vacation subsequent to the filing of said case, the judge designation shall, however, not be changed. Any subsequent motions to rehear, vacate, enforce or modify said injunction shall be heard by the Division (59) judge originally assigned to the case. Judges of the Unified Family Court Domestic Relations Division shall continue to hear the (15) day return hearings when there is a crossover domestic relations case, i.e., pending dissolution of marriage, paternity or pending modification concerning custody or visitation. These cases are reassigned to said judge, for example (58)(44). This does not include any case wherein the Department of Revenue is the petitioner, and where the custodial parent and respondent are the parties to the domestic violence petition.

Commencing March 1, 2005, when there are domestic violence and dependency crossover cases, the domestic violence action will be originally filed in or reassigned to the Unified Family Court Domestic Violence Division to which the Dependency Division Judge presiding over the dependency case is assigned, *[for example: 05-987654 (58/31)]*. Crossover cases are where the petitioner and respondent in an open domestic violence case are both respondents in the same open dependency action.

Crossover cases should be reassigned to the Unified Family Court Domestic Violence Division (58)/(31-42 and 44) judge hearing (crossover) or related matters but not consolidated with the (crossover) or related case or cases. If the (crossover) or related case is discovered after the date of filing of the Petition for Injunction Against Violence, but before the 15 day hearing, the judge sitting in the division where the case is reassigned will be contacted and advised of the hearing time. The judge assigned to the Unified Family Court Domestic Violence Division (58)/(31-42 and 44) to which the case is reassigned will hear the matter at the time scheduled if reasonably possible or will extend the order and reset the hearing date.

The weekly scheduled Unified Family Court Domestic Violence Division (58)/(35-42 and 44) judge shall also hear Emergency Petitions for Temporary Injunction Against Violence in the absence or unavailability of the Division (59) and (57) Domestic Violence judges.

When an order of disqualification is entered in a case assigned to Unified Family Court Domestic Violence Division (58), the domestic violence case will be assigned to another Unified Family Court Domestic Violence Division (58)/(35-42 and 44). If the recusal in the Domestic Violence Division case resulted in an additional recusal in a Domestic Relations Division action (dissolution of marriage, paternity, dependency etc.), both actions shall be assigned to the same new Unified Family Court Domestic Violence Division. In the event that the related or cross over domestic violence case and domestic relations case are assigned to different Unified Family Court Domestic Violence Division, then the Division receiving the domestic relations case shall reassign the domestic violence case to his/her division. Cases subject to orders of disqualification for Divisions (57) and (59) shall not be assigned to a Division (58)/(35-42 and 44) judge unless all judges assigned to both Divisions (57) and (59) have been disqualified on that case.

Unless otherwise indicated, this Order shall be effective on the date signed.

This order amends Administrative Order II-05-F-17.

DONE AND ORDERED at Fort Lauderdale, Broward County, Florida this 1st day of
May 2006.

/s/DALE ROSS
DALE ROSS, Chief Judge

[Civ.Disk #47]