

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

ADMINISTRATIVE ORDER NO: II-06-F-4C

IN RE:

UNIFIED FAMILY COURT
ASSIGNMENTS

In accordance with the authority vested in the Chief Judge by Rule 2.215 of the Florida Rules of Judicial Administration, it is

ORDERED that:

Effective **Tuesday, January 16, 2007**, the following Judges are assigned to the Unified Family Court and preside over the Division(s) as designated.

1. The Clerk of Court is directed to assign each new domestic relations case as designated below, and the division will, until further Order, be presided over by Judges as follows:

| JUDGE | DIVISION |
|----------------|--------------------------|
| Garcia-Wood | (30) |
| Frusciante | (31) |
| Tieman-Bristol | (32) |
| Bowman | (33) |
| Cohen, Dale | (34) |
| Birken | (35) |
| Goldenberg | (36) |
| Greenhawt | (37) |
| Horowitz | (38) |
| | (39) ¹ |
| Aramony | (40) |
| Korda | (41) |
| Tuter | (42) |
| Ross | (43) |
| * Vitale | (44) ² |
| Cohen/Gonzalez | (57) (Domestic Violence) |
| Family Judge | (58) (Domestic Violence) |
| Dijols | (59) (Domestic Violence) |

¹ After March 1, 2005, Division 39 no longer received case assignments. All pending Division 39 cases were reassigned according to a memorandum from the Chief Judge by March 1, 2005. Thereafter, reopened Division 39 cases will be randomly reassigned to Divisions (35 through 42, excluding 39).

² By separate Administrative Order some later to be identified "pro se" cases will be assigned to a newly created division(s).

An asterisk (*) designates administrative judge.

Pro Se Division (44) of the Unified Family Court was established on March 1, 2005. All original domestic relations cases filed on or after March 1, 2005 which are filed as *pro se* (the petitioner is self-represented) shall be assigned to the *Pro Se* Division (44) of the Unified Family Court. (If there is a previously existing DOR case and a *pro se* paternity/visitation matter is filed, then the paternity/visitation matter is assigned to the division to which the DOR case was assigned.) The Division (44) judge may transfer crossover (related) cases to Division (44) at final hearing or thereafter as may be appropriate. In the event that one or more parties to a Division (44) case obtains legal representation in the matter, the Division (44) judge may opt to have the case randomly reassigned by the Clerk of Court to another Unified Family Court Domestic Relations Division (35 - 42 excluding 39).

Reopened cases including domestic relations cases related to pending DOR cases are filed as indicated in Administrative Order II-05-F-8 and any subsequent amendments.

Crossover cases are identified as open cases involving the same adult parties and/or their children. When it is determined that there is a crossover domestic relations and dependency case, the domestic relations case shall be transferred to the Domestic Relations Division associated with the Unified Family Court Dependency Division in which the dependency case is filed. (See Paragraph 3. below). Crossover domestic relations/dependency cases which are identified at filing shall be directly filed in Domestic Relations Divisions (30 - 34), which are assigned to the Dependency Division judges. Crossover cases which are not identified at filing shall be associated by court case managers who will utilize reports produced by the Clerk of Court identifying crossover cases to prepare orders transferring to the appropriate divisions (30 - 34).

A DOR/DCF case is a DOR case which is a crossover case between a DOR domestic relations case and a dependency case. At the time of filing the Department of Revenue will advise the Clerk's Office of the Unified Family Court Dependency Division in which the (crossover) or related dependency matter is filed, so that proper assignment may be made on all Department of Revenue child support cases filed on behalf of Department of Children & Families or its agents, or otherwise arising out of a dependency case. The DOR/DCF case will be assigned to the respective Unified Family Court Domestic Relations Division (30 - 34) to which the Dependency Division judges are assigned, in accordance with paragraph 3. below. *[Example: 05-654321 (32/96) FMCE]*.

Crossover domestic relations and domestic violence cases shall be managed according to Administrative Order II-05-F-17 and any subsequent amendments.

Crossover domestic relations and delinquency cases shall not be transferred to one division, but instead shall be coordinated by court case managers. Court case managers shall utilize reports produced by the Clerk of Court identifying crossover cases to provide coordinated case management services to the respective presiding judges. Cases shall be coordinated to address issues of custody, time-sharing, and referring and ordering services for the purpose of stabilizing the family. In addition, cases shall be coordinated to prevent conflicting orders regarding the children, and in appropriate cases, by order of the court, delinquency cases shall be transferred to the judge presiding over the crossover domestic relations case (after adjudication and disposition by the delinquency judge).

2. The following Judges are hereby assigned to the Juvenile Delinquency Unit of the Unified Family Court, with Delinquency Petitions randomly assigned for a percentage case distribution among the Unified Family Court Juvenile Delinquency Unit judges as follows:

| Judge | Division | |
|--------------|-----------------|-------------------------------------|
| Williams | JA | (Approx. 26.5 of total cases filed) |
| ** Zeidwig | JB | (Approx. 20.5 of total cases filed) |
| Orlando | JC | (Approx. 26.5 of total cases filed) |
| Kaplan, C. | JD | (Approx. 26.5 of total cases filed) |
| Korda | | Adjudication Hearings |

In addition, the above judges are assigned as dependency judges. They will hear crossover dependency cases which result from a *sua sponte* shelter of a child subject to a delinquency case when the only basis for the dependency is the failure of the parents or guardians to pick the child up when released from detention and allow the child to resume living in the home. Such cases will be limited to cases involving the subject delinquent child only, who has not previously been adjudicated dependent.

For the purposes of delinquency and dependency cases, crossover cases are identified as an open delinquency case and an open dependency case (a case which is actively reviewed by the court) involving the same child defendant/party. When an open delinquency case is identified as a crossover case with an open dependency case, it shall be transferred to the Unified Family Court Dependency Division in which the dependency case is filed, unless the delinquency case has recently been tried, but disposition has not been entered. In this case, the delinquency matter will not be transferred to the Unified Family Court Dependency Division. Upon filing of a new delinquency case, the Clerk of Court is directed to search for any open dependency case regarding the subject child, and if there is an open dependency case, assign the newly filed delinquency case to the Unified Family Court Dependency Division in which the open dependency case is filed.³ The Clerk of Court is directed to mark the delinquency file to indicate that the child is also involved in an open dependency case, so the matter may be properly set before the Unified Family Court Dependency Division judge after the detention hearing. In addition, the judge presiding over detention hearings may sign the order transferring the delinquency case to the Unified Family Court Dependency Division.

Court case managers shall utilize reports produced by the Clerk of Court identifying crossover dependency/delinquency cases not otherwise assigned to a Unified Family Court Dependency Division to prepare orders transferring the delinquency case to the appropriate Unified Family Court Dependency Division in which the crossover dependency case is filed. When crossover delinquency cases are transferred to a Unified Family Court Dependency Division, the Clerk of Court shall assure that the delinquency case is properly assigned to the division and judge presiding over the dependency case.

³ Supplemental proceedings in delinquency cases previously assigned to a dependency division and subsequent original delinquency cases involving a dependent child shall be assigned or transferred to the dependency division in which the dependency case is closed but jurisdiction is retained.

Crossover domestic violence and delinquency cases shall not be transferred to one division, but instead shall be coordinated by court case managers. Court case managers shall utilize reports produced by the Clerk of Court identifying crossover cases to provide coordinated case management services to the respective presiding judges. Case managers shall also provide coordinated case management to minimize the number of court appearances and eliminate the possibility of conflicting court orders.

Judge Lawrence Korda will hear overflow adjudicatory hearings from all divisions.

Judges assigned to the delinquency divisions shall serve as judicial alternates to each other.

** Designates Administrative Judge of the Unified Family Court Juvenile Delinquency Unit, who shall work in conjunction with the Administrative Judge of the Unified Family Court.

3. Dependency and Termination of Parental Rights⁴ cases shall be randomly assigned in an equal distribution, except as noted below, between the designated judges of the Dependency Divisions of the Unified Family Court as follows:

| Judge | Division | Domestic Relations Division |
|----------------|-----------------|------------------------------------|
| Garcia-Wood | JM | 30 |
| Frusciante | JN | 31 |
| Tieman-Bristol | JO | 32 |
| Bowman | JP | 33 |
| Cohen, Dale | JQ | 34 |

Judges assigned to dependency divisions shall serve as judicial alternates to each other.

When a domestic relations case is identified as a crossover case to be presided over by a Unified Family Court Dependency Division judge, it will be transferred to the Unified Family Court Domestic Relations Division to which the judge presiding over the crossover dependency case is assigned, and shall be assigned the coordinating domestic relations designation as indicated above, until further order. *[Example: 05-123456 (31/90) FMCE]*. However, if the domestic relations case is older than the dependency case, the judges will confer and determine who will retain both cases. If there is no resolution between the conferring judges, then the domestic relations case will be transferred to the Unified Family Court Domestic Relations Division to which the judge presiding over the dependency case is assigned. If there is also a related crossover delinquency case which has been transferred to the Dependency Division, then the crossover domestic relations case shall be transferred to the Unified Family

⁴ Termination of Parental Rights cases where the child was previously adjudicated dependent shall be filed in the dependency division to which the dependency case is assigned.

Court Domestic Relations Division to which the judge presiding over the dependency case is assigned.

If the domestic relations (dissolution of marriage) case involves complex financial issues, then the Unified Family Court Domestic Relations Division judge will hear all the issues in the dissolution except for child custody/visitation issues which will be deferred to the Unified Family Court Dependency Division judge presiding over the dependency case.

Crossover domestic violence and dependency cases shall be managed according to Administrative Order II-05-F-17 and any subsequent amendments.

4. On a case-by-case basis, dependency hearings identified by the Unified Family Court Dependency Division judges may be assigned through the Chief Judge to a designated county judge at the Central, North or South Courthouses. In such cases, the designated county judge will be assigned as a temporary juvenile judge under separate order.

5. Judge Lawrence Korda is assigned as a juvenile judge to assist in timely hearing termination of parental rights cases as referred on a case by case basis by the Unified Family Court Dependency Division judges.

6. UFC Dependency General Magistrates⁵ shall be assigned as follows:

| General Magistrate | Division | Judge's Division |
|---------------------------|-----------------|-------------------------|
| Michael Robinson | GL | JM/JN |
| Ken Gillespie | KG | JO/Emergency Relief |
| Giuseppina Miranda | MW | JP/JQ |

An Order of Referral to General Magistrate must be issued to authorize the General Magistrate to preside over each matter referred in accordance with Rule 8.257, Fla. R. Juv. P.

A Report of the General Magistrate shall be produced for the assigned judge's review and distribution to the parties on each case heard by the General Magistrate. Each case must be reviewed by the assigned judge at least one time every twelve months.

7. Emergency juvenile delinquency and dependency matters should first be presented before the judge in the division to which the case is assigned. If the assigned judge is not available, then the case should be presented before an alternate judge. Emergency matters in Unified Family Court Domestic Relations Divisions (30 - 34) should first be presented before the presiding judge, and if not available, the matter shall be handled in accordance with Administrative Order II-90-A-3 and its amendments.

⁵ Refer to Administrative Order No.: II-05-C-2 and subsequent amendments for general magistrate and hearing officer assignments to other Unified Family Court divisions. Cases previously randomly assigned to general magistrates shall be reassigned according to the scheme indicated in paragraph 6.

8. Whenever possible, each defendant shall be filed upon separately in a single petition for adjudication of delinquency, so the case can be assigned to the appropriate division. Where such filing is not possible, the division in which the oldest child's case is assigned is controlling for assignment purposes. If dependent siblings are subsequently involved in delinquency cases, those cases shall remain with the Dependency judge.

9. In delinquency cases, Supplementary proceedings, i.e., Violations of Community Control, Petitions for Change of Custody, Petitions for Review, Rules to Show Cause, will be assigned to the division where the case was originally filed, unless there is a current open dependency case, or a closed dependency case in which the court retained jurisdiction, which will result in the delinquency case being transferred to the dependency division to which the dependency case is assigned.

10. Weekday delinquency detention and dependency shelter hearings shall be rotated on a weekly basis between the judges assigned to the Unified Family Court Juvenile Delinquency and Dependency Units based upon a schedule established by the Administrative Judge of the Juvenile Delinquency Unit of the Unified Family Court.

11. Crossover cases shall be assigned or transferred to the appropriate division as indicated above, but shall not be consolidated into the receiving division's existing case. All orders of transfer from one division directly to another shall be entered by the judge in the division receiving the case.⁶

12. To the extent possible, court case managers shall assist the Unified Family Court Divisions in scheduling hearings on crossover cases before the same judge, or coordinating scheduling of the hearings with the presiding judges on the same day to minimize the number of court appearances.

13. The UFC Administrative Judge shall resolve any conflicts regarding assignment of cases pursuant to this order.

14. This order rescinds and replaces Administrative Orders II-06-F-4B.

15. Unless otherwise indicated above, this order shall take effect upon the date signed.

DONE AND ORDERED in Chambers at Broward County, Florida, this 15th day of December 2006.

/s/DALE ROSS
DALE ROSS, Chief Judge

⁶ The exceptions to this are delinquency cases transferred at detention to a dependency division, and domestic violence cases transferred to a domestic relations or dependency division.