

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

ADMINISTRATIVE ORDER NO.VI-00-E-5

IN RE:

COUNTY CIVIL
DISMISSALS/TRANSFERS/
DISQUALIFICATION/CONSOLIDATION

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In accordance with the authority vested in the Chief Judge by Rule 2.050, Florida Rules of Judicial Administration, the following shall apply to civil cases filed in the County Court of the Seventeenth Judicial Circuit:

1. Whenever a suit is terminated by entry of a notice of voluntary dismissal, or is dismissed by a judge for lack of prosecution or is dismissed without prejudice for any reason, and the same suit is refiled without a substantial change in issues or parties, counsel shall forthwith notify the judge to whom the original case was assigned. Should the newly filed suit be assigned to a judge other than the judge to whom the original suit was assigned, the original judge shall then enter an appropriate order transferring the case back to the division of the original judge. In such instance, the original judge shall not transfer a case to the assigning judge in lieu thereof.

2. When two or more cases which might be appropriately consolidated or tried together are pending before different judges, counsel may file a motion to consolidate or transfer with notice before the judge having the case with the earliest filing date. Following hearing, and if appropriate, said judge may order the transfer of any such companion case(s) and shall thereafter hear the same and determine the methods of procedure. The judge to whom such companion case is transferred shall thereupon transfer to the judge from whom such case was transferred, a like number of case(s) from the next new and similar case(s) assigned to him or her. No consolidation shall be made into a closed out case, or into a case that has exceeded time standards. Nothing herein shall prevent a judge from assisting the assigned judge with any case with the consent of the assigned judge in order to facilitate the expeditious administration of justice.

3. When a case assigned to a judge of any division of the court may not be heard by such judge by reason of disqualification, an order shall be entered therein by such judge determining the disqualification and stating the reason therefor. The disqualified judge shall thereupon return the case to the Clerk for reassignment pursuant to Paragraph 1 hereof. The newly assigned judge shall thereafter transfer to the disqualified judge the next new similar case assigned to him or her.

DONE AND ORDERED at Fort Lauderdale, Broward County, Florida, this 28th day of September, 2000.

/s/DALE ROSS
DALE ROSS, Chief Judge