

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

Order Number 2009-87-PRC

**AMENDED ADMINISTRATIVE ORDER ESTABLISHING
DISTRIBUTION OF PROBATE DIVISION CASES**

(a) Florida Rule of Judicial Administration 2.215(b)(3) states the chief judge shall “considering available resources, ensure the efficient and proper administration of all courts within [this] circuit.”

(b) In accordance with the authority vested in the chief judge by Florida Rule of Judicial Administration 2.215, it is ordered:

(1) The Clerk of Circuit Court, effective immediately, shall assign probate cases in the following percentages:

Division 60	33.3%
Division 61	33.3%
Division 62	33.3%

(2) The Clerk of Circuit Court, effective immediately, shall assign probate cases to the general magistrates in the following percentages:

Division 68	50%
Division 69	50%

(3) The Clerk of Circuit Court shall randomly assign any and all cases in as equal a distribution as possible to the divisions as set forth in this Administrative Order.

(4) The same general magistrate division shall be assigned the incapacity and guardianship case for an individual.

(5) All Chapter 394, Florida Mental Health Act (“The Baker Act”), Chapter 397 Hal S. Marchman Alcohol and Other Drug Services Act of 1993, and Section 945.43, Florida Statutes hearings are hereby referred to the general magistrate as authorized by law.

- (6) The routine random assignment of cases shall be overridden by the Clerk of Circuit Court under the following limited circumstances:
- (a) All probate, guardianship, or mental health cases for an individual shall be assigned to only one (1) probate division judge or general magistrate no matter the status of the prior proceeding, e.g., open, pending, closed, or disposed.
 - (b) If the assets of two (2) or more individuals adjudicated incapacitated are significantly interrelated so that the same division should hear the guardianship proceedings for all individuals.¹
 - (c) If minor guardianship proceedings are opened for siblings with the same guardian of the property the cases shall be assigned to one (1) division.
- (7) An interested person may seek the consolidation of a case. A petition shall be filed with the Division assigned the earliest case number and if granted the Clerk of Circuit Court shall transfer the case to the Division with the earliest case number.

DONE AND ORDERED in chambers at Fort Lauderdale, Broward County, Florida on
October 17, 2014 nunc pro tunc to July 27, 2009.

s/Peter M. Weinstein
Peter M. Weinstein, Chief Judge

¹ The cases governed by this exception will generally include spouses or siblings or domestic partners.