

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

*Administrative Order No. 2017-37-Gen*

**AMENDED ADMINISTRATIVE ORDER AS TO JURY MANAGEMENT**

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(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) The Broward County Board of Commissioners are in the process of continued construction relating to the new Broward County Courthouse. The construction of the new courthouse resulted in the demolition of the staff parking garage and relocation of staff parking. As a result, there are limited parking spaces for persons summoned for jury duty.

(c) In order to ensure jury management for the Broward County and Seventeenth Judicial Circuit operates in a manner that guarantees the constitutional right to trial by jury and simultaneously optimizes citizen jurors’ valuable time, in accordance with the authority vested in the chief judge by Florida Rule of Judicial Administration 2.215, it is hereby **ORDERED** as follows:

(1) The Chief Judge and Judge Carol-Lisa Phillips shall have primary responsibility for ensuring the effective and efficient operations of jury management for the Broward County and Seventeenth Judicial Circuit courts by the Clerk of the Courts. Judge Carol-Lisa Phillips shall resolve all disputes with regard to jury panels or jury related issues with the advice and consent of the Chief Judge.

(2) Judge Carol-Lisa Phillips is designated as the jury management judge.

(3) For purposes of determining the maximum number of jurors to summon, the Clerk of the Courts shall comply with the panel size guidelines indicated in the attached table. The Clerk of the Courts shall issue sufficient summonses so that 325 individuals are available to serve on jury panels on Monday, Tuesday, or Wednesday. The Clerk of the Courts shall advise all jurors as to the locations for parking as determined by the Broward County Board of Commissioners. The Clerk of the Courts shall issue sufficient summonses, based upon judicial requests for panels in excess of the attached table, so that individuals are on call to serve on jury panels on Thursday or Friday.

(4) The presiding judge of any trial should always strive to not deviate from the panel size guidelines as indicated in the attached table on Monday, Tuesday, or

Wednesday, except for felony capital cases. Panels which deviate from the attached guidelines shall only be available on Thursday or Friday.

(5) Prompt notification of the number of prospective jurors to summon and when the jurors will be needed must be provided to the jury manager as designated by the Clerk of the Courts. To preserve priority, this notice **must** be provided to the jury room on the Clerk of the Courts form and be physically clocked in no later than 3:00 p.m. the business day before the panel is desired. The Clerk of the Courts on Monday, Tuesday, or Wednesday will provide panels as set forth in the attached table. The Clerk of the Courts shall provide panels in excess of the attached table only on Thursday or Friday.

(6) A judge may not dismiss a juror from the courtroom, except for language, health, or family reasons. Any unused or dismissed jurors shall be promptly returned to the jury room.

(7) If a panel is not retrieved by the presiding judge within one (1) hour of the time specified on the form provided to the jury manager the panel shall be released back to the general jury pool. If the presiding judge thereafter determines that a panel is required that day, the presiding judge may request a panel if sufficient individuals are present and not assigned to another panel. All judges should make all efforts to ask for morning jury panels no later than 11:45 a.m. All judges should be mindful of juror family and transportation issues in determining when to begin jury selection and the hours to be worked by a jury. Absent particularly unusual circumstances, jurors should not be asked to work beyond normal courthouse working hours.

(8) If a presiding judge should need to hold a panel of **sworn** jurors out of the courtroom for longer than one (1) hour, the presiding judge may return the panel to the jury room for the jurors comfort. Any judge holding a panel for selection should personally address the panel and thank them for their service before being returned to the jury room or excused from jury service. No judge should return a jury panel overnight unless the panel has been sworn for questioning and inquiry has been made as to their availability to return for jury service.

(9) In accordance with the Supreme Court Administrative Order, the Seventeenth Judicial Circuit establishes the following guidelines for cases seeking panels in excess of the attached guidelines:.

- a. A judge desiring a panel of forty (40) or more individuals must submit the request in writing to the jury room on the Clerk of the Courts form at least thirty (30) days prior to the date needed.
- b. Except for capital cases, a judge needing a panel of fifty (50) or more individuals may request such a panel only on Thursday or Friday.

(10) Priorities. In the event an insufficient number of individuals are available for a panel, the jury room is to provide panels to judges based on the following priority:

- a. Mondays (Tuesdays if Monday is a court holiday) - Circuit Criminal Cases and County Criminal cases where a Notice of Expiration of Time for Speedy Trial has been filed and within the “window of recapture”;
- b. Tuesdays (Wednesdays if Monday is a court holiday) - Circuit and County Civil cases;
- c. Circuit or County Criminal if the Defendant is not in custody;
- d. “Jimmy Ryce” trials;
- e. Any other case may be given priority for a jury based on extraordinary circumstances or with the permission of Judge Carol-Lisa Phillips or the Chief Judge upon a showing of good cause;
- f. Circuit Criminal trials;
- g. County Criminal trials;
- h. Circuit Civil cases;
- i. County Civil cases.

(11) This Administrative Order vacates and supersedes Administrative Order 2014-1-Gen.

**DONE AND ORDERED** in Chambers, Fort Lauderdale, Broward County, Florida on this 28th day of July, 2017.

/s/ Jack Tuter  
Jack Tuter, Chief Judge

## Panel Size Guidelines

Panel Size Guidelines for Typical Cases			Guidelines for Exempted Cases**
Case Type	Guideline	Acceptable Deviations* (with approval of presiding judge)	
Death penalty cases	No greater than 50	Plus 3 for each additional defendant; or Plus 3 for lengthy trials; or Plus 3 for high profile trials; or Plus 3 for extraordinary circumstances.	<b>Jury Panel Size to be Established by the Presiding Judge and Parties</b> (Prompt notification to jury managers will be required.)
Other 12 person juries (criminal or civil) and life felonies	No greater than 40	Plus 3 for each additional defendant/party; or Plus 3 for lengthy trials; or Plus 3 for high profile trials; or Plus 3 for extraordinary circumstances.	
Sexual battery cases w/ child	No greater than 30	Plus 3 for each additional defendant; or Plus 3 for lengthy trials; or Plus 3 for high profile trials; or Plus 3 for extraordinary circumstances.	
Sexual battery cases no child	No greater than 25	Plus 3 for each additional defendant; or Plus 3 for lengthy trials; or Plus 3 for high profile trials; or Plus 3 for extraordinary circumstances.	
Other circuit criminal cases	No greater than 22	Plus 2 for each additional defendant; or Plus 2 for lengthy trials; or Plus 2 for high profile trials; or Plus 2 for extraordinary circumstances.	
Other circuit civil cases	No greater than 22	Plus 2 for each additional party; or Plus 2 for lengthy trials; or Plus 2 for high profile trials; or Plus 2 for extraordinary circumstances.	
Domestic violence cases	No greater than 16	Plus 2 for each additional party; or Plus 2 for lengthy trials; or Plus 2 for high profile trials; or Plus 2 for extraordinary circumstances.	
Driving under the influence cases	No greater than 16	Plus 2 for each additional defendant; or Plus 2 for lengthy trials; or Plus 2 for high profile trials; or Plus 2 for extraordinary circumstances.	
Other county cases	No greater than 14	Plus 2 for each additional defendant/party; or Plus 2 for lengthy trials; or Plus 2 for high profile trials; or Plus 2 for extraordinary circumstances.	

\*These deviations from the guidelines must be approved by the presiding judge. Deviations may be cumulative given case specifics. However, such deviations should not exceed 20 jurors above the guideline. Lengthy trials are those predicted to last more than five days. High profile trials are those receiving a significant amount of publicity as determined by the presiding judge. Extraordinary circumstances are any other factors that may impact the voir dire process as determined by the presiding judge.

\*\*Exemptions may be granted for complex, lengthy, or high profiles cases as determined by the presiding judge.