

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

Administrative Order No. 2018-13-Temp

**ADMINISTRATIVE ORDER TEMPORARILY GOVERNING FAILURE
TO APPEAR AT CIVIL TRAFFIC INFRACTION HEARINGS BY
DEFENDANTS AND/OR LAW ENFORCEMENT OFFICERS**

(a) Pursuant to Article V, section 2(d) of the Florida Constitution and section 43.26, Florida Statutes, the Chief Judge of each judicial circuit is charged with the authority and the power to do everything necessary to promote the prompt and efficient administration of justice.

(b) Pursuant to sections 318.30-318.38, Florida Statutes, and Florida Traffic Court Rule 6.630, there exists a civil traffic infraction hearing officer program in Broward County.

(c) Civil traffic infraction hearings are currently scheduled to be held before Civil Traffic Hearing Officers on Thursday, February 15, 2018 and Friday, February 16, 2018 where attendance by defendants and law enforcement officers may be required.

(d) Defendants and law enforcement officers may be unable to attend such hearings because of traffic-related complications and/or continued law enforcement duties as a result of emergency circumstances occurring on February 14, 2018.

(e) In accordance with the authority vested in the Chief Judge by Article V, section 2(d) of the Florida Constitution, section 43.26, Florida Statutes, and Florida Rule of Judicial Administration 2.215, it is hereby **ORDERED**:

(1) The failure of a defendant to appear at a civil traffic infraction hearing scheduled for Thursday, February 15, 2018 or Friday, February 16, 2018, shall not be considered a failure to appear, and therefore, the Clerk of the Court shall not notify the Department of Highway Safety and Motor Vehicles pursuant to section 318.15(1)(a), Florida Statutes.

(2) The failure of a law enforcement officer to appear at a civil traffic infraction hearing scheduled for Thursday, February 15, 2018 or Friday, February 16, 2018

shall not result in the dismissal of the action for lack of prosecution or otherwise, but shall result in the matter being continued and rescheduled to a future date.

(3) This Administrative Order shall expire at 12:01 a.m. February 17, 2018.

DONE AND ORDERED in Chambers, Fort Lauderdale, Florida, this 16th day of February, 2018 *nunc pro tunc* to February 15, 2018.

/s/ Jack Tuter
Jack Tuter, Chief Judge