

THE EIGHTH JUDICIAL CIRCUIT OF FLORIDA
ADMINISTRATIVE ORDER NO. 9.01 (v 2018-2)

**ASSIGNMENT OF ALACHUA COUNTY
CIRCUIT AND COUNTY CASES TO DIVISIONS**

In order to provide for the requirements of the Eighth Judicial Circuit with regard to the assignment of cases to divisions; and

WHEREAS, the Florida Rules of Judicial Administration require that the Chief Judge of the Circuit assign judges to the courts and divisions. Fla. R. Jud. Admin. 2.215(b)(4); and,

WHEREAS, in order to assign judges in Alachua County, all county and circuit court cases should be properly defined and identified. Though most cases are adequately defined and labeled, some types of cases need to be defined and assigned to a division label. Some division names that are in place should be ratified and new division names should be created for the previously undefined cases.

THEREFORE, it is hereby

ORDERED:

1. New division labels are created and old division labels are ratified for the circuit and county courts of Alachua County as follows. The Chief Judge may reassign cases by separate order when appropriate.

2. The Clerk of Court of Alachua County shall assign cases as follows:

CIRCUIT COURT

CIVIL: Uniform Case Numbering System "CA"
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DIVISION "J" Circuit "CA" cases assigned by a 50% blind draw to this division.

DIVISION "K" Circuit "CA" cases assigned by a 50% blind draw to this division.

DIVISION “W” Circuit “CA” cases involving Writ Petitions as follows:

Prohibition petitions, Fla. R. Civ. P. 1.630, Fla. R. App. P. 9.100, Fla. R. App. P. 9.030(c)(3), and Art. V, § 5(b), Fla. Const.

Habeas Corpus petitions, Ch. 79, Fla. Stat., Fla. R. Civ. P. 1.630, Fla. R. App. P. 9.100, Fla. R. App. P. 9.030(c)(3), and Art. V, § 5(b), Fla. Const.

Mandamus, Fla. R. Civ. P. 1.630, Fla. R. App. P. 9.100, Fla. R. App. P. 9.030(c)(3), and Art. V, § 5(b), Fla. Const.; and

Jury Service cases where the court has entered an order imposing a fine or costs for failure to appear on an Order to Show Cause for jury service.

DIVISION “MG” Circuit “CA” residential foreclosure cases.

FAMILY: Uniform Case Numbering System “DR”

DIVISION “UFC” All cases in which a party to a “DR” case (with the exception of Department of Revenue cases) is also a party in a pending dependency case. All such cases should be conjoined by an order from the Chief Judge.

DIVISION “DR1” Family “DR” cases assigned to this division by a 25% blind draw of all DR cases (including pro se cases) that are not classified as UFC, AD, DOR, or DV.

DIVISION “DR2” Family “DR” cases assigned to this division by a 25% blind draw of all DR cases (including pro se cases) that are not classified as UFC, AD, DOR, or DV.

DIVISION “DR3” Family “DR” cases assigned to this division by a 25% blind draw of all DR cases (including pro se cases) that are not classified as UFC, AD, DOR, or DV.

DIVISION “DR4” Family “DR” cases assigned to this division by a 25% blind draw of all DR cases (including pro se cases) that are not classified as UFC, AD, DOR, or DV.

DIVISION “SD” All Simplified Dissolution cases, Fla. Fam. L. R. P. 12.105

DIVISION “AD” All Family “DR” cases involving adoption, Ch. 63, Fla. Stat.

DIVISION “N” Family “DR” Department of Revenue cases. This includes open, closed, reopened, and reclosed cases.

DIVISION "DV" Family "DR" cases involving Domestic Violence, § 741.30, Fla. Stat.; Repeat, Sexual or Dating Violence, § 784.046, Fla. Stat.; and Stalking, § 784.0485, Fla. Stat.

In all instances in which a litigant is a party to two or more related pending Family Division cases, none of which is a dependency case, the cases may be assigned or transferred to the division to which that party's first related case was assigned, unless one of the cases involves an injunction for protection, as described below.

When a petition for protection against domestic violence (including repeat violence, dating violence, sexual violence, and stalking) is filed and another Family Division case is pending involving the same parties, the DV case shall be assigned to the division to which the pending family case is assigned. When a Family Division case is filed and a domestic violence case is pending or an injunction is in place involving the same parties, the family law case shall be assigned to Family Division "DR2".

Post-Judgment Proceedings in Family "DR" cases shall be assigned as follows:

1. When a reopening motion or pleading is filed, the case shall remain in its previously assigned division.
2. All Department of Revenue division "N" cases shall remain in division "N" regardless of who the petitioner is on post-judgment proceedings unless the case has been reassigned to Divisions DR1, DR2, DR3, or DR4 pursuant to the terms of this Administrative Order.

PROBATE: Uniform Case Numbering System "CP" and "GA"

DIVISION "A" Probate "CP", "GA", and "MH" (Ch. 744 incapacities or restorations) cases.

"CP" Probate cases involving:

Estates and all estate matters relating to estate proceedings pursuant to Ch. 731, 732, 733, 734, and 735, Fla. Stat.

Estate matters such as Deposit of Will

Petitions to Amend Death Certificate pursuant to § 382.016, Fla. Stat.

Other Estate Filings

"GA" Guardianship cases involving:

Guardianship matters such as Professional Guardians and Pre-Need Guardians

Petitions for Approval of Settlement of Minors Claim w/o guardianship

Petition for Appointment of Guardian/Guardian Advocate pursuant to Ch. 744, Fla. Stat.

Petition for Appointment of Guardian Advocate pursuant to § 393.12, Fla. Stat.

Petition to Designate Custodian under Ch. 710, Fla. Stat., unless an estate is pending

Petition to Appoint Conservator for an Absentee Ch. 747, Fla. Stat.

Injunctions for Protection Against Exploitation of a Vulnerable Adult pursuant to § 825.1035, Fla. Stat.

“MH” Mental Health cases involving:

Incapacities or restorations pursuant to Ch. 744, Fla. Stat.

MENTAL HEALTH: Uniform Case Numbering System “MH”
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DIVISION “Q”

“MH” TREATMENT cases involving treatment of mentally deficient and mentally ill defendants, § 916.107, Fla. Stat., such as NFETC or Seguin Unit defendants

“MH” Department of Corrections Mental Health Treatment § 945.43, Fla. Stat.

“MH” Adult Protection cases. Ch. 415, Fla. Stat.

“MH” Medical Treatment cases. Fla. Prob. R. 5.900 and § 765.105, Fla. Stat.

“MH” Tuberculosis Control cases. § 392.55, 392.56 and § 392.57, Fla. Stat.

“MH” Developmental Disability Involuntary Admission cases. § 393.11, Fla. Stat.

“MH” Sexually Transmissible Diseases cases. § 384.287, Fla. Stat.

“MH” Involuntary HIV testing. § 381.004(3)(h)(10), Fla. Stat.

“MH” Certification of Imminent Danger/Firearm Prohibition reviews, pursuant to § 790.065, Fla. Stat.

“MH” Petitions for Relief from Firearm Disabilities, pursuant to § 790.065, Fla. Stat.

DIVISION “R”

“MH” Jimmy Ryce cases involving involuntary commitment of sexually violent predators, § 394.910-394.932, Fla. Stat. (assigned to felony criminal

division judges pursuant to the procedures set forth for cases in the felony criminal division).

“MH” Sexual Predator petitions filed by the State Attorney to designate a person as a sexual predator pursuant to § 775.21(5)(a), Fla. Stat.

DIVISION “S” The following cases are assigned to this division:

“MH” Baker Act cases involving examination or placement. Ch. 394, Fla. Stat.

“MH” Marchman Act cases involving assessment or treatment. Ch. 397, Fla. Stat.

“MH” Medical/Psychiatric Treatment, § 394.459(3)(c) and § 394.4598(6), Fla. Stat.

DIVISION “RP” “MH” Risk Protection Order Act cases, pursuant to §790.401, Fla. Stat.

CRIMINAL: Uniform Case Numbering System “CF”

DIVISION “I” “CF” felony cases where the first letter of the “A” defendant’s last name falls between A-E.

DIVISION “II” “CF” felony cases where the first letter of the “A” defendant’s last name falls between F-K.

DIVISION “III” “CF” felony cases where the first letter of the “A” defendant’s last name falls between L-R.

DIVISION “IV” “CF” felony cases where the first letter of the “A” defendant’s last name falls between S-Z.

DIVISION “VI” “CF” felony cases in which a defendant initiates collateral proceedings as identified in Administrative Order 4.11.

Multiple Defendants: Where there is more than one defendant, each defendant shall be assigned to the division to which the “A” defendant is assigned.

Violation of Probation Cases: When a violation of probation affidavit has been filed, the case shall remain in the division to which it was assigned at the time of the initial sentencing.

JUVENILE: Uniform Case Numbering System - Delinquency “CJ” - Dependency “DP”

DELINQUENCY “CJ” All cases involving delinquent juveniles.

DEPENDENCY "DP" All cases involving: dependent juveniles; Waiver of Parental Notification of Termination of Pregnancy of Minors (§ 390.01114, Fla. Stat.); truancy (§ 984.151, Fla. Stat.); and children in need of services (Ch. 984, Fla. Stat.).

APPEAL: Uniform Case Numbering System "AP"

DIVISION "AP" All Appeal cases from the Alachua County Court to the Circuit Court, as well as appeals from the Alachua County Code Enforcement Board.

Certiorari petitions, Fla. R. App. P. 9.030(c)(2), and Art. V, § 5(b), Fla. Const.

All other Administrative Appeals

COUNTY COURT

CIVIL: Uniform Case Numbering System "SC", "CC", "TR" and "IN"

DIVISION "IV" Small Claims "SC" cases assigned by a 50% blind draw to this division.

County Court "CC" cases assigned by a 50% blind draw to this division.

"TR" Traffic Infraction cases assigned by a 50% blind draw to this division.

"IN" - Non-Criminal Infractions assigned by a 50% blind draw to this division.

DIVISION "V" Small Claims "SC" cases assigned by a 50% blind draw to this division.

County Court "CC" cases assigned by a 50% blind draw to this division.

"TR" Traffic Infraction cases assigned by a 50% blind draw to this division.

"IN" - Non-Criminal Infractions assigned by a 50% blind draw to this division.

Post-Judgment Proceedings for SC and CC cases other than appeals shall be assigned as follows:

If the case is already assigned to division "IV" or "V", it shall remain in that division.

CRIMINAL: Uniform Case Numbering System “MM”, “MO”, “CO”, and “CT”

DIVISION “I” Misdemeanor, Municipal Ordinance violations, County Ordinance violations, Traffic cases where the first letter of the “A” defendant’s last name falls between A-G.

DIVISION “II” Misdemeanor, Municipal Ordinance violations, County Ordinance violations Traffic cases where the first letter of the “A” defendant’s last name falls between H-N.

DIVISION “III” Misdemeanor, Municipal Ordinance violations, County Ordinance violations Traffic cases where the first letter of the “A” defendant’s last name falls between O-Z.

Multiple Defendants: Where there is more than one defendant, each defendant shall be assigned to the division to which the “A” defendant is assigned.

Violation of Probation Cases: When a violation of probation affidavit has been filed, the case shall remain in the division to which it was assigned at the time of the initial sentencing.

Criminal Contempt Cases: All Criminal Contempt cases, whether direct or indirect, Circuit Court or County Court, shall be assigned a “MM” case number and remain in the division where the contempt action was requested or entered.

SPECIALTY COURTS

CRIMINAL: Uniform Case Numbering System “CF”, “MM”, and “CT”

DIVISION “V” Felony Forensics “CF” felony cases where the defendant has been found incompetent to proceed or not guilty by reason of insanity.

DIVISION “VII” Adult Felony Drug Court “CF” felony cases in which a defendant is accepted for participation in a pretrial diversion program offered to individuals who have been arrested and charged with substance abuse related offenses.

DIVISION “VIII” Veteran Treatment Court, Cases in which a defendant is accepted for participation in a pretrial diversion program offered to veterans who are arrested and charged with qualifying third degree felonies, non-violent misdemeanors or criminal traffic offenses. Qualified participants must suffer from a military service-related mental illness, traumatic brain injury, substance abuse disorder or psychological problem.

DIVISION "IX"

Mental Health Court, Cases in which a defendant is accepted for participation in a pretrial diversion program offered to individuals who are arrested and charged with qualifying third degree felonies, non-violent misdemeanors or criminal traffic offenses. Qualified participants must be diagnosed with a major mental illness or developmental disability.

This Order replaces and supersedes Administrative Order 9.01 (2018-1), "Assignment of Alachua County Circuit and County Cases to Divisions," dated March 20, 2018.

The effective date of this Order is October 31, 2018.

ORDERED ON this 29 day of October, 2018.



Toby S. Monaco, Chief Judge