

THE EIGHTH JUDICIAL CIRCUIT OF FLORIDA
ADMINISTRATIVE ORDER NO. 1.05

UNIFORM INTERCIRCUIT CONFLICT RESOLUTION PROCEDURE

1. Application: This Order shall apply to resolve intercircuit scheduling conflicts.

2. Procedure:

A. The judges affected by an intercircuit scheduling conflict shall initially confer and determine priorities considering such factors as the age of the case, the number of parties and attorneys involved, the estimated time needed for trial, and the availability of witnesses.

B. The following priorities shall apply in the event that the judges affected cannot resolve an intercircuit scheduling conflict:

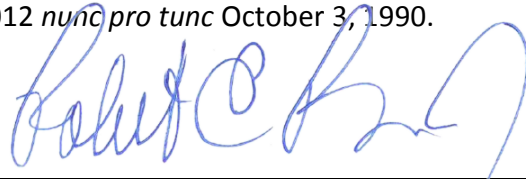
- (1) Appellate proceedings in a District Court of Appeal or the Supreme Court of Florida.
- (2) Felony trials set pursuant to motion for discharge [Rule 3.191(i)].
- (3) Misdemeanor trials set pursuant to motion for discharge [Rule 3.191(i)].
- (4) Capital trials where the death penalty is an issue and hearings on Rule 3.850 motions when the death penalty has been imposed.
- (5) Noncapital felony jury trials.
- (6) Misdemeanor jury trials.
- (7) Civil jury trials.
- (8) Civil nonjury trials estimated to last four days or more.
- (9) Court ordered mediation and arbitration.

- (10) Circuit court nonjury trials estimated to last less than four days including violations of probation or community control and Rule 3.850 motions.
- (11) County court nonjury trials including violations of probation.
- (12) Motions requiring evidentiary hearing.
- (13) Other motions or proceedings.
- (14) Depositions.

In cases of equal dignity, the oldest case shall have priority. The date of filing shall determine the age of the case. Criminal defendants in custody shall have priority over other criminal defendants.

This order renumbers and reformats prior Administrative Order No. 1.940 entitled "In Re: Uniform Intercircuit Conflict Resolution Procedures."

ORDERED ON this 5th day of October, 2012 *nunc pro tunc* October 3, 1990.



Robert E. Roundtree, Jr., Chief Judge