

**THE ELEVENTH JUDICIAL CIRCUIT
MIAMI-DADE COUNTY, FLORIDA**

**CASE NO. 08-1
(Court Administration)**

**ADMINISTRATIVE ORDER
NO. 08-01**

**IN RE: MODIFICATION OF SECTION
03 IN THE COUNTY COURT CIVIL
DIVISION AT THE DADE COUNTY
COURTHOUSE TO BECOME THE
COUNTY CIVIL/DOMESTIC
VIOLENCE OVERFLOW BACK-UP
SECTION**

WHEREAS, notwithstanding the efforts of the Judges in the Civil Division and the Domestic Violence Division of the County Court to reduce the number of pending cases in each of their respective judicial sections, such cases continue to increase; and

WHEREAS, the Court has determined that in the interest of effecting the prompt disposition of cases, an existing judicial section must be modified in the Civil Division of the County Court to become the County Civil/Domestic Violence Overflow Back-up Section;

NOW, THEREFORE, pursuant to the authority vested in me as Chief Judge of the Eleventh Judicial Circuit of Florida under Rule 2.050, Florida Rules of Judicial Administration, it is hereby **ORDERED**:

1. On or before February 4, 2008, the County Court Civil Division 03, located at the Dade County Courthouse, shall be collapsed and the case load evenly divided amongst the remaining five county civil divisions as follows:
 - a. The SP cases presently in Section 03, should be equally reassigned to Sections 01, 04, 06 and 08.
 - b. The CC cases presently in Section 03, should be equally reassigned to Sections 01, 02, 04, 06 and 08.
2. Effective February 4, 2008, Section 03 located at the Dade County Courthouse (Location 05) is hereby modified in the Civil Division of the County Court to become the County Civil Domestic Violence "Overflow Back-up" Section ("Back-up Section").

3. County civil cases shall be assigned and/or reassigned to the Back-up Section at the direction of the Administrative Judge of the Civil Division of the County Court. Whenever possible and practicable, the assignment and/or reassignment of such cases shall be accomplished under a blind filing system or any similar method which will result in such cases being filed equally among all of the sections of the Civil Division of the County Court in an unpredictable manner.
4. Any inequities in caseload distribution among the sections of the Civil Division of the County Court will be adjusted by the Administrative Judge.
5. The Clerk of Courts shall designate an appropriate North Dade Justice Center section number for the Domestic Violence component of the Back-up Section. The number shall be distinct and identify that the cases therein originated at the North Dade Justice Center and were transferred to the Dade County Courthouse for final hearing.
6. The County Civil component of the Back-up Section shall operate Tuesdays, Wednesdays and Thursdays and shall be designated to hear civil back-up jury trials from the Coral Gables Branch Court. The civil back-up jury trials shall be heard at the Dade County Courthouse.
7. The Domestic Violence component of the Back-up Section shall operate Mondays and Fridays, and shall be designated to hear final domestic violence cases, which originated at the North Dade Justice Center. Such cases shall be set for final hearing in courtroom 2D of the LET Courthouse Center as follows: eight (8) cases at 9:00 a.m.; eight (8) cases at 10:15 a.m.; eight (8) cases at 1:45 p.m.
8. The North Dade Justice Center shall continue to operate an Intake Unit and process temporary ex parte domestic/repeat/dating and sexual violence injunctions. At the time of intake, petitioners shall be given an information sheet by the Clerk of Courts indicating the location of their final hearing, directions to the courthouse and public transportation information. The same information sheet shall be provided in the packet the Sheriff serves on the respondent.
9. As the Domestic Violence cases are filed at the North Dade Justice Center, the first forty-eight (48) cases per week shall be transferred to the Back-up Section. Once a total of forty-eight (48) cases per week have been transferred to the Back-up Section, the remaining cases shall be transferred to the Hialeah Branch Courthouse until its designated cap is reached. Thereafter, all additional cases shall be transferred for final hearing to the Lawson E. Thomas Courthouse Center, designated as North Dade Justice Center cases, and handled pursuant to the existing

overflow procedure.

10. The Clerk of the Courts at the North Dade Justice Center shall transmit the injunction files to the designee at the Dade County Courthouse, to arrive no later than Thursday morning for the hearings scheduled the following Friday and Monday. The Clerk of the Courts shall be responsible for transporting the files from the Dade County Courthouse to the LET Courthouse Center each Friday and Monday for hearings. No later than Wednesday of each week, the files shall be transmitted back to the North Dade Justice Center for storage.
11. The pool of clerks at the Dade County Courthouse shall be responsible for staffing the final hearing calendars at the LET Courthouse Center with at least two (2) clerks each Friday and Monday.
12. No cases shall be retained or heard by a judge when reassigned to another section, except as follows:
 - a. Motions for rehearing or new trial;
 - b. Motions to vacate final judgments, including summary judgments;
 - c. Completion of hearing or trial after judge has commenced taking testimony in the case;
 - d. Disposition of cases tried;
 - e. Good cause.
13. If all parties in a case desire the original judge to retain a case, counsel shall submit a joint motion to the original judge giving reasons for retention. If the judge agrees to retain the case, an order will be entered by the Administrative Judge, or designee, transferring the case back to the original judge, without the necessity of a hearing. In all other situations, a case shall be placed on a regularly scheduled transfer calendar before the Administrative Judge of the County Court Civil Division or the Administrative Judge of the Domestic Violence Division, as applicable.
14. Notwithstanding Section 03 being populated with cases as set forth hereinabove, the Judge assigned to this Section will commence presiding over matters on or about February 4, 2008.
15. The judge assigned to the Back-up section shall have chambers assigned at the Dade County Courthouse as well as the use of chambers on the second floor of the LET Courthouse Center.
16. This Back-up Section is being created as a pilot project for one (1) year.

17. The Clerk of the Courts shall notify all attorneys of record as to the reassignment of any pending cases.

This Administrative Order shall become effective on February 4, 2008 and shall remain in effect until February 3, 2009, unless modified by further order of the court.

DONE AND ORDERED in Chambers at Miami-Dade, Florida, this _____ day of January, 2008.

**JOSEPH P. FARINA, CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA**