

**IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT IN
AND FOR MIAMI-DADE COUNTY**

**CASE NO. 22-1
(Court Administration)**

**ADMINISTRATIVE ORDER
NO. 21- 19 A1
(Amending AO No. 21-19)**

**IN RE: JUDICIAL ANNUAL, MEDICAL,
AND PARENTAL LEAVE POLICY**

WHEREAS, Eleventh Judicial Circuit Administrative Order No. 21-19, entered on November 3, 2021, established the Judicial Annual and Parental Leave Policy; and

WHEREAS, subsequently, Supreme Court of Florida Administrative Order No. AOSC22-11, entered on May 20, 2022, established a Judicial Medical and Parental Leave Policy to ensure that judges are provided with adequate division coverage while they are away and accountable for the time they spend away from the bench; and

WHEREAS, Florida Rule of General Practice and Judicial Administration 2.120 provides that an administrative order of this Circuit cannot be inconsistent with administrative orders entered by the Supreme Court of Florida; and

WHEREAS, the Judicial Annual and Parental Leave Policy set forth in this Circuit's Administrative Order No. 21-19 is inconsistent, in part, with the Judicial Medical and Parental Leave Policy set forth by the Supreme Court of Florida in AOSC22-11 and requires an amendment.

NOW, THEREFORE, pursuant the authority vested in me as Chief Judge of the Eleventh Judicial Circuit of Florida under Florida Rule of General Practice and Judicial Administration 2.215, Administrative Order No. 21-19 is hereby **AMENDED** to read as follows:

1. Annual Leave. Circuit and county court judges are expected to take no more than thirty (30) working days of annual leave within a calendar year. For purposes of this Administrative Order, "annual leave" means "time away from judicial duties to provide opportunities for rest, relaxation and personal pursuits." The taking of

annual leave shall not interfere with the efficient administration of a judge's docket. Unused judicial annual leave does not accrue from year to year. No judge shall be entitled to be paid for those hours of judicial annual leave not taken within a calendar year. Nothing herein prevents the chief judge or the chief judge's designee, upon good cause shown on a case-by-case basis, from allowing judicial annual leave in excess of 30 working days.

2. Medical Leave. Pursuant to AOSC 22-11, circuit and county court judges are permitted up to six (6) weeks (30 business days) of judicial medical leave annually. "Medical leave" is leave for a serious health condition diagnosed by a physician or other qualified health care professional which requires a judge to be away from the bench for medical issues that include, but are not limited to, in-patient or outpatient medical surgery (e.g., eye surgery, back surgery, knee surgery, hip surgery), maternity care (e.g., necessary time for childbirth and recovery after childbirth), or prescribed medical treatments (e.g., cancer treatment, chemotherapy, dialysis). Nothing herein prevents the chief judge, upon good cause shown by a judge and based on a physician's or other qualified health care professional's recommendations, from allowing judicial medical leave in excess of 30 business days.
3. Parental Leave. Pursuant to AOSC 22-11, circuit and county judges are permitted to request up to three (3) weeks (15 business days) of judicial parental leave. Parental leave is leave granted to a judge based on the birth or placement of a minor child into their care within the first calendar year of that birth or placement. This leave must be used consecutively. A judge who is taking judicial parental leave may request that the period of judicial parental leave be immediately followed by up to three weeks (3) weeks (15 business days) of the judge's regular annual leave. A judge who is taking judicial medical leave for maternity care as defined in paragraph 2 herein may request that the judicial medical leave be immediately followed by judicial parental leave.

4. Total Allowable Division Coverage. The total amount of division coverage that may be provided consecutively to a judge combining medical leave for maternity care, parental leave, and annual leave is twelve (12) weeks (60 business days).
5. Exclusions. Judicial annual, medical, or parental leave does not encompass educational leave, military leave, leave granted at the discretion of the chief judge for good cause, leave to serve on court committees, or any other leave taken in furtherance of justice.
6. Notification. Except in an emergency, before annual, medical, or parental leave is taken, each judge must notify the chief judge or the chief judge's designee, in writing, of an intention to take leave and must indicate the specific date(s) for which leave is to be used. The chief judge or chief judge's designee shall maintain records of all such notifications. Parental leave notification should be made as soon as the judge becomes aware of the need for parental leave, preferably at least 30 days in advance of the absence.

Except as amended herein, Administrative Order No. 21-19 remains in full force and effect.

This Administrative Order shall take effect immediately and shall remain in effect until further order of the Court.

DONE AND ORDERED in Chambers at Miami-Dade County, Florida, this 27th day of October 2022.

**NUSHIN G. SAYFIE, CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT**