

THE ELEVENTH JUDICIAL CIRCUIT
MIAMI-DADE COUNTY, FLORIDA

CASE NO. 11-2
(Court Administration)

ADMINISTRATIVE ORDER
NO. 11-48

IN RE: CLARIFICATION OF COUNTY
COURT ASSIGNMENT/ROTATION PLAN

WHEREAS, pursuant to Administrative Order No. 09-47, inter alia, the procedure for effectuating County Court judicial rotations was reaffirmed; and

WHEREAS, in order to clarify certain provisions in the current County Court Assignment/Rotation Plan ("Plan"), on September 16, 2011, Administrative Judges Samuel J. Slom, Teretha Lundy Thomas, and Carroll J. Kelly, of the three (3) County Court divisions (i.e., County Criminal, County Civil and Domestic Violence, respectfully), agreed to clarify the terms and conditions of such Plan ("Clarification"); such Clarification being incorporated herein as if fully set forth;

NOW, THEREFORE, pursuant to the authority vested in me as Chief Judge of the Eleventh Judicial Circuit of Florida, under Rule 2.215, of the Rules of Judicial Administration, it is hereby **ORDERED**:

1. The present procedure for effectuating County Court judicial rotations in connection with the County Court Assignment/Rotation Plan is hereby clarified as agreed to by the Administrative Judges of the County Court divisions.
2. Such Clarification supersedes any and all previous rotation procedures that were heretofore effectuated.

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

DONE AND ORDERED in Chambers at Miami-Dade County, Florida, this 16th day of September, 2011.

JOEL H. BROWN, CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA

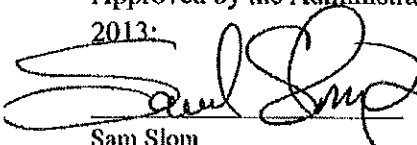
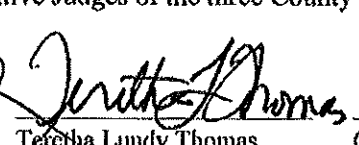
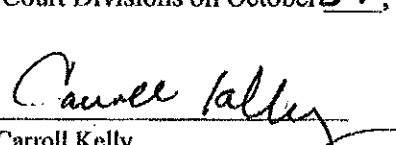
COUNTY COURT ASSIGNMENT/ ROTATION PLAN 2013

At the request of the Chief Judge, in order to avoid any misunderstandings and to clarify issues not adequately addressed by our current Assignment/Rotation Plan in County Court, we as the Administrative Judges of the three County Court divisions agree to the following:

1. This document is intended to incorporate and clarify all prior County Court Rotation Plans. Those plans are the County Court Assignment/Rotation Plan dated April 7, 2003, the County Court Assignment/Rotation Plan 2009 Amendment, dated January 9, 2009; and the County Court Assignment/Rotation Plan dated September 16, 2011.
2. The original Rotation Plan ("Rotation and Seniority Committee Report" attached hereto) will remain in full force and effect, except as modified, amended and clarified herein, until further notice.
3. All three divisions of the County Court (Criminal, Civil and Domestic Violence) are subject to rotation in January of each year and/or as the Chief Judge otherwise designates.
4. Each of the three County Court divisions, i.e., Civil, Criminal and Domestic Violence, shall have two (2) rotation seats. The rotation seats in the Dade County Courthouse Civil Division, the R.E.G. Courthouse Criminal Division and the Lawson Thomas Courthouse Domestic Violence Division, are held by the two judges who most recently entered that particular division. All other seats in the Dade County Courthouse Civil Division, R.E.G. Courthouse Criminal Division and the Lawson Thomas Courthouse Domestic Violence Division are non-rotating. The Chief Judge retains the right to create additional rotation seats in each division as he or she may deem necessary.
5. Pursuant to the Rotation Plan 2009 Amendment dated January 9, 2009, the County Court Civil Division at the North Dade Justice Center (NDJC) shall have three rotation seats and three non-rotation seats. The rotation seats are held by the three (3) NDJC County Civil Division judges with the most recent assignments.
6. All seats in branch courts, other than as stated in paragraph 5 above, are rotation seats and shall be subject to these guidelines according to the time frames set forth in the attached Rotation and Seniority Committee Report.
7. A rotation seat qualifies for rotation once the judge in that seat has served in that seat for four (4) years as of 180 days of the date the rotation will take place.

8. Any judge with at least forty-eight (48) months on the bench is eligible to request to move into a qualifying rotation seat. If more than one judge wishes to move into the qualifying rotation seat, the Judge with the highest seniority on the master seniority list shall receive priority.
9. The judge who moves out of a rotation seat will have the option of moving into any other available rotation seat or open seat provided he or she has the highest seniority on the master seniority list of all judges seeking to move into the chosen seat.
10. If two or more judges in rotation seats in a single division have served in that division for more than four years, and there is a request by a judge to move into one of the rotation seats, the judge with the highest seniority on the master seniority list will have the option of remaining in his or her seat, provided there is no other judge seeking to rotate into that seat.
11. The rotation seats in each division will remain the same. If a non-rotating seat in a division becomes vacant due to voluntary rotation, elevation to a higher court, resignation, retirement or otherwise, the judge who has the highest seniority on the master seniority list, including judges in rotating seats in the same division, will have the option of moving into the non-rotation seat the following January, or earlier, at the Chief Judge's discretion.
12. The Chief Judge may deviate from this Rotation Plan when the proper administration of justice so requires.
13. Switching divisions: Any temporary or voluntary switch of divisions or intra-division shall be for no less than ninety (90) days and no more than six (6) months. No such switch shall be permitted without prior approval of the affected Administrative Judge.

Approved by the Administrative Judges of the three County Court Divisions on October 31, 2013.

		
Sam Slom Administrative Judge Criminal Division	Teretha Lundy Thomas Administrative Judge Civil Division	Carroll Kelly Administrative Judge Domestic Violence Division

ROTATION AND SENIORITY COMMITTEE REPORT
COUNTY COURT PLAN

ROTATION-COUNTY

Civil Downtown: No Judge (Civil Downtown) at the time of implementation would be affected. The next three open seats shall become "rotation divisions" to be filled by seniority. The period of rotation shall be for no more than four (4) years, at which time the person in the "rotation division" would return to the division that person left, unless there is an opening in another division for which that person has the requisite seniority and desire.

RICHARD E. GERSTEIN CRIMINAL

There are eleven divisions (including DUI, Jail Calendar, Bond Hearings and Arthur Hearings). Two of these eleven shall be "rotation divisions" with the same rights as outlined for Civil Downtown.

BRANCH COURT

Unless there is no demand by another Judge, a Judge shall not sit in a particular branch court for more than four (4) years.

DOMESTIC VIOLENCE

(No recommendation was made for this Court)

SWITCHING – DIVISIONS

Any temporary or voluntary switch of divisions or intra-division shall be for no less than ninety (90) days and no more than six (6) months. No such switch shall be permitted without prior approval of the affected Administrative Judge.

Attachment