

THE ELEVENTH JUDICIAL CIRCUIT
DADE COUNTY, FLORIDA

CASE NO. 79-1
(Court Administration)

IN RE: REASSIGNMENT OF CASES
IN THE CRIMINAL DIVISION OF
THE CIRCUIT COURT

ADMINISTRATIVE ORDER
NO. 79-5

PURSUANT TO the authority vested in me as Chief Judge of the Eleventh Judicial Circuit of Florida, the following procedures shall be adhered to in the reassignment of cases in the Criminal Division of the Circuit Court:

After the initial assignment of cases to the individual Section by the Clerk by the blind filing system, there shall be no transfer of cases from one Section to another, except as follows:

1. When a Judge has recused himself or herself or has been disqualified from hearing a case. Whenever it appears to a Judge that a case should be transferred for this reason, such case should be brought to the attention of the Administrative Judge.
 - (a) The transferring Judge shall instruct the Clerk to place the case upon the calendar of the Administrative Judge for the following day for assignment.
 - (b) If it appears in the best interest of justice that a speedy transfer be made, the transferring Judge shall immediately send the file to the Administrative Judge, who shall take the proper action as soon as practicably possible.
2. If it appears to the Administrative Judge that there is an imbalance of the number of pending cases in one or more Sections of the Court which requires rectifying to prevent a miscarriage of justice; or for any emergency; or for any other good cause shown, said Administrative Judge may reassign cases. When possible and practicable, the reassignment shall be by a procedure that is unpredictable as to each individual case.
3. To prevent delays or continuances because of the absence, unavailability or overburdened calendar of any judge; to promote the efficient operation of the Criminal Division as a whole; or for any other good cause:
 - (a) Any two or more Judges may hear any matters for each other; may hear each other's calendars; and may transfer cases from one to the other either temporarily or permanently. If a cause is transferred for trial it should be transferred permanently, for trial and final disposition.

- (b) Any such assignment may be made with the concurrence of the two or more Judges affected. The Administrative Judge need not be consulted, but may set aside such reassignment or transfer for good cause.
- (c) No transfer should be made under this section in lieu of recusal or disqualification, as any transfer for the latter reason must be referred to the Administrative Judge for reassignment.

DONE AND ORDERED in Chambers at Miami, Dade County, Florida, this 3rd day of January, 1979.

EDWARD D. COWART, CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA