

**IN THE CIRCUIT COURT, SIXTH JUDICIAL CIRCUIT
IN AND FOR PASCO AND PINELLAS COUNTIES, FLORIDA**

ADMINISTRATIVE ORDER NO. 2018-033 PA-CIR

**RE: PASCO COUNTY EMERGENCY DUTY SCHEDULE –
JULY 1, 2018 THROUGH DECEMBER 31, 2018**

It is necessary to the dispatch of the business of the Circuit and County Court, Sixth Judicial Circuit, Pasco County, that judges be assigned as the emergency duty judge. In order to perform the functions assigned to the duty judge, it is necessary that circuit judges be temporarily assigned to the county court and that county judges be temporarily assigned to the circuit court.

The Florida Legislature recently created a new cause of action for an injunction for protection against exploitation of a vulnerable adult, effective July 1, 2018. *See* Ch. 2018-100, Laws of Florida. In order to incorporate duties for the newly established cause of action, and in accordance with Article V, section 2, Florida Constitution, Rule of Judicial Administration 2.215, and section 43.26, Florida Statutes,

IT IS ORDERED:

1. Circuit Court Judges of the Sixth Judicial Circuit listed below are assigned and designated to proceed to the Pasco County Court, Sixth Judicial Circuit. Judges of the County Court of the Sixth Judicial Circuit, Pasco County, listed below, are assigned and designated to proceed to the Circuit Court, Sixth Judicial Circuit. The judges, under and by virtue of the authority hereof, are vested with all and singular the powers and prerogatives conferred by the Constitution and laws of the State of Florida upon the judges of the courts to which they are hereby assigned to hear and thereafter to dispose of such matters considered by them during that period of time.

2. The judges listed herein are assigned and designated to hear and conduct first appearance hearings (advisories). The judges listed herein are also assigned and designated to hear, conduct, try, and determine any civil, criminal, family, or probate matter of an emergency nature where the assigned judge is unavailable. For purposes of this order, unavailability may include, but is not limited to situations where the assigned judge is absent from the courthouse, or where the assigned judge is present at the courthouse but is presiding over a trial/hearing, which cannot readily be adjourned to accommodate the emergency hearing. The assigned judge shall also be considered unavailable unless the judge designates otherwise, between the hours of 5:01 p.m. and 8:00 a.m. Said duties shall include, but not necessarily be limited to the following:

A. CRIMINAL

1. Advisory hearings.
2. Search warrants.
3. Arrest warrants of an emergency nature.
4. Pre-trial release decisions not otherwise heard by the Section Judge.
5. All other emergency matters where the assigned judge is unavailable.

B. CIVIL, FAMILY AND PROBATE

1. All dating, domestic, repeat, sexual violence, stalking, and exploitation of a vulnerable adult ex parte injunctions.
2. Emergency custody or visitation (time sharing) matters.
3. Orders of Arrest and Commitment, Orders to Show Cause, Orders of Arrest, Writs of Bodily Attachment for Failure to Pay Child Support, Writs of Bodily Attachment for Failure to Appear, and Orders Holding Respondent in Custody or Releasing from Custody.
4. Emergency Rule of Civil Procedure 1.610 injunctions.
5. Review of Clerk's decision not to issue a Certificate of Indigence.
6. Baker Act or Marchman Act petitions for involuntary commitment.
7. Petitions for Emergency Temporary Guardianship,
8. Emergency requests for medical treatment, or removal of life support.
9. Proceedings to waive parental notification of termination of pregnancy where the assigned judge is unavailable.
10. Any other civil, family, or probate matter of an emergency nature where the assigned judge is not available.

The responsibilities of the duty judge are expanded to include all matters specifically mentioned in this Order and any other emergency which should arise during a judge's emergency duty. The assigned judge shall hear such matters that may be brought before the judge and thereafter dispose of such matters considered by them during that period of time. Emergency is not a term subject to easy definition. As such, judges called upon to hear matters claimed to be emergency in nature must determine if the law or totality of the circumstances require immediate action. In the event the emergency duty judge decides the matter is not an emergency for the duty judge, the judge will require the matter to be referred to the assigned section judge for the section judge to review to determine if the matter should be expedited for hearing.

C. HOLIDAYS AND WEEKENDS

On holidays and weekends, the emergency duty judge's responsibilities also include shelter hearings pursuant to sections 39.402 and 39.506, Florida Statutes and delinquency detention hearings pursuant to section 985.255, Florida Statutes.

3. The duty judge shall serve from 8:01 a.m. Monday until 8:00 a.m. the following Monday except when the following Monday is a court holiday, the duty continues until 8:00 a.m. Tuesday. The duty judge is expected to remain at the courthouse until 5:00 p.m. each weekday to handle emergencies and other duty assignments occurring at the courthouse. The duty judge shall also be on call 24 hours per day to hear all emergency matters occurring after 5:01 p.m. The emergency duty judge is required to be accessible via cellular phone at all times when assigned duty.

4. If the following assignments conflict with any other commitments, **IT IS THE OBLIGATION OF THE JUDGE ASSIGNED TO MAKE ARRANGEMENTS WITH ANOTHER JUDGE TO EXCHANGE THE DUTY. IT IS THE RESPONSIBILITY OF THE ASSIGNED JUDGE TO PROVIDE TIMELY NOTIFICATION OF THE EXCHANGE TO ALL PERSONS AFFECTED BY THE EXCHANGE.**

All judges assigned to the Circuit and County Courts shall serve as duty judge in accordance with the following schedule:

DATE	JUDGE	LOCATION	HOLIDAYS
JULY			
1	Grey	NPR	
2 - 3	Mansfield	NPR	
4	Mansfield	NPR	Independence Day*
5 - 8	Mansfield	NPR	
9 - 15	Handsel	NPR	
16 - 20	Lewis	DC	
21 - 22	Lewis	NPR	
23 - 29	Matthey	NPR	
30 - 31	Firmani	NPR	
AUGUST			
1 - 5	Firmani	NPR	
6 - 10	Poblick	NPR	
11 - 12	Poblick	DC	
13 - 19	Polk	DC	
20 - 26	Byrd	NPR	
27 - 31	Diskey	NPR	
SEPTEMBER			
1 - 2	Diskey	NPR	
3	Diskey	NPR	Labor Day*
4 - 9	Babb	DC	
10	Babb	DC	Rosh Hashanah*
11 - 16	VanDercar	DC	
17	Roberts	NPR	
18	Roberts	NPR	Yom Kippur*
19 - 23	Roberts	NPR	
24 - 30	Wansboro	NPR	

DATE	JUDGE	LOCATION	HOLIDAYS
OCTOBER			
1 - 7	Stearns	NPR	
8 - 14	Tepper	DC	
15 - 21	Handsel	NPR	
22 - 28	Grey	NPR	
29 - 31	Campbell	NPR	
NOVEMBER			
1 - 4	Campbell	NPR	
5 - 11	Crane	NPR	
12	Crane	NPR	Veterans Day*
13	Lewis	DC	
14 - 18	Tepper	DC	
19 - 21	Barthle	DC	
22 - 23	Barthle	DC	Thanksgiving Holiday*
24 - 25	Barthle	DC	
26 - 30	Matthey	NPR	
DECEMBER			
1 - 2	Matthey	NPR	
3 - 7	Poblick	NPR	
8 - 9	Poblick	DC	
10 - 16	Polk	DC	
17 - 21	Groger	DC	
22 - 23	Groger	NPR	
24 - 25	Groger	NPR	Christmas Holiday*
26 - 28	Lewis	DC	
29 - 30	Lewis	NPR	
31	Wansboro	NPR	

*Court Holidays

Effective July 1, 2018, Administrative Order 2017-060 is hereby rescinded.

DONE AND ORDERED in Chambers at St. Petersburg, Pinellas County, Florida, this
 ____ day of June, 2018.

ORIGINAL SIGNED ON JUNE 29, 2018
BY ANTHONY RONDOLINO, CHIEF JUDGE

cc: All Pasco Judges
The Honorable Bernie McCabe, State Attorney
The Honorable Bob Dillinger, Public Defender
The Honorable Paula S. O'Neil, Clerk of the Circuit Court, Pasco County
The Honorable Chris Nocco, Pasco County Sheriff
Gay Inskeep, Trial Courts Administrator
Ita M. Neymotin, Regional Counsel, Second District
Ngozi Acholonu, Assistant Regional Counsel
Lillian Simon, Director Administrative Services, Pasco County
Nichole Alvarez-Sowles, Chief Operations Officer, Pasco County Clerk's Office
Kimberly Thompson, Director of Criminal Courts, Pasco County Clerk's Office
Florida Department of Children and Families, East and West Pasco
Florida Department of Juvenile Justice, East and West Pasco
Court Reporters, Pasco County
Probation and Parole, Pasco County
Domestic Violence Shelters, East and West Pasco County
Bar Associations, Pasco County
Law Libraries, Pasco County