

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

ADMINISTRATIVE ORDER NO. 2018-044 PI-CIR

RE: PINELLAS COUNTY DATING, DOMESTIC, REPEAT, AND SEXUAL VIOLENCE, STALKING CIVIL INJUNCTION AND FINAL HEARING PROCEDURES – SEPTEMBER 1, 2018

In order to comply with the statutory requirements in sections 741.30, 784.046, and 784.0485, Florida Statutes, that a final hearing be conducted within 15 days of the issuance of an ex parte injunction, and

In order to establish the schedule for final hearings for dating, domestic, repeat, sexual violence, and stalking injunctions for the year 2018, to establish a procedure for processing these injunctions, and

In accordance with Article V, section 2(d), Florida Constitution, Rule of Judicial Administration 2.215, and section 43.26, Florida Statutes,

IT IS ORDERED:

I. PETITIONS FOR TEMPORARY INJUNCTIONS FOR PROTECTION AGAINST DATING, DOMESTIC, REPEAT AND SEXUAL VIOLENCE AND STALKING

1. Petitions for temporary and permanent injunctions against dating, domestic, repeat, sexual violence, and stalking shall continue to be assigned with the procedures for assignment of family law cases based upon the zip code of the petitioner or the petitioners attorney in accordance with Administrative Orders 2016-030 and 2017-010 or subsequent administrative orders

2. The Clerk of the Circuit Court (Clerk) shall accept petitions for temporary and permanent injunctions against dating, domestic, repeat, sexual violence, and stalking at the Clearwater Courthouse, the St. Petersburg Judicial Building, and the Pinellas County Justice Center.

3. For petitions for temporary injunctions against **dating, domestic, repeat, sexual violence, and stalking** filed at the Clearwater Courthouse or the St. Petersburg Judicial Building, the Clerk shall present the petition to the section judge if the section judge is available. When the section judge is unavailable and the duty judge is not assigned to the family law division, the Clerk is to first provide the temporary injunction to the judge with the next highest section number until a family judge is available. When the family law judge with the highest section number is unavailable, the Clerk shall start the rotation over with the judge with the lowest section number. The Clerk will only provide the matter to a non-family duty judge if all family law judges are unavailable. For purposes of this Administrative Order, unavailability means the judge is absent from the courthouse. 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.

Except for petitions that are assigned to a UFC section, when a petitioner files a petition at a courthouse to which the petition is not assigned, the Clerk shall present the petition to the family judge at the courthouse where the petition was filed with the highest section number and shall

thereafter follow the procedures set forth in the above paragraph. For petitions that are assigned to a UFC section, the Clerk shall forward the petitions by facsimile or other electronic means to the Clerk at the Pinellas County Justice Center. The Clerk shall handle the petition as if it had been filed at the Pinellas County Justice Center in accordance with paragraph 4 of this Order.

4. For petitions for temporary injunctions against **dating, domestic, repeat, sexual violence, and stalking** filed at the Pinellas County Justice Center, if a petitioner has a pending matter in UFC, the Clerk shall present the petition to the judge handling the pending matter. If the petitioner does not have a pending matter or if the UFC judge is not available, the Clerk shall first present the petition to the unified family court judge with the next highest section number until a unified family court judge is available. When the unified family court judge with the highest section number is unavailable, the Clerk shall start the rotation over with the judge with the lowest section number. If none of the unified family court judges is available, the Clerk will provide the petition to the duty judge at the St Petersburg Judicial Building or Clearwater Courthouse.

II. DATING, DOMESTIC, REPEAT, SEXUAL VIOLENCE AND STALKING CIVIL INJUNCTION FINAL HEARINGS

1. Return hearings for petitions assigned to a UFC section shall be scheduled on the calendar of the section judge. Return hearings for all other petitions for an injunction against **dating, domestic, and sexual violence** shall be scheduled in Clearwater or St. Petersburg in accordance with the schedule below. Return hearings for petitions for an injunction against **repeat violence and stalking** shall be scheduled at the Pinellas County Justice Center in accordance with the schedule below.

2. Judges assigned to the following sections are assigned to preside over injunction hearings on the dates provided. Except as provided herein, hearings shall be conducted every **Wednesday** in Courtroom M, 545 1st Avenue North, St. Petersburg, Florida.

ST. PETERSBURG	DATING, DOMESTIC, & SEXUAL VIOLENCE RETURN HEARINGS	DUTY JUDGE
SEPTEMBER		
5	24	12
12	17	24
19* (moved to September 18 th)	12	11
26	24	13
OCTOBER		
3	09	17
10	17	12
17	12	11
24	24	19
31	09	04
ST. PETERSBURG	DATING, DOMESTIC,	DUTY JUDGE

& SEXUAL VIOLENCE RETURN HEARINGS		
NOVEMBER		
7	17	09
14	12	17
21	24	08
28	09	24
DECEMBER		
5	17	12
12	24	19
19	12	13
26	09	17

* Hearings moved to Tuesday due to Court holiday

3. Judges assigned to the following sections are assigned to preside over injunction hearings on the dates provided. Except as provided herein, hearings shall be conducted every **Thursday** in Courtroom A, 315 Court Street, Clearwater, Florida.

CLEARWATER	DATING, DOMESTIC, & SEXUAL VIOLENCE RETURN HEARINGS	DUTY JUDGE
SEPTEMBER		
6	22	20
13	14	15
20	22	25
27	23	22
OCTOBER		
4	14	07
11	25	21
18	22	14
25	14	03
NOVEMBER		
1	25	20
8	22	23
15	14	22
22* (moved to November 20 th)	23	07
29	25	14

CLEARWATER	DATING, DOMESTIC, & SEXUAL VIOLENCE RETURN HEARINGS	DUTY JUDGE
DECEMBER		
6	22	03
13	23	25
20	25	15
27	14	23

* Hearings moved to Tuesday due to Court holiday

4. Judges assigned to the following sections are assigned to preside over injunction hearings for petitions for an injunction against **repeat violence and stalking** on the dates provided. The back-up judge for all proceedings is the County Criminal Associate Administrative Judge or his designated county judge. Except as provided herein, hearings shall be conducted every **Friday** in Courtroom 11, Pinellas County Justice Center, 14250 49th Street North, Clearwater, Florida.

CLEARWATER PINELLAS COUNTY JUSTICE CENTER	REPEAT VIOLENCE & STALKING RETURN HEARINGS
SEPTEMBER	
7	25
14	14
21	05
28	09
OCTOBER	
5	06
12	14
19	02
26	05
NOVEMBER	
2	05
9	12
16	24
23** (moved to November 26 th)	02
30	25
DECEMBER	
7	09
14	17
21	01
28	12

** Hearings moved to following Monday due to Court holiday.

5. The Clerk is directed to docket the cases as follows:

Domestic violence cases with children shall be calendared on the assigned day at 9:00 a.m. and 10:30 a.m. The cases shall be calendared by first assigning a maximum of 15 cases to the 9:00 a.m. calendar and then assigning the remaining cases to the 10:30 a.m. calendar.

Dating violence cases and domestic violence cases without children shall be calendared on the assigned day at 10:30 a.m. and 1:30 p.m. The cases shall be calendared by first assigning a case to the 10:30 a.m. calendar and then assigning a case to the 1:30 p.m. calendar. The cases are to be equally divided between the 10:30 a.m. calendar and the 1:30 p.m. calendar. **Sexual violence** cases shall be calendared on the assigned day at 2:30 p.m. The 2:30 p.m. calendar shall also include dating violence, domestic violence with children, and domestic violence without children with in-custody parties.

Repeat violence and stalking cases shall be calendared on the assigned day at 9:00 a.m., 10:30 a.m., and 1:15 p.m. The cases shall be calendared by first assigning a case to the 9:00 a.m. calendar and then assigning a case to the 10:30 a.m. calendar up to a maximum of 10 cases per calendar. Any additional cases shall be assigned to the 1:15 p.m. calendar. In-custody parties are to be brought to the hearing and may be scheduled on any calendar.

When a petition for an injunction for protection against **repeat violence or stalking** is filed and a petition for an injunction against dating, domestic, or sexual violence has been filed with parties in common to the repeat violence or stalking case and a final injunction hearing has not been held on the petition for an injunction for protection against dating, domestic, or sexual violence, the Clerk must calendar such repeat violence or stalking case on the same date and at the same location as the return hearing on the dating, domestic, or sexual violence case.

These instructions on calendaring do not restrict the authority of the assigned judge to reset cases on a calendar when service of process has not been obtained. If the calendars are too large for the assigned judge or the duty judge to provide an adequate hearing, the assigned judge may move the hearing to later in the day in his or her sole discretion.

6. The duty judge must be available to handle overflow cases and otherwise provide assistance to the assigned judges. The duty judge must maintain sufficient time on his or her calendar on the assigned day so that the duty judge has time to handle return hearings and handle other duty matters. If the duty judge assignment conflicts with any other commitment, it is the obligation of the judge to make arrangements with a fellow judge to exchange this assignment. Judges assigned to the civil division should not be assigned duty or accept an exchange of duty assignment during jury trial weeks. It is the responsibility of the assigned judge to provide timely notification of the exchange to all persons affected by the exchange.

7. Post-judgment motions in **dating, domestic, repeat, sexual violence, and stalking** cases are to be heard by the assigned section judge.

Effective September 1, 2018, Administrative Order 2017-065 is hereby rescinded.

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

ORIGINAL SIGNED ON SEPTEMBER 1, 2018
BY ANTHONY RONDOLINO, CHIEF JUDGE

cc: All Pinellas Judges
The Honorable Bernie McCabe, State Attorney
The Honorable Bob Dillinger, Public Defender
The Honorable Ken Burke, Clerk of the Circuit Court, Pinellas County
The Honorable Bob Gualtieri, Pinellas County Sheriff
Gay Inskeep, Trial Courts Administrator
Ita M. Neymotin, Regional Counsel, Second District
Ngozi Acholonu, Assistant Regional Counsel
Community Action Stops Abuse, (CASA)
The Haven, Domestic Violence Center
Pinellas Business Technology Services
Court Security Division
Law Libraries, Pinellas and Pasco County
Bar Associations, Pinellas and Pasco County