



ADMINISTRATIVE OFFICE OF THE COURTS
INTER-OFFICE

MEMO 2016-21

TO: Honorable Carolyn Timmann
Honorable Sharon Robertson
Honorable Joseph E. Smith
Honorable J.R. Smith

FROM: Thomas Genung, Trial Court Administrator

A handwritten signature in black ink, appearing to be "Thomas Genung", written over the name in the FROM field.

DATE: August 12, 2016

RE: **Administrative Order 2016-03**
RE: AFTER-HOURS INJUNCTION FOR PROTECTION AGAINST
VIOLENCE DUTY JUDGE

Attached please find an original **Administrative Order 2016-03** for filing with the Court.

If you have any questions regarding the above, please do not hesitate to contact me.

TAG/js
Attachment

cc w/attach: All Judges in the Nineteenth Judicial Circuit
All Magistrates and Hearing Officers in the Nineteenth Judicial Circuit
All Staff Attorneys in the Nineteenth Judicial Circuit
Honorable Bruce Colton, State Attorney's Office
Honorable Diamond Litty, Public Defender's Office
All County Attorneys in the Nineteenth Judicial Circuit
All Local Law Libraries
All Local Bar Presidents
IT

**IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT IN AND FOR
INDIAN RIVER, MARTIN, OKEECHOBEE, AND ST. LUCIE COUNTIES, FLORIDA**

ADMINISTRATIVE ORDER 2016-03

RE: AFTER-HOURS INJUNCTION FOR PROTECTION AGAINST VIOLENCE DUTY JUDGE

WHEREAS, Section 26.20, Florida Statutes, requires a judge to be available after-hours and on weekends and holidays to handle petitions for ex parte injunctive relief to prevent violence;

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

1. The Chief Judge shall direct the Trial Court Administrator to prepare an annual after-hours injunction duty roster so that a circuit judge, (hereinafter referred to as the "Duty Judge") will be available to all of the counties in the circuit on weekdays after-hours and on all weekends and holidays to handle petitions for ex-parte injunctions to prevent violence.
2. The Duty Judge shall serve for a one week period beginning Monday at 5:00 p.m. to the following Monday at 5:00 p.m. On holidays and weekends, the Duty Judge shall be available 24 hours per day, except during the times that the courthouse in each of the counties is open and clerks are available to file petitions for ex-parte injunctions for protection against violence.
3. Emergency intake and processing of ex-parte petitions for injunctions to prevent violence between the hours of 5:00 p.m. and 8:00 a.m. on weekdays as well as 24 hours per day on court holidays and weekends, shall be the responsibility of the personnel of the Clerk of Court for each county or such other persons who have been specially appointed as Deputy Clerks to perform these functions in accordance with sections 741.30, 784.046 and 784.0485, Florida Statutes.
4. The Duty Judge shall utilize the portable computer device issued by the Court Technology office and shall be available to the Clerk after normal business hours and on weekends and holidays at his or her residence or at another location with telephone access to rule on petitions for ex parte injunctive relief to prevent violence. (*See* Section 26.20, Florida Statutes.) The Sheriff of each of the counties contained within the Nineteenth Circuit is hereby authorized and empowered to accept a certified copy of a faxed or electronically transmitted injunction for protection against violence for service of process.
5. The transfer of responsibility from one Duty Judge to the next shall occur at 5:00 p.m. on Monday of each week, including those weeks in which Monday is a holiday.

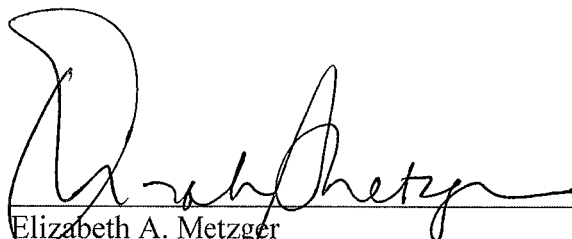
6. The Duty Judge shall be provided with a wireless access point to facilitate receiving and sending petitions for injunctions for protection against violence and orders when out of range of accessible Wi-Fi systems.

7. Duty Judge assignments shall rotate in alphabetical order except that no judge should be required to serve more than one holiday weekend in a calendar year, in which case the Chief Judge may alter the schedule as necessary to ensure fairness and equity.

8. In the event a judge desires to change duty weeks, it will be that judge's responsibility to find a judge willing to change weeks. It will also be the judge's responsibility to notify, in writing, the Chief Judge, Court Administration and all persons affected by the change of the change.

9. This order replaces Administrative Order 98-14.

DONE AND ORDERED in quadruplicate at Stuart, Martin County, Florida, this 5th day of August, 2016.



Elizabeth A. Metzger
Chief Judge