

IN THE CIRCUIT AND COUNTY COURTS
OF THE FIFTH JUDICIAL CIRCUIT OF FLORIDA
IN AND FOR MARION COUNTY

ADMINISTRATIVE ORDER M - 2018-39

ORDER OF MARION COUNTY COURT ASSIGNMENTS

This matter having come to the attention of the undersigned upon entry of Administrative Order M-2018-37 on July 17, 2018, and as a matter which affects the efficient administration of justice within Marion County and the undersigned having the authority to enter administrative orders pertaining to the efficient administration of justice and upon the advice of the Administrative County Court Judge for Marion County as such advice was mandated by the aforementioned Administrative Order, and the Court being duly advised in the premises, it is HEREBY ORDERED:

1. The Clerk of this Court shall randomly assign and distribute all newly filed County Court criminal cases as follows:

Judge Ritterhoff-Williams ½ of all county criminal cases being all “MM”,
“CT”, “MO” and “CO” cases; and

Judge McCune ½ of all criminal cases being all “MM”, “CT”,
“MO” and “CO” cases.

2. The Clerk shall randomly assign and distribute all newly filed County Court civil cases as follows:

Judge Thompson ½ of all county civil cases being “CC” cases; and

½ of all civil infraction cases being “IN” and “TR”
cases; and

Judge Landt all small claims and “SC” eviction cases being all
“SC” cases;

½ of all county civil cases being “CC” cases; and

½ of all civil infraction cases being “IN” and “TR”
cases.

3. All regular [non-holiday] weekday 1st Appearance proceedings during each 4 week period of time will be handled on the following basis:

For the first 3 weeks, Judges McCune, Ritterhoff-Williams and Thompson will be responsible to preside on a week by week basis in that sequence;

During the 4th week, Circuit Judges will be responsible to conduct the 1st Appearance proceedings as assigned by Marion County Circuit Administrative Judge Anthony Tatti;

The Clerk is to assign all cases presided over by Judge McCune at 1st Appearance to Judge McCune and all cases presided over by Judge Ritterhoff Williams at 1st Appearance to Judge Ritterhoff Williams;

For all county criminal cases not disposed of during a 1st Appearance proceeding presided over by Judge Thompson during the 3rd week, the Clerk is to assign those cases to Judge McCune;

For all county criminal cases disposed of during a 1st Appearance proceeding presided over by Judge Thompson during the 3rd week, the Clerk is to assign those cases to Judge McCune for any future judicial review hearings or probation violations;

For all county criminal cases not disposed of during the 4th week, the Clerk is to assign those cases to Judge Ritterhoff Williams; and

The 4 week cycle starting with Judge McCune presiding over 1st Appearances during the week beginning on Monday, July 16, 2018, shall be maintained.

4. All County Court arraignment proceedings during each 4 week period of time will be handled on the following basis:

For the first 3 weeks, Judges McCune, Ritterhoff-Williams and Thompson will be responsible to preside on a week by week basis in that sequence;

During the 4th week, the responsibility for arraignment proceedings will be as follows:

Monday - Judge McCune;
Wednesday - Judge Ritterhoff-Williams; and
Thursday - Judge Ritterhoff Williams;

The Clerk is to assign all cases presided over by Judge McCune at arraignment to Judge McCune and all cases presided over by Judge Ritterhoff Williams at arraignment to Judge Ritterhoff Williams;

For all cases not disposed of during an arraignment proceeding presided over by Judge Thompson during the 3rd week, the Clerk is to assign those cases to Judge McCune; and

The 4 week cycle starting with Judge McCune presiding over arraignments during the week beginning on Monday, July 16, 2018, shall be maintained.

5. Judge Landt will be responsible for all Small Claims pretrial proceedings.
6. Judge Ritterhoff-Williams will continue to be the presiding judge of the Marion County DUI Court.
7. Judge Thompson will continue to be the presiding judge of the Marion County Mental Health Court.
8. Judge McCune will continue to be the presiding judge of the Marion County Veterans Treatment Court.
9. Judge Thompson will be the presiding judge of the Marion County Misdemeanor Drug Court.
10. To facilitate the transition from 4 criminal dockets to 2 criminal dockets while avoiding speedy trial issues, the current docket of criminal cases assigned to Judge Landt with a trial date of August 20, 2018, shall remain intact with all of the already set court dates to remain in effect if at all possible and with Judges Ritterhoff-Williams, Thompson and McCune to coordinate amongst themselves to cover those dates through the end of the trial week for that docket.
11. Judge Thompson will be responsible to complete the current docket of criminal cases he is presiding over with a trial date of August 13, 2018, and to handle all judicial review hearings he has already set.
12. Any judicial review hearing docket that has already been set for Judge Landt shall remain intact with all of the already set court dates to remain in effect if at all possible and with Judges Ritterhoff-Williams, Thompson and McCune to coordinate amongst themselves to cover those dates.
13. With the exception of those cases on the current docket of criminal cases assigned to Judge Landt with a trial date of August 20, 2018, the current docket of criminal cases assigned to Judge Thompson with a trial date of August 13, 2018, and all cases with a Judicial Review already set, the Clerk shall reassign to Judges Ritterhoff-Williams and McCune all "MM", "CT", "MO" and "CO" cases previously assigned to Judges Landt and Thompson on the following basis:

all cases with a number ending in an even number go to Judge McCune; and
all cases with a number ending in an odd number go to Judge Ritterhoff Williams.

This plan is not meant to change the current practice of assigning multiple cases involving a single defendant to the Judge regularly assigned the case with the lowest case number. This plan is meant to provide a judge assignment for cases in which a Violation of Probation charge may be brought in the future. Any cases not completed during the trial week beginning August 20, 2018, for Judge Landt and during the trial week beginning August 13, 2018, for Judge Thompson shall be reassigned by the Clerk pursuant to this paragraph.

14. The Clerk shall reassign to Judges Landt and Thompson all "CC", "IN" and "TR" cases previously assigned to Judges Ritterhoff-Williams and McCune (with the exception of those "IN" and "TR" cases that have been consolidated with a pending criminal case and with the exception of those cases addressed by paragraph 16 below) on the following basis:

all cases that were previously assigned to Judge Ritterhoff Williams should be reassigned to Judge Landt; and

all cases that were previously assigned to Judge McCune should be reassigned to Judge Thompson.

15. The Clerk shall reassign to Judge Landt all "SC" cases previously assigned to Judges Ritterhoff Williams and McCune (with the exception of those "IN" and "TR" cases that have been consolidated with a pending criminal case and with the exception of those cases addressed by paragraph 16 below).
16. Each judge is to complete whatever civil purge hearing dockets that have already been set.
17. Case No. 18-1316-MM which was previously assigned to Judge Landt and is currently set to complete a jury trial on Friday, July 20, 2018, is reassigned to Judge Ritterhoff Williams. Case No. 18-231-CC and 17-2-CC will remain assigned to Judge McCune as those 2 cases have hearings already set to be held before Judge McCune on July 20, 2018.
18. All reassignments pursuant to this Order are to be subject to all orders previously entered in any case regarding a recusal or disqualification.
19. This Order shall become effective immediately.
20. This assignments mandated by this Order are being entered to meet the requirements of Administrative Order M-2018-37 which was made effective immediately upon its entry on July 17, 2018, and these assignments may be changed by the Administrative County Court Judge for Marion County before the end of the year upon further review and practice.

DONE AND ORDERED in Chambers at Ocala, Marion County, Florida, this 19 day of July, 2018.



S. Sue Robbins
Chief Judge of the 5th Judicial Circuit