

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT,  
IN AND FOR MARION COUNTY, FLORIDA

Administrative Order No. M-2014-19

**ADMINISTRATIVE ORDER ESTABLISHING FAMILY LAW JUDICIAL  
ASSIGNMENT "TRANSITION PLAN"**

**WHEREAS** attorneys, litigants, clerks, case managers, and other judicial officers are affected each time a family law judge leaves the family law division for any reason; and

**WHEREAS** those effects may be exacerbated when a position is left vacant for a period of time; and

**WHEREAS** it is advantageous to all concerned to have a plan in place to cover the transition period whenever a family law judge is leaving the family law division, it is, therefore

**ORDERED AND ADJUDGED** that the following transition plan be and the same is hereby approved to cover all such circumstances:

A. Unless prohibited by law, or providentially hindered as the result of health or otherwise, the departing judge will continue to be responsible to timely address the following matters:

1. The continuation and completion of a trial, evidentiary hearing, or attorney's fee hearing which has already commenced but not been completed. Before the date when the judge is to begin his or her new assignment, the departing judge should prepare a list of all cases to which this provision would apply and submit the list to the Family Law Administrative Judge;

2. Completion and signing of orders on trials, evidentiary hearings, and other contested matters where the hearing has been completed and only the order is outstanding. Before the date when the judge is to begin his or her new assignment, the departing judge should prepare a list of all cases to which this provision would apply and submit the list to the Family Law Administrative Judge;

3. Except for files which the departing judge has identified in the lists required in provisions A1 and A2, above, and which are needed by the departing judge to complete the requirements of those provisions, the departing judge will return to the Clerk of Court all official files (i.e., all files belonging to the Clerk of Court) before the date when the judge is to begin his or her new assignment.

B. When the particular family law division (e.g., "FK") from which the family law judge is departing will remain vacant for a period of time, after the departure of the departing judge, the following matters will be referred to the Family Law Administrative

Judge or her designee for review and possible further assignment among the other family law judges:

1. Emergency motions in newly filed and in pending cases whether one, all, or none of the parties are represented by counsel;
2. The signing of orders on uncontested motions, and ex parte administrative type of orders, for example, appointing counsel in Baker Act cases, setting hearings or ordering mediation; addressing routine matters and orders normally prepared and submitted for signature by FCCM, and the like;
3. Conducting simple uncontested final hearings and signing stipulated final judgments in uncontested cases whether scheduled by attorneys or on a FCCM docket;
4. Review of ex parte domestic violence, dating violence and stalking petitions and entry of temporary injunctions in such cases;
5. Review of ex parte Baker Act and Marchman Act petitions and entry of appropriate orders;
6. Signing of orders from General Magistrate and Child Support Hearing Officer docket/hearings;
7. Other matters as determined by the Family Law Administrative Judge.

C. When the particular family law division (e.g., "FK") from which the family law judge is departing will remain vacant for a period of time after the departure of the departing judge, the following matters will be divided at the direction of the Family Law Administrative Judge among the other family law judges, including if applicable with the assistance of FCCM and/or the Clerk:

1. Baker Act and Marchman Act hearings;
2. Domestic violence, dating violence, and stalking injunction hearings;
3. Temporary relief hearings and hearings that are emergent or quasi-emergent in nature.

D. When the particular family law division (e.g., "FK") from which the family law judge is departing will remain vacant for a period of time after the departure of the departing judge, the following matters will generally need to await the arrival of the new judge:

1. Pre-trial conferences;

2. Contested trials (represented or unrepresented) except in domestic violence, dating violence and stalking injunction, Baker Act, and Marchman Act cases;

3. Contested non-emergency motion hearings (represented or unrepresented) unless the Family Law Administrative Judge determines the matter should be handled prior to arrival of new judge.

E. When a vacancy in the family law division results from circumstances which render it impossible or impractical to comply with the requirements of this order, then a transition plan will be developed by the Administrative Family Law Judge, in consultation with the Marion County Administrative Judge, to address that particular circumstance at that time.

**DONE AND ORDERED** in Ocala, Marion County, Florida, on June 2, 2014.



David Eddy  
Marion County Administrative Judge



S. Sue Robbins  
Administrative Family Law Judge  
Fifth Judicial Circuit