

**IN THE CIRCUIT COURT FOR THE FIFTH JUDICIAL CIRCUIT
IN AND FOR CITRUS COUNTY, FLORIDA**

FOURTH AMENDED ADMINISTRATIVE ORDER NO. C-2018-30D

IN RE:

**DUTY JUDGE ROTATION
AND JUDICIAL ASSIGNMENTS FOR
CALENDAR YEAR 2019**

The undersigned having considered the need for assigning the rotation of duty judges in Citrus County and the judicial assignments for the calendar year 2019, and finding that it is in the best interest of judicial efficiency that there be a judge assigned on a monthly basis to handle unusual and extraordinary requests or proceedings which require immediate action; and being otherwise advised in the premises, it is thereupon

ORDERED AND ADJUDGED as follows:

1. Attached hereto and incorporated herein by reference is the rotation for the Citrus County duty judge assignments for 2019. This duty shall be in addition to weekend First Appearance duties as assigned by the Chief Judge of the circuit.

2. The assigned duty judge shall be available at the courthouse daily, Monday through Friday, during normal working hours when the courthouse is open, and available by cellular phone and home phone after normal working hours to handle any matters necessary during the assigned month. *Should any judge have a scheduling conflict with their assigned monthly duty, it shall be that judge's responsibility to contact another judge in Citrus County to be available. Any such changes in the duty judge assignments shall be done in writing, with copies to all judges, Court Administration, and the Clerk of Court.* The Administrative Judge of the county shall at all times be kept advised, in writing, of all changes or modifications to the duty judge schedule so that a master list may be maintained showing which judge is responsible for coverage.

3. Nothing in this order shall preclude judges from accepting responsibility for another judge's duties by agreement, in writing, in the manner set forth above.

4. The assigned duty judge for Citrus County shall be on call 24 hours each day of the week from Monday at 8:00 a.m. until Friday at 5:00 p.m. The Citrus County duty judge telephone

number is **352-341-7090**. This is also the contact number when a Citrus County judge is serving the tri-county area for weekend and holiday duty as assigned by the Chief Judge. Citrus County Court Administration and the administrative judicial assistant must be notified in writing of any schedule changes so that the duty phone may be forwarded to the appropriate judge. In an emergency, notification may be accomplished by any means possible.

5. Pursuant to the provisions of Administrative Order A-96-44, and any supplementary administrative orders of the Chief Judge, the first appearance judge for the tri-county area shall also assume duty judge responsibilities for Citrus, Hernando and Sumter Counties on assigned first appearance weekends and holidays, and shall be available from 5:00 p.m. on the Friday or last official business day preceding the weekend or holiday until 8:00 a.m. on the Monday or first official business day following the weekend or holiday to respond to all duty judge calls for the entire tri-county area.

6. Any County Court judge who serves as the duty judge under this Order is hereby assigned to act as a judge of the Circuit Court of the Fifth Judicial Circuit should an emergency requiring the actions of a circuit judge arise during their term as duty judge. This is not to be construed as a permanent assignment of the County Court judge to the Circuit Court bench, and shall be effective only during the time that the County Court judge shall serve as the duty judge hereunder.

7. The Clerk of the Court of Citrus County has been provided with a signature stamp of each of the judges in Citrus County so that the Clerk may affix the stamped signature on orders and documents requiring the signature of the duty judge, after personally speaking to the judge, explaining the situation, reading the document over the telephone, and receiving verbal authorization from the judge to affix the signature stamp thereon. Such stamped signature shall have the same force and effect as a manual signature, and the Clerk of the Court shall be responsible for the safekeeping of said signature stamps, pursuant to the provisions of §116.34, Florida Statutes.

8. Unless an emergency occurs, there shall always be at least one judge available in Citrus County to handle the business of the county as it may arise during each duty month. Should a conflict arise which would leave the county without judicial coverage during any particular week, or a portion thereof, it shall be the responsibility of the assigned duty judge for that month to coordinate with other judges to ensure coverage is maintained in the manner set forth in this Order.

9. The judge assigned to handle the domestic relations cases shall be available in the courthouse during the times that the Child Support Enforcement Hearing Officer shall be holding hearings for the purpose of dealing immediately with any contempt orders or other matters requiring judicial oversight or approval.

10. In order to maintain the jury trial schedules, the scheduling of trials and the scheduling of other administrative functions, it is necessary to maintain a master list of the dates when the judges will be unavailable. Therefore, as soon as practical, each judge shall advise the Administrative Judge of any planned vacations and other days off they wish to take for the coming calendar year, including but not limited to, judicial conferences, educational seminars, and continuing education meetings. When any such dates are changed, or added to, the Administrative Judge shall be notified in writing.

11. The duty judge for each month shall also be responsible for qualifying jurors during any jury trial session and impaneling any grand juries required.

12. For the calendar year 2019, the assignments of judicial duties among the Circuit Court Judges of Citrus County shall be as follows:

A. **Judge Carol A. Falvey** – All general civil cases, including civil jury and non-jury trials; mortgage foreclosures; all extraordinary writs; all eminent domain proceedings; and 20 % of the Family Law Cases including any related supplemental proceedings [adoptions, annulments, registrations of foreign judgments, registrations of foreign support, name changes, paternity (except IV-D), dis-establishment of paternity, separate maintenance, dissolutions (except simplified dissolutions of marriage and pro se dissolutions of marriage cases)], cases. Judge Falvey is also assigned to the Fifth Circuit Appellate Panel.

B. **Judge Richard A. Howard** – Criminal felony, including post-conviction matters and felony arraignments; and all Jimmy Ryce cases.

C. **Judge Stacy M. Youmans** – 80% of all family law cases including any related supplemental proceedings [adoptions, annulments, registrations of foreign judgments, registrations of foreign support, name changes, paternity (except IV-D cases), disestablishment of paternity, separate maintenance, dissolutions, *pro se* dissolution of marriage cases (except simplified dissolutions of marriage)]; domestic violence and repeat violence return hearings; and Probate cases.

D. **Judge Peter M. Brigham** – All dependency proceedings; all motions for emergency relief in dependency matters; all juvenile delinquency cases, including all home detention hearings; all child support proceedings not covered by the Hearing Officer appointed by the Chief Judge; IV-D paternity cases; IV-D and non IV-D support cases; administrative IV-D cases; URESA/UIFSA cases; all CINS/FINS Petitions; Guardianship cases; Adult Protective Services cases; and all Baker Act and Marchman Act proceedings; and Risk Protection Orders. In addition, Judge Brigham is the

designated Unified Family Court Judge as set forth in a separate Unified Family Court Administrative Order.

****On Domestic Violence and Repeat Violence return hearings which involve persons who are in the Unified Family Court, these cases will be handled by Judge Brigham as part of the Unified Family Court System

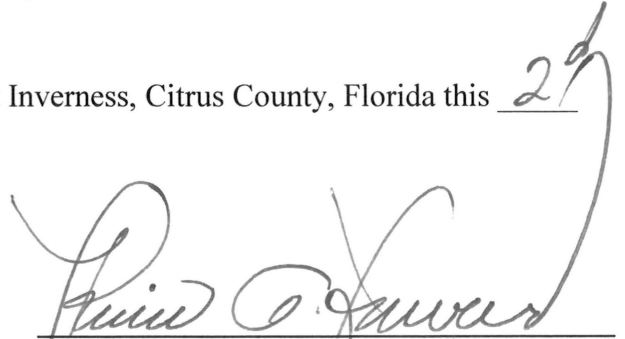
E. **Judge Mark J. Yerman** – All matters within the jurisdiction of the County Court, including simplified dissolution of marriage cases; first appearances (Monday to Friday); and all Mental Health and Adult Drug Court proceedings.

F. **General Magistrate Keith Schenck** – All Pro Se Dissolution of Marriage cases and supplemental proceedings associated therewith; Dependency proceedings assigned by the Circuit Judge, not including emergency motions for relief; any civil matters as assigned pursuant to Fla.R.Civ.P. 1.490; probate matters referred pursuant to Fla.Prob.R. 5.697; proceedings under the Baker Act and Marchman Act pursuant to Fla.Stat. §394.467 and §397.681; guardianship proceedings pursuant to Fla.Stat. §744.369(2); and any other statutory or rule provision authorizing the appointment of a general magistrate. Pursuant to Administrative Order A2005-11 and Fla.Fam.L.R.P. 12.491, the general magistrate may also serve as a Child Support Hearing Officer as assigned by the Administrative Judge.

G. The assigned duty judge shall be responsible for signing *ex parte* temporary restraining orders.

13. This order shall be effective on August 1, 2019, and shall remain in effect until vacated, amended or supplemented.

DONE AND ORDERED in Chambers at Inverness, Citrus County, Florida this 21st day of August, 2019.



RICHARD A. HOWARD
ADMINISTRATIVE JUDGE
CITRUS COUNTY

**DUTY JUDGE ROSTER FOR 2019
CITRUS COUNTY CIRCUIT AND COUNTY COURTS**

MONTH	JUDGE
JULY	HOWARD
AUGUST	BRIGHAM
SEPTEMBER	YERMAN
OCTOBER	FALVEY
NOVEMBER	<u>YOUMANS</u>
DECEMBER	HOWARD