

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

**AMENDED ADMINISTRATIVE ORDER NO. C-2022-57-A
(Amended to Reflect Duty Judge Roster April Dates for Judge Nimeth)**

IN RE:

**DUTY JUDGE ROTATION
AND JUDICIAL ASSIGNMENTS FOR
THE CALENDAR YEAR 2023**

The undersigned having considered the need for assigning the rotation of duty judges in Citrus County and the judicial assignments for the calendar year 2023, 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 2023. 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.* At all times, the Administrative Judge of the county shall 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. Citrus County Court Administration and the administrative judicial assistant must be notified in writing of any schedule changes.

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 2023, the assignments of judicial duties among the Circuit Court Judges, County Judges and General Magistrate of Citrus County shall be as follows:

A. **Judge Carol A. Falvey** – 75% of all general civil cases, including all civil jury trials as well as non-jury trials, extraordinary writs except habeas corpus, eminent domain proceedings, and appeals from final administrative orders; and all mortgage foreclosures. Except those cases designated as part of the Unified Family Court System, 25% of family law cases including any related supplemental proceedings [adoptions, annulments, registrations of foreign judgments, registrations of foreign support, name changes, paternity (except Title IV-D cases), disestablishment of paternity, separate maintenance, dissolutions, *pro se* dissolution of marriage cases (except simplified dissolutions of marriage). All matters related to and connected with Administrative Judge duties.

B. **Judge Richard A. Howard** – All criminal death penalty felony cases until Judge Fritton becomes death-certified; and all juvenile delinquency cases, including all home detention hearings. All dependency proceedings; all motions for emergency relief in dependency matters; 50% of family law cases including any related supplemental proceedings [adoptions, annulments, registrations of foreign judgments, registrations of foreign support, name changes, paternity, disestablishment of paternity, separate maintenance, dissolutions, *pro se* dissolution of marriage cases (except simplified dissolutions of marriage) and all cases designated as part of the Unified Family Court System, including return hearings in Domestic Violence and Repeat Violence cases, which involve persons who are in the Unified Family Court; all child support proceedings not covered by the Hearing Officer appointed by the Chief Judge; Title IV-D paternity cases; Title IV-D and non-Title IV-D support cases; administrative Title IV-D cases; URESA/UIFSA cases; all CINS/FINS Petitions; Adult Protective Services cases; all Baker Act and Marchman Act proceedings and Risk Protection Orders.

C. **Judge Joel D. Fritton** – All criminal non-death penalty felony cases, including arraignments, VOPs, and all post-conviction matters; all Jimmy Ryce cases.

D. **Judge Jason J. Nimeth** – 25% of 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); and 25% of all general civil cases, including ONLY non-jury trials, extraordinary writs, and appeals from final administrative orders. This assignment shall not include mortgage foreclosures.

County Judges - For the calendar year 2023:

E. **Judge Bruce E. Carney** — All criminal matters within the jurisdiction of the County Court, including criminal traffic proceedings. First appearances (Monday - Friday) for the weeks of January 3, 2023; January 17, 2023, and every third week thereafter.

F. **Judge Charles L. W. Helm** — All dating, domestic, repeat, sexual and stalking violence injunction hearings, including review of *ex parte* petitions for temporary restraining orders (Monday - Friday); petitions for writs of habeas corpus; small claims; civil infractions; simplified dissolutions of marriage; juvenile first appearances; Mental Health, Veterans Court, and Adult Drug Court proceedings. First appearances (Monday - Friday) for the weeks of January 9, 2023; January 23, 2023, and every third week thereafter.

G. **Judge Edward C. Spaight** — All general civil matters, except small claims and civil infractions, within the jurisdiction of the County Court; probate and guardianship cases. First appearances (Monday - Friday) beginning January 30, 2023 and continuing every third week thereafter.

H. **General Magistrate Keith M. Schenck** – All Pro Se Domestic Relations cases and supplemental proceedings associated therewith that are assigned by the Circuit Judge; 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.

For the duration of this order, the assigned duty judge shall be responsible for signing *ex parte* temporary restraining orders in the absence or unavailability of the judge assigned to handle injunctions.

13. This order shall be effective on January 1, 2023 at 12:00 a.m. and shall remain in effect until vacated, amended or supplemented.

DONE AND ORDERED in Chambers at Inverness, Citrus County, Florida this 30th
day of November, 2022.



CAROL A. FALVEY
ADMINISTRATIVE JUDGE
CITRUS COUNTY

**DUTY JUDGE ROSTER FOR 2023
CITRUS COUNTY CIRCUIT AND COUNTY COURTS**

MONTH	JUDGE	
JANUARY	CARNEY	NIMETH 5 & 6
FEBRUARY	SPAIGHT	NIMETH 2 & 3
MARCH	FRITTON	NIMETH 2 & 3
APRIL	FALVEY	NIMETH 13 & 14
MAY	HELM	NIMETH 4 & 5
JUNE	HOWARD	NIMETH 1 & 2
JULY	CARNEY	NIMETH 6 & 7
AUGUST	SPAIGHT	NIMETH 3 & 4
SEPTEMBER	FRITTON	NIMETH 7 & 8
OCTOBER	FALVEY	NIMETH 5 & 6
NOVEMBER	HELM	NIMETH 2 & 3
DECEMBER	HOWARD	NIMETH 7 & 8