

IN THE CIRCUIT COURT OF THE
EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR SEMINOLE COUNTY,
FLORIDA

ADMINISTRATIVE ORDER NO:
24-03-S
SUPERSEDES 23-15-S 3RD
AMENDED

IN RE: JUDGES - DIVISION AND CASE ASSIGNMENTS

The resident Judges of Seminole County have determined that it is in the best interest of the litigants, attorneys, and judges that so far as possible that cases remain with the judges originally assigned for better understanding, efficiency, and savings of time for all involved.

Accordingly,

IT IS ORDERED:

1. Criminal Division (CF)

A. Organization:

The criminal division shall be comprised of Divisions A, E, J and M. All original cases presently assigned to one of those divisions in the clerk's computer shall remain assigned to that division unless the Administrative Judge of the Criminal Division shall order otherwise in a particular case.

The Administrative Judge of the Criminal Division shall be responsible for criminal division operations including, but not limited to, maintaining approximately equal caseload distribution among the various criminal divisions, publication of the Criminal Division Operations Manual, reassignment of cases in which a criminal division judge has recused or been dis qualified, and acting as liaison with other components of the criminal justice system.

The Criminal Division Judges shall be assigned secondarily to cases assigned to other judges in the division for the purpose of backing up other judges by taking pleas, ruling on motions, scheduling matters, conducting trials and sentencing defendants in cases over which the back-up judge tried. All judges in the Criminal Division may act in the absence of the judge who is assigned to a case.

B. Assignment of Original Informations:

Original informations and indictments (except for Capital and Jimmy Ryce cases) shall be randomly assigned so that the four (4) criminal divisions are each assigned to 25% of

the cases. Informations filed directly (before the defendant is taken into custody) shall initially be assigned to Division N. These cases shall be reassigned by the clerk in accordance with this paragraph when the defendant is taken into custody, unless there is an active pending substantive case with the same defendant it shall be in accordance with paragraph I.

C. Assignment of Multiple Defendant Cases:

Informations naming multiple defendants shall be assigned to the first judge assigned to the case.

D. Assignment of Murder cases and Jimmy Ryce Cases:

The Clerk of Court is responsible, upon the Defendant's arrest, for the assignment of a judge to any murder case, excluding Murder by the Unlawful Distribution of a Controlled Substance, Fla. Stat. 782.04(1)(a)3. The following murder cases will be assigned on a rotating basis among the four criminal divisions beginning with Division J followed by Division M, A, and E.

- First Degree Premeditated Murder: Fla. Stat. 782.04(1)(a)1.
- First Degree Felony Murder: Fla. Stat. 782.04(1)(a)2.
- Second Degree Murder: Fla. Stat. 782.04(2).
- Second Degree Felony Murder: Fla. Stat. 782.04(3).
- Third Degree Felony Murder: Fla. Stat. 782.04(4).

The same rotation will continue when a division is assumed by a successor judge. Murder cases, excluding Murder by the Unlawful Distribution of a Controlled Substance, Fla. Stat. 782.04(1)(a)3, and Jimmy Ryce Act cases shall be assigned on a rotating basis among the four criminal divisions in alphabetical order beginning with the next division in rotation. A judge who imposes the death penalty shall remain assigned to the case for all purposes, including all post-trial and post-conviction proceedings, whether or not the judgment and sentence is upheld on appeal, regardless of the division of the court to which that judge may be assigned subsequent to the imposition of the death penalty sentence. The Chief Judge shall assign these cases if the judge who imposes the death penalty is no longer in office

E. Assignment of Post-Conviction Relief Cases (3.850) and Motions for Correction, Reduction and Modification of Sentence (3.800):

These cases shall be assigned to the judge who is assigned to the division designated on the file.

F. Consolidation of Misdemeanor Cases with a Felony Charge Arising Out of the Same Circumstances:

The Clerk of the Court shall consolidate misdemeanor cases arising out of the same facts as a felony case into the felony case. All papers in the misdemeanor case shall be filed in the felony case and the case shall be set for arraignment on the next open felony arraignment docket before the assigned judge. The felony information shall contain the felony case number and show the former misdemeanor case number.

G. Assignment of Violations of Probation and Miscellaneous Cases:

Violations of probation or community control, adult consequences alternatives, habeas corpus actions contesting the legality of a prisoner's detention, and any other action filed in a criminal case shall be assigned to the division designated on the file. If the file does not contain a current division designation, such as old cases, the case shall be assigned according to the following schedule, using the last two numbers in the case:

Division A: Cases ending in 00-24
Division E: Cases ending in 25-49.
Division J: Cases ending in 50-74
Division M: Cases ending in 75-99.

H. Assignments of Writs of Mandamus, Certiorari, and Prohibition Arising Out of Criminal Charges in the Seminole County Court:

The Clerk shall deliver Petitions for Writs of Mandamus, Certiorari, and Prohibition filed in the circuit court and arising out of criminal charges in Seminole County Court to the Criminal Division Administrative Judge for action and assignment within the Criminal Division.

I. Consolidation of Related Cases Involving the Same Defendant:

Substantive cases involving the same defendant in two or more divisions in Circuit Court shall be reassigned to the division with the lowest case number, sua sponte, by the clerk unless at least one of the cases has been resolved by trial. Should a case have been tried as the date of this Order, the judge who tried the case against a defendant shall sentence the defendant on that case and on all other cases then pending for sentencing with that defendant. Any subsequent substantive new case obtained by the same defendant shall be consolidated with the pending substantive case with the lowest case number. Consolidation of said new case shall be made by the clerk at the time of the arrest and assignment of the case number, if an information or indictment has not been filed as of that time. Otherwise, should an information or indictment be filed prior to arrest, the consolidation of said new substantive case shall be made by the clerk at the time of the filing of the information or indictment.

J. Consolidation of Related Cases Involving Violations of Probation or Community Control:

Violations of probation or community control cases involving the same defendant and pending in two or more divisions shall be assigned to the division with the lowest case number sua sponte, by the clerk, or upon motion by either party. Defendants who have a new substantive felony case in Seminole County and who have a violation of probation or community control pending shall have the new violation case(s) consolidated with the new substantive case if the violation alleges the new substantive case as a ground for the violation. Consolidation shall be made by the clerk after an information or indictment has been filed in the new substantive case at the next violation of probation or community control arraignment date.

K. Failure to Appear:

Defendants who are arrested for failure to appear for docket sounding or trial shall be placed on the next docket sounding docket before the assigned judge. Defendants who are arrested for failure to appear for violations of probation or community control shall be placed on the next violation of probation docket before the assigned judge.

L. Disposition of Cases in Which Juvenile Sanctions Are Imposed:

In any case in which a criminal division judge imposes juvenile sanctions, the case shall remain assigned to the criminal division judge, as required by F.S. 985.565(4)(d).

2. Juvenile Division (CJ)

A. The juvenile division shall be comprised of divisions B and P All cases presently assigned to those divisions in the clerk's computer shall remain assigned to that

division unless the judge assigned to that division shall order otherwise in a particular case.

- B. All new dependency filings shall be assigned equally by the Clerk to divisions B and P at the time of filing regardless of the case number.
- C. All new delinquency filings against a juvenile who is not on probation or conditional release shall be assigned to the division based upon the mailing address of the juvenile. A juvenile whose residence or mailing address is Sanford, Midway, Lake Forest, Heathrow, Lake Mary, Lake Monroe, Longwood shall be assigned to Division B. All other juveniles shall be assigned to Division P. Any new charge against a juvenile who is on probation or conditional release shall be assigned to the division previously assigned to that case or cases.
- D. New delinquency filings involving co-defendants who would be assigned different divisions because of their mailing addresses or their probationary status shall be assigned to the judge assigned to the co-defendant with the lowest case number until all of the co-defendant cases are resolved. Any violation of probation companion cases shall also be assigned to that judge for resolution

3. **Probate, Guardianship, and Mental Health (CP)**

- A. The probate, guardianship, and mental health division shall be assigned to the juvenile divisions. All probate, guardianship, and mental health cases pending on July 1, 2022, or filed thereafter shall be assigned as follows: Cases ending in an even number shall be assigned Division B. Cases ending in an odd number shall be assigned to Division P.
- B. All matters pending in probate, guardianship, and mental health cases shall be heard at the Juvenile Justice Center. The clerk shall make arrangements to store or transport any files not electronically available through the Judicial Viewer or Clerks online electronic file system to the Juvenile Justice Center in time for scheduled hearings or at the request of the judge.
- C. Consolidation and/or Transfer of Probate and Guardianship Cases
All probate cases involving the same individual in any pending guardianship matter in Seminole County circuit court shall be reassigned to the division with the corresponding guardianship case, sua sponte, by the clerk, unless the guardianship case has been closed. The Clerk of Court shall upon the filing of any new probate cases, assign the probate case to the division of any pending guardianship case involving the same decedent /ward. If there is no guardianship case pending, then it shall be assigned according to 3A, *supra*. If a guardianship matter was previously filed involving the decedent in any court of any state, and a probate action is thereafter opened in Seminole County, the attorney in the Probate action shall be required to file a Notice of Related cases in both the probate action and the guardianship case indicating the guardianship case number(s), the guardianship case name, the jurisdiction where the guardianship was filed, and status of the guardianship.
The transfer provision does not apply to guardianship cases opened for a minor child of a decedent for the purpose of receiving the estate proceeds not otherwise governed by a trust. However, attorneys opening a guardianship case for a minor child of decedent shall file a Notice of Related Cases in the guardianship case and the probate case, indicating the indicating the guardianship case number(s), the guardianship case name, the jurisdiction where the guardianship was filed, and status of the guardianship.

4. **General Civil Cases (Including Forfeiture Actions and Excluding Jimmy Ryce Act Cases) (CA)**

- A. The civil division (including forfeiture cases, but excluding Jimmy Ryce Act cases) shall be comprised of divisions G, K, Land W.
 - B. Any new civil case shall be randomly assigned so that each division will receive an equal and proportionate share of each case type.
 - C. Any general civil case that is not presently assigned in the clerk's computer to divisions G, K, L or W shall be reassigned when reactivated on a rotating basis among the divisions beginning with the next division in rotation.
5. **Family Division (Except Actions Pursuant to F.S. 784.046) (DR)**
- A. Any new family case after shall be randomly assigned so that each division will receive an equal and proportionate share of each case type with the exception of actions filed pursuant to F.S. 741.30 which shall be assigned pursuant to the existing Family Division - Model Family Court Administrative Order.
 - B. Any family case that is not presently assigned in the clerk's computer to divisions G, K, L or W shall be reassigned when reactivated on a rotating basis among the divisions beginning with the next division in rotation.
6. **Actions for Injunction for Protection Against Domestic Violence (F.S. 741.30) and Actions for Injunction for Protection Against Repeat Violence, Sexual Violence or Dating Violence (F.S. 784.046) as amended and Actions for Injunction for Protection Against Stalking (F.S. 784.048) respectively.**
- A. Effective November 6, 2023, upon the filing of a Petition for Injunction for Protection Against Domestic Violence which qualifies as a Unified Family Court injunction as defined in existing Family Division - Model Family Court Administrative Order, the clerk shall first determine if any of the children named in the petition are the subject of an open juvenile dependency case in Seminole County. If they are, the clerk will assign the case and forward the petition to the division assigned to the open juvenile dependency case for action by that judge. If there is no open dependency case, the clerk will then determine whether there is an open or closed family law case involving the parties. If there is, the clerk will assign the case and forward the petition to the division assigned to the open or closed family law case. If there is no open or closed family law case, the clerk will assign the case and forward the petition to the judge in the family law judicial rotation schedule furnished to the clerk for review of the petition.
 - B. All other Petitions for Injunctions Against Domestic Violence filed pursuant to F. S. 741.30 and all Petitions for Injunctions for Protection Against Repeat Violence, Sexual Violence, and Dating Violence filed pursuant to F. S. 784.046 including Petitions for Injunction Against Stalking filed pursuant to F. S. 784.048 shall be forwarded along to the Seminole County judge designated in a rotation furnished to the clerk from the Seminole County Court judges to handle injunctions for that particular week.
 - C. Any Petition seeking an Injunction for Protection Against Sexual Violence in which it is alleged that sexual violence is perpetrated by a child shall be assigned to a presiding juvenile division circuit judge.
7. **Retention of Cases:**
The interest of justice may require that a judge retain assignment over one or more cases that would customarily be transferred to another judge at the time of the annual rotation of judicial assignments. Any Circuit Judge may elect to retain assignment of individual cases and shall accomplish this by entering an order directing to the Clerk not to reassign the case.
8. **Habeas Corpus:**
- A. **Civil:**

Habeas Corpus actions in pending cases shall be assigned to the division in that case. A new Habeas Corpus action that does not allege unlawful detention in a jail, correctional facility, juvenile detention facility or medical facility shall be assigned to each division like other general civil cases.

B. Probate, Guardianship and Mental Health: Habeas Corpus actions related to a probate, guardianship, or mental health case shall be assigned as follows: Cases ending in an even number shall be assigned to Division B. Cases ending in an odd number shall be assigned to Division P.

C. Juvenile: Habeas Corpus actions related to a juvenile case shall be assigned to the judge assigned to the case if the detention alleged to be illegal involves a delinquency case pending in the Juvenile Division. Other Habeas Corpus actions involving a juvenile who is detained in the Juvenile Detention Center, the County Jail or other state detention or commitment facility shall be assigned as follows: Cases ending in an even number shall be assigned to Division B. Cases ending in an odd number shall be assigned to Division P.

9. County Criminal Division (MM):

Organization:

The county criminal division shall be comprised of Divisions R, C, Z, and U. All original cases presently assigned to one of those divisions in the clerk's computer shall remain assigned to that division. Effective November 1, 2023, any county criminal cases assigned to Division F shall be randomly reassigned to Divisions R, C, and Z in a manner that will equalize the number of cases in each division.

10. County Civil Division (CC) (SC):

A. Organization:

The county civil division shall be comprised of Division F and S. All pending cases filed prior to November 1, 2023, shall be randomly reassigned so that each division receives an equal and proportionate share of each case type with the exception of the small claims cases assigned pursuant to the rotation schedule furnished to the clerk.

B. Any new civil case filed on or after November 1, 2023, shall be randomly assigned so that each division will receive an equal and proportionate share of each case type. Small claims cases shall be assigned to the division pursuant to the rotation schedule furnished to the clerk.

C. Effective November 1, 2023, any civil case that is not presently assigned in the clerk's computer to Division F or S, shall be reassigned when reactivated on a rotating basis among the divisions beginning with the next division in rotation.

D. Any existing or new PIP cases shall remain and continue to be assigned to Division S until further ordered.

11. Assignment of Circuit Judges to Divisions:

The circuit judges assigned to the divisions of the court from November 1, 2023, until June 30, 2024, are as follows:

Division A: Melanie Chase – Criminal

Division B: Melissa Souto – Juvenile/Probate/Guardianship/Mental Health

Division E: William S. Orth – Criminal

Division G: Michael J. Rudisill – Civil/Family

Division J: Jessica Recksiedler – Criminal
Division K: Christopher Sprysenski – Civil/Family
Division L: Mark E. Herr – Civil/Family
Division M: Donna M. Goerner – Criminal
Division P: John Galluzzo – Juvenile/Probate/Guardianship/Mental Health
Division W: Susan Stacy – Civil/Family

12. Assignment of County Court Judges to Divisions:

The county court judges assigned to the divisions of the court from January 1, 2024, until December 21, 2024 are as follows:

Division C: James Joseph Dekleva – County Criminal
Division F: TBD – County Civil
Division R: Carsandra Buie – County Criminal
Division S Wayne Culver – County Civil
Division U John L. Woodard, III – County Criminal
Division Z: Debra L. Krause – County Criminal

DONE AND ORDERED this 3rd day of January, 2024.

CHARLIE CRAWFORD
CHARLIE CRAWFORD
CHIEF JUDGE

Distribution:

All Circuit and County Judges (Seminole County)
Court Administration (Brevard and Seminole Counties)
Clerk of Court (Seminole County)
State Attorney (Seminole County)
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