

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

ADMINISTRATIVE ORDER NO:
24-36-B
SUPERSEDES 18-15

IN RE: **APPEALS TO CIRCUIT COURT**

It appears that the administrative processing of appeals through the use of regularly convened appellate panels has significantly shortened the time from filing of appeals to resolution in this circuit, while retaining the quality of judicial labor devoted to said appeals. Pursuant to Fla. R. Jud. Admin. 2.020(c), it is thereupon,

ORDERED that cases filed with the Clerk of the Court in Brevard County (hereinafter called Clerk) pursuant to Fla. R. App. P. 9.030(c) shall be administratively processed as follows:

1. Administrative Judges for appeals (hereinafter called Administrative Judge) shall be appointed annually by the Chief Judge of the Eighteenth Judicial Circuit.
2. Appeals of matters encompassed within Fla. R. App. P. 9.030(c)(1) shall be assigned an appropriate appellate (AP or AC) case number by the Clerk.
3. Petitions for Writs of Certiorari (both common law and statutory), Petitions for Mandamus, Prohibition, Quo Warranto, and Habeas Corpus in civil cases, Fla. R. App. P. 9.030(c)(2) (3), which are not combined with other requested forms of relief shall be assigned an appellate (AP or AC) case number by the Clerk and the Clerk shall immediately forward the file to the Administrative Judge for review. If the Administrative Judge determines:
 - (a) That the Petition meets the requirements of Fla. R. App. P. 9.100(f), the Administrative Judge shall issue an Order to Show Cause pursuant to said rule.
 - (b) That the Petition does not meet the requirements of Fla. R. App. P. 9.100(f), the Administrative Judge may enter an order dismissing the Petition or may refer the matter to the next available Appellate Panel for decision on whether the order to Show Cause should be issued.

4. Petitions for Writs of Certiorari combined in a complaint with other (additional or alternative) requested forms of relief (e.g., injunction, prohibition or mandamus) shall be assigned a civil (CA) case number by the Clerk and the Clerk shall immediately forward the file to the judge to whom the case is assigned for review and consideration of the entry of an Order to Show Cause pursuant to Fla. R. App. P. 9.100(f). Such case shall be handled in all other respects as a civil case. If at any stage of the case, the assigned judge determines that Certiorari is the appropriate remedy, the assigned judge shall advise the Administrative Judge and the Clerk of this decision, and the Administrative Judge shall then enter an Order to Show Cause, or, if not required, shall set the matter for oral argument before the next available appellate panel.
5. In addition to the above, the Administrative Judge shall have the following duties:
 - (a) Before the beginning of the year, prepare a schedule of monthly Appellate Panels composed of three (3) Circuit Judges, with one judge on each panel designated as Presiding Judge, for all civil and criminal appeals as well as original proceedings and shall schedule oral arguments when appropriate pursuant to Fla. R. App. P. 9.320.
 - (b) Periodically review all appellate files and prepare orders setting oral arguments.
 - (c) Receive the decisions from the appellate panels and disseminate them to the trial judge or administrative agency, counsel, Clerk, unrepresented parties, and the law library of Brevard County.
 - (d) Ensure that Mandates are issued by the Clerk pursuant to Fla. R. App. P. 9.340 (See paragraph 7 below).
 - (e) Enter orders concerning matters encompassed within the following Florida Appellate Rules in order to facilitate expeditious handling of appeals:
 - (1) 9.040(b) (transfer to appropriate court of proceeding in inappropriate court)
 - (2) 9.040(d) (motions to amend)
 - (3) 9.200(e) (motions to enforce preparation and transmittal of record);
 - (4) 9.200(f) (motions to correct or supplement record)
 - (5) 9.300 (motions)
 - (6) 9.320 (motions relating to oral argument)
 - (7) 9.360 (motions relating to joinder and substitution of parties)
 - (8) 9.370 (motions relating to Amicus Curiae)
 - (9) 9.410 (dismissal of proceedings for violation of rules, upon the ten (10) days' notice)
 - (10) 9.420 (motions relating to service)
 - (11) 9.440 (motions relating to admission or withdrawal of attorneys)
 - (12) any other motion filed prior to the assignment of an appellate panel
6. The Presiding Judge of the Appellate Panel shall ensure that decisions are rendered promptly.

7. Sixteen (16) days after the decision of the appellate panel has been filed, the Clerk shall advise the Administrative Judge in writing whether a motion for rehearing or clarification has been filed pursuant to Fla. R. App. P. 9.330.
 - (a) If no motion for rehearing or clarification has been timely filed, the clerk shall prepare the Mandate according to Fla. R. App. P. 9.340.
 - (b) If a motion for rehearing or clarification has been timely filed, the Clerk shall forward a copy of same to the presiding judge of the appellate panel and a copy to the Administrative Judge. When the decision is filed on the motion for rehearing or clarification, the Clerk shall prepare the Mandate.

DONE AND ORDERED this 26th day of August, 2024

CHARLIE CRAWFORD
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CHIEF JUDGE

Distribution:

All Circuit and County Judges (Brevard County)
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