

**IN THE THIRTEENTH JUDICIAL CIRCUIT
HILLSBOROUGH COUNTY, FLORIDA**

**ADMINISTRATIVE ORDER S-2013-033
(Supersedes Administrative Order S-2012-019)**

EAST DIVISION

Florida law permits the establishment of geographic divisions of the court by administrative order. Administrative Orders A-2012-036 and A-2013-015 established several additional circuit and county court subdivisions in the East Division. In light of these new subdivisions, it is necessary for the proper and efficient administration of justice to update the procedures in the East Division.

By the power vested in the chief judge under article V, section 2(d), Florida Constitution; section 43.26, Florida Statutes; and Florida Rule of Judicial Administration 2.215(b)(2), it is therefore **ORDERED**:

1. Boundaries

For purposes of both circuit court and county court jurisdiction, the East Division will consist of the following described area of Hillsborough County:

All of that part of Hillsborough County lying within the following boundaries: From the boundary line of Hillsborough and Pasco Counties south on U.S. 301 to the first time U.S. 301 intersects I-75; south on I-75 to the Alafia River; east along the Alafia River to CR 640; east along CR 640 to SR 39; south on SR 39 to the boundary line of Hillsborough and Manatee Counties; east along the boundary line of Hillsborough and Manatee Counties to the boundary line of Hillsborough and Polk Counties; north along the boundary line of Hillsborough and Polk Counties to the boundary line of Hillsborough and Pasco Counties; west along the boundary line of Hillsborough and Pasco Counties to U.S. 301.

2. Divisions

The East Divisions will be located in the Plant City Courthouse.

A. Circuit Court

Circuit court matters in the East Division will be administered by six

subdivisions designated as East Circuit Divisions “R,” “S,” “T,” “U,” “V” and “W.”

i. Civil and Family Law

East Circuit Division “R” and East Circuit Division “T” will consist of civil actions and family law proceedings (excluding petitions for injunctions for protection against domestic violence, repeat violence, sexual violence, dating violence and stalking). The Clerk of the Court (clerk) will assign cases to these divisions on a random equitable basis.

ii. Violence Injunctions

East Circuit Division “S” and East Circuit Division “V” will consist of petitions for injunctions for protection against domestic violence, repeat violence, sexual violence, dating violence and stalking. The clerk will assign cases to these divisions on a random equitable basis.

iii. Probate, Guardianship & Mental Health

East Circuit Division “U” and East Circuit Division “W” will consist of probate and guardianship proceedings and mental health companion cases. For purposes of this administrative order, the term “mental health companion case” means a proceeding in which a petition to determine incapacity (section 744.3201, Florida Statutes), a suggestion of capacity (section 744.464, Florida Statutes), or a petition under the Adult Protective Services Act (chapter 415, Florida Statutes) has been filed and the subject of the petition or suggestion is also the subject of a pending guardianship case. The clerk will assign cases to these divisions on a random equitable basis.

B. County Court

County court matters will be administered by four subdivisions designated as East County Divisions “P,” “Q,” “X” and “Y.”

i. Criminal

East County Division “P” and East County Division “X” will consist of misdemeanor offenses, criminal traffic offenses, and City of Plant City criminal municipal ordinance violations. The clerk will assign these cases to Divisions “P” and “X” based on the first letter of the defendant’s last name. If the first letter of the defendant’s last name is “A” through “L,” the case will be assigned to East County Division “P.” If the first letter of the defendant’s last name is “M” through “Z,” the case will be assigned to East County Division “X.”

The dockets for these two county criminal divisions will be scheduled so that they are not conducted simultaneously.

ii. Civil

East County Division “Q” and East County Division “Y” will consist of civil actions, civil traffic infractions, non-criminal non-traffic infractions, and City of Plant City civil municipal ordinance violations. The clerk will assign civil actions to these divisions on a random equitable basis. The clerk will assign civil traffic infractions, non-criminal non-traffic infractions, and City of Plant City civil municipal ordinance violations to these divisions based on the first letter of the alleged offender’s last name. If the first letter of the alleged offender’s last name is “A” through “L,” the case will be assigned to East County Division “Q.” If the first letter of the alleged offender’s last name is “M” through “Z,” the case will be assigned to East County Division “Y.”

3. Circuit Court Cases

There will be filed in the East Division of the Circuit Court all cases and proceedings when any of the following conditions exist:

A. Civil Actions – The East Division is the location where: (i) a defendant / respondent resides; (ii) the cause of action accrued; or (iii) property in litigation is located.

B. Family Law Proceedings and Violence Injunction Petitions – The East Division is the location where a party resides.

C. Probate & Guardianship Proceedings and Mental Health Companion Cases – The East Division is the location where (i) the decedent was domiciled; (ii) the person with a developmental disability or alleged incapacitated person resides; (iii) the absentee was domiciled; or (iv) the absentee’s property is located.

4. County Court Cases

There will be filed in the East Division of the County Court all cases and proceedings when any of the following conditions exist:

A. Civil Actions – The East Division is the location where (i) a defendant / respondent resides; (ii) the cause of action accrued; or (iii) property in litigation is located.

B. Civil Traffic Infractions and Non-Criminal Non-Traffic Infractions – The East Division is the location where the infraction occurred.

C. Criminal and Criminal Traffic Proceedings – The East Division is the location where the offense occurred.

5. Transfer of Case between East Division and Tampa Division

A judge of an East Division in whose division a case has been assigned may transfer the case, after hearing and upon a showing of good cause, to an appropriate Tampa division under the respective Tampa division’s case assignment system. A judge of a Tampa Division in whose division a case has been assigned may transfer the case, after hearing and upon a showing of good cause, to the appropriate division of the East Division under the appropriate East Division’s case assignment system. The court’s decision to transfer a case will be based primarily upon the convenience of the parties, attorneys and witnesses involved.

6. Reassignment of Case upon Judge’s Disqualification

A. Circuit Civil Cases

If either of the judges presiding in East Circuit Divisions “R” or “T” enters an order of disqualification in a circuit civil case, the clerk will reassign the case to the other division. If both East Circuit Division judges have entered orders of disqualification in a circuit civil case, the clerk will reassign the case to a Tampa General Civil Division on a random equitable basis.

B. Family Law Cases

If either of the judges presiding in East Circuit Divisions “R” or “T” enters an order of disqualification in a family law case, the clerk will reassign the case to the other division. If both East Circuit Division judges have entered orders of disqualification in a family law case, the clerk will reassign the case to a Tampa Family Law Division on a random equitable basis.

C. Violence Injunction Cases

If either of the judges presiding in East Circuit Divisions “S” or “V” enters an order of disqualification in a violence injunction case, the clerk will reassign the case to the other division. If both of the judges assigned to East Circuit Division “S” and “V” enter orders of disqualification, the clerk will reassign the case to a Tampa Violence Injunction Division on a random equitable basis.

D. Probate, Guardianship and Mental Health Companion Cases

If either of the judges presiding in East Circuit Divisions “U” or “W” enters

an order of disqualification in a probate, guardianship or mental health companion case, the clerk will reassign the case to the other division. If both of the judges assigned to East Circuit Division “U” and “W” enter orders of disqualification, the clerk will reassign the case to Tampa Probate, Guardianship & Trust Division “A.”

E. Misdemeanor and Criminal Traffic Cases

If either of the judges presiding in East County Criminal Divisions “P” or “X” enters an order of disqualification, the clerk will reassign the case to the other division. If both East County Criminal Division judges have entered orders of disqualification in a misdemeanor case that is not a domestic violence case or entered orders of disqualification in a criminal traffic case, the clerk will reassign the case to a Tampa County Criminal Division based on the alphabetical assignment system established for the Tampa County Criminal Divisions. If both East County Criminal Division judges have entered orders of disqualification in a criminal domestic violence case, the clerk will reassign the case to Tampa County Criminal Division “F.”

F. Civil Traffic Cases

If either of the judges presiding in East County Civil Divisions “Q” or “Y” enters an order of disqualification in a civil traffic case, the clerk will reassign the case to the other division. If both East County Civil Division judges have entered orders of disqualification in a civil traffic case, the clerk will reassign the case to a Tampa Civil Traffic Division on a random equitable basis.

G. Non-Criminal Non-Traffic Infraction Cases

If either of the judges presiding in East County Civil Divisions “Q” or “Y” enters an order of disqualification in a non-criminal non-traffic infraction case, the clerk will reassign the case to the other division. If both East County Civil Division judges have entered orders of disqualification in a non-criminal non-traffic infraction case, the clerk will reassign the case to Tampa County Civil Division “T.”

H. Other County Civil Cases

If either of the judges presiding in East County Civil Divisions “Q” or “Y” enters an order of disqualification in any other county civil case, the clerk will reassign the case to the other division. If both East County Civil Division judges have entered orders of disqualification in any other county civil case, the clerk will reassign the case to a Tampa County Civil Division on a random equitable basis.

7. Uniform Judicial Power

All circuit judges and acting circuit judges assigned to the East Division will continue to be empowered to issue emergency orders and writs throughout the entire circuit even though the case in which such order or writ is issued is assigned to a Tampa Division. In the same manner, all circuit judges and acting circuit judges assigned to a Tampa Division will have full power to issue emergency orders and writs in cases assigned to the East Division.

All county judges and acting county judges assigned to the East Division will continue to be empowered to issue emergency orders throughout the entire county even though the case in which such order is issued is assigned to a Tampa Division. In the same manner, all county judges and acting county judges assigned to a Tampa Division will have full power to issue emergency orders in cases assigned to the East Division.

8. Judicial Coverage

Under Florida Rule of Judicial Administration 2.215, it is necessary for the proper administration of justice that county court judges may be called upon to hear matters in the place of the East Division's circuit judges and that circuit court judges may be called upon to hear matters in place of the East Division's county judges.

When the judge of any division in the East Division is for any reason absent from the Plant City Courthouse, an emergency application in any case assigned to that judge's division may be presented to and heard by any other judge in the East Division. Also, when necessary for the proper administration of justice in the East Division, circuit court matters may be heard and ruled upon by a county court judge and county court matters may be heard and ruled upon by a circuit court judge. County court judges assigned to the East Division are hereby appointed as acting circuit court judges and circuit court judges assigned to the East Division are hereby appointed as acting county court judges for the purposes of this administrative order.

9. Previous Administrative Order Superseded

This administrative order supersedes Administrative Order S-2012-019 (*East Division*).

10. Effective Date

This administrative order is effective July 22, 2013.

It is ORDERED in Tampa, Hillsborough County, Florida, on this 12th day of July, 2013.



Manuel Menendez, Jr., Chief Judge

Original to: Pat Frank, Clerk of the Court
Copy to: All East Division Judges
Mark Ober, State Attorney
Julianne Holt, Public Defender
David Gee, Sheriff
Steven Singletary, Chief of Police, Plant City