

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

**LOCAL RULE 1**

**CIRCUIT COURT DIVISIONS**

In accordance with article V, section 7, Florida Constitution and section 43.30, Florida Statutes, the following four major subject matter divisions are hereby reestablished for the administrative management of court proceedings in the Thirteenth Judicial Circuit.

A. Circuit Civil Division

All suits, actions, proceedings, or matters within the jurisdiction of the circuit court and not assigned to other subject matter divisions are assigned to the Circuit Civil Division.

B. Circuit Criminal Division

All actions, cases, and proceedings involving the administration of criminal justice within the jurisdiction of the circuit court are assigned to the Circuit Criminal Division. All habeas corpus actions are to be filed in the Circuit Criminal Division except for the following:

- Habeas corpus petitions involving custody of minors are to be filed in the Unified Family Court Division; and
- Habeas corpus petitions related to any matter filed in the Probate, Guardianship, Mental Health and Trust Division are to be filed in the Probate, Guardianship, Mental Health and Trust Division.

C. Probate, Guardianship, Mental Health and Trust Division

All causes, proceedings, matters, and actions arising under the following provisions of the Florida Statutes are assigned to the Probate, Guardianship, Mental Health and Trust Division: chapter 384 (the Control of Sexually Transmissible Disease Act); chapter 392 (the Tuberculosis Control Act); chapter 393 (developmental disabilities); Part I of Chapter 394 (the Florida Mental Health Act or the Baker Act); 397 (Hal S. Marchman Alcohol and Other Drug Services Act); chapter 415 (the Adult Protective Services Act); chapters 731-735 (Florida Probate Code); chapter 736 (Florida Trust Code); chapter 744 (guardianship); chapter 747 (conservatorship); and chapter 765 (health care advance directives). Any subsequent provision of Florida law relating to the settlement of estates of decedents and

minors, the granting of letters testamentary, guardianship, involuntary hospitalization, and the determination of incompetency other than in criminal justice matters are assigned to the Probate, Guardianship, Mental Health and Trust Division. All petitions under Florida Probate Rule 5.900 (expedited judicial intervention concerning medical treatment procedures) are also assigned to the Probate, Guardianship, Mental Health and Trust Division.

D. Unified Family Court Division

In accordance with *In re: Amendments to the Florida Rules of Judicial Administration and In re: Amendments to the Florida Family Law Rules of Procedure*, 132 So. 3d 1114 (Fla. 2014), and its predecessor cases<sup>1</sup>, all related family cases must be handled before one judge unless impractical. To implement the unified family court concept envisioned by the Florida Supreme Court, the following proceedings and actions are assigned to the Unified Family Court Division: dissolution of marriage; annulment; support unconnected with dissolution of marriage; paternity; child support; Uniform Interstate Family Support Act; custodial care of and access to children; proceedings for temporary or concurrent custody of minor children by extended family; adoption; name change; declaratory judgment actions related to premarital, marital, or postmarital agreements; civil domestic violence, repeat violence, dating violence, stalking, and sexual violence injunctions; juvenile dependency; termination of parental rights; juvenile delinquency; emancipation of a minor; Children in Need of Services / Families in Need of Services; truancy; and modification and enforcement of orders entered in these cases.

E. Subdivisions

In accordance with *Mann v. Chief Judge of the Thirteenth Judicial Circuit*, 696 So. 2d 1184 (Fla. 1997) and *Physicians Healthcare Plans, Inc. v. Pfeifler*, 846 So. 2d 1129 (Fla. 2003), the chief judge is empowered, through the issuance of administrative orders, to establish subdivisions within any of the subject matter divisions approved by this local rule.

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<sup>1</sup> *In re: Report of the Commission on Family Courts (Family Courts I)*, 588 So. 2d 586 (Fla. 1991); *In re: Report of the Commission on Family Courts (Family Courts II)*, 633 So. 2d 14 (Fla. 1994); *In re: Report of the Commission on Family Courts (Family Courts III)*, 646 So. 2d 178 (Fla. 1994); *In re: Report of the Family Court Steering Committee (Family Courts IV)*, 794 So. 2d 518 (Fla. 2001).

CERTIFICATE

I certify that prior to submission of revised Local Rule 1 to the Florida Supreme Court, the requirements of Florida Rule of Judicial Administration 2.215(e)(1) have been satisfied. The Thirteenth Judicial Circuit hereby requests approval of Local Rule 1 by the Florida Supreme Court.

DATED this 5<sup>th</sup> day of January, 2015.

  
Ronald N. Ficarrotta, Chief Judge



# Supreme Court of Florida

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April 9, 2015

The Honorable Ronald N. Ficarrotta  
Chief Judge, Thirteenth Judicial Circuit  
800 East Twiggs Street, Room 602  
Tampa, Florida 33602

Re: Thirteenth Judicial Circuit – Revision of Local Rule 1 and Local Rule 2

Dear Chief Judge Ficarrotta:

The Thirteenth Judicial Circuit's request to revise Local Rule 1 and Local Rule 2 was approved by the Court on April 1, 2015. I have enclosed copies for your records.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to be "John A. Tomasino", written over a horizontal line.

John A. Tomasino

JAT/vbv  
Enclosures

cc: The Honorable Robert T. Benton, II  
John F. Harkness, Jr., Esquire  
Mr. Benjamin H. Hill, IV, President, Hillsborough County Bar Association  
Mr. John Kynes, Executive Director, Hillsborough County Bar Association

RECEIVED  
APR 13 2015  
RONALD N. FICARROTTA  
CHIEF JUDGE