

IN THE CIRCUIT COURT OF THE 16TH
JUDICIAL CIRCUIT OF THE STATE OF
FLORIDA, IN AND FOR MONROE COUNTY

ADMINISTRATIVE ORDER: 2.004/14-3
AMENDED

IN RE:

CIRCUIT COURT DIVISION
ASSIGNMENTS; OFFICIAL
HEADQUARTERS

_____:

WHEREAS, the Chief Judge is charged by Rule 2.215(b)(4), Florida Rules of Judicial Administration with the responsibility of assigning judges to courts and divisions in the Circuit, and

WHEREAS, there is a desire to distribute the workload of the Circuit Court on an equitable and geographical basis;

IT IS THEREFORE ORDERED THAT:

A. The Circuit Court caseload shall be apportioned on the basis of the courthouse location at which the case is filed.

1. Civil Division

- a. One-half of new cases filed in the Lower Keys Division shall be assigned to Judge Mark H. Jones and one-half shall be assigned to Judge Timothy Koenig. All pending cases currently assigned to County Judge Peary Fowler on January 1, 2015, shall be reassigned proportionately as directed by the Chief Judge in a separate Administrative Order.

All new Involuntary Civil Commitment of Sexually Violent Predator cases (ICCSVP), formally referred to as cases reported under the Jimmy Ryce Act, shall be assigned to Judge Timothy Koenig.

- b. All new and pending cases filed in the Middle Keys Division, including Involuntary Civil Commitment of Sexually Violent Predator cases, shall be assigned to Judge Timothy Koenig.
- c. All cases filed in the Upper Keys Division, excluding Involuntary Civil Commitment of Sexually Violent Predator cases, shall be assigned to Judge Luis M. Garcia.

All new and pending Involuntary Civil Commitment of Sexually Violent Predator cases (ICCSVP), formally referred to as cases reported under the Jimmy Ryce Act, shall be assigned to Judge Timothy Koenig.

All cases filed in the Upper Keys Division prior to January 1, 2012, currently assigned to County Judge Ruth Becker, shall be reassigned to Judge Luis Garcia.

The Clerk of the Court is directed to ensure the automated civil case system accurately reflects the judges assigned to each case especially in the event of a reassignment.

2. Circuit Civil Foreclosure Subdivision

- a. All new and pending residential and commercial foreclosure cases in the Lower Keys Division shall be assigned to Judge Mark Jones.
- b. All new and pending residential and commercial foreclosure cases filed in the Middle Keys Division shall be assigned to Judge Timothy Koenig.
- c. All new and pending residential and commercial foreclosure cases filed in the Upper Keys Division shall be assigned to Judge Luis Garcia.

3. Criminal Division

- a. All circuit criminal cases filed in the Lower Keys Division shall be divided alphabetically by the last name of the defendant. Cases wherein the defendant's last name starts with the letters A through L shall be temporarily assigned to County Judge Wayne Miller. Cases wherein the defendant's last name starts with the letters M through Z shall be assigned to Judge Mark H. Jones. In the event that there are co-defendants in a case, the entire case with all defendants, and any violation of probation charge arising there from, shall be assigned to the judge having jurisdiction over the "A" defendant's case. Cases in the Lower Keys Division that are reopened due to a violation of probation charge shall be assigned to the appropriate judge based upon the last name of the defendant regardless of which judge originally sentenced the defendant to probation.

Judge Mark H. Jones is the designated Drug Court Judge in the Lower Keys Division, and as such shall be assigned to all drug diversion cases as well as drug offender cases.

- b. All cases filed in the Middle Keys Division shall be temporarily assigned to Judge Ruth Becker.

Judge Ruth Becker is the designated Drug Court Judge in the Middle Keys Division, and as such shall be assigned to all drug diversion cases as well as drug offender probation cases.

- c. All cases filed in the Upper Keys Division shall be initially assigned to Judge Luis M. Garcia. At arraignment, Judge Luis Garcia shall transfer all third degree felony cases temporarily to County Judge William R. Ptomey, Jr. Judge Garcia will retain all cases involving multiple charges with varying degrees.

Judge Luis M. Garcia is the designated Drug Court Judge in the Upper Keys Division, and as such shall be assigned to all drug diversion cases as well as drug offender probation cases.

All new criminal cases shall be scheduled for arraignment on the basis of a felony arraignment calendar that will be published by the Court Administrator's Office. This calendar shall specify the date, time, location, and presiding judge. If the assigned presiding judge is unable to preside over a specific arraignment docket, a substitute judge may be assigned to preside over that docket by the Chief Judge. Any case continued at arraignment shall be continued to the next arraignment docket of the presiding judge.

The Clerk of the Court is directed to maintain a record of the number of active cases assigned to each judge in the Circuit Criminal Division. A monthly report shall be provided to the Chief Judge listing the number of Circuit Criminal Division new filings and active cases assigned to each judge, including cases which may be assigned to county court judges, senior judges, and other judges who may be assigned from other circuits. This report shall be provided no later than the 10th day of the following month and shall be copied to the Court Administrator's Office.

4. Family Division

- a. All new and pending domestic relations cases filed in the Lower Keys Division, including injunctions for protection, juvenile dependency and juvenile delinquency, shall be assigned to Judge Bonnie J. Helms.

Judge Bonnie J. Helms will hear all post-judgment matters in domestic relations cases in the Lower Keys Division, including injunctions for protection, whether or not she was the judge who was originally assigned to the case.

Judge Bonnie J. Helms is the designated drug court judge for Juvenile Drug Court and Family Treatment Court cases in the Lower Keys Division.

- b. All new and pending domestic relations cases filed in the Middle Keys Division, including juvenile delinquency, juvenile dependency, and injunctions for protection, shall be assigned to Judge Bonnie J. Helms.

Judge Bonnie J. Helms is the designated drug court judge for Juvenile Drug Court and Family Treatment Court cases in the Middle Keys Division.

- c. All domestic relations cases filed in the Upper Keys Division, including juvenile delinquency, juvenile dependency and injunctions for protection shall be assigned to Judge Luis Garcia.

Judge Luis M. Garcia is the designated drug court judge for Juvenile Drug Court and Family Treatment Court cases in the Upper Keys Division.

All new juvenile delinquency cases shall be scheduled for arraignment on the basis of a juvenile arraignment calendar that will be published by the Court Administrator's Office. This calendar shall specify the date, time, location and presiding judge. If the assigned presiding judge is unable to preside over a specific arraignment docket, a substitute judge may be assigned to preside over that docket by the Chief Judge. Any case continued at arraignment shall be continued to the next arraignment docket of the presiding judge.

5. Probate and Guardianship Division

- a. All cases filed in the Lower Keys Division shall be assigned to Judge Timothy Koenig.
- b. All cases filed in the Middle Keys Division shall be assigned to Judge Timothy Koenig.
- c. All cases filed in the Upper Keys Division shall be temporarily assigned to County Judge William R. Ptomey, Jr.

B. The Clerk is instructed to establish procedures to assure the distribution of cases as prescribed in Section A above.

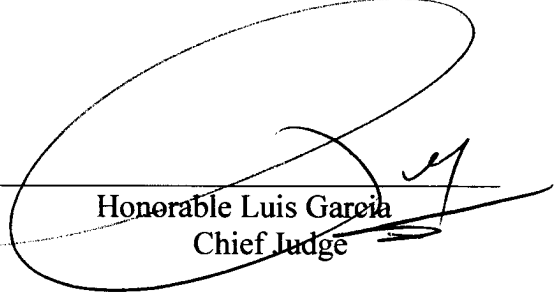
C. For purposes of travel reimbursement authorized and allowable under Section 112.061, Florida Statutes, the official headquarters for each judge shall be as follows:

- 1. Mark H. Jones, Key West
- 2. Timothy J. Koenig, Key West
- 3. Bonnie J. Helms, Key West
- 4. Luis M. Garcia, Plantation Key

E. The assignments in this Order are for the period of January 1, 2015 through July 1, 2015. However, this Order shall not operate contrary to any incidental reassignment of cases or any other modifications that may have been or may be entered by the Chief Judge.

F. Administrative Order 2.004/14-2, *Circuit Court Division Assignments; Official Headquarters*, is amended in its entirety and rescinded as of January 1, 2015.

DONE AND ORDERED at Plantation Key, Monroe County, Florida, this 5th day of November, 2014.



Honorable Luis Garcia
Chief Judge