

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

ADMINISTRATIVE ORDER: 2.005/08-1
AMENDED

IN RE:

COUNTY COURT DIVISION
ASSIGNMENTS/OFFICIAL
HEADQUARTERS

_____:

WHEREAS, the Chief Judge is charged by Rule 2.050(b)(4), Florida Rules of Judicial Administration, with the responsibility of assigning judges to the courts and divisions in the Circuit; and

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

It is therefore,

ORDERED that:

1. The County Court caseload shall be apportioned on the basis of the geographic division in which the case is filed and the date of the filing. Apportionment shall be as follows:

A. LOWER KEYS DIVISION

All county criminal cases filed in the Lower Keys Division shall be divided alphabetically by the last name of the defendant. Defendants with the last name starting with the letters A through L shall be assigned to Judge Wayne Miller. Defendants with the last name starting with the letters M through Z shall be assigned to Judge Peary S. Fowler. All pending cases as of the effective date of this order shall remain with the judge to whom the case is currently assigned. In the event that there are co-defendants in a case, the entire case with all defendants shall be assigned to the judge having jurisdiction over the case with the lowest case number. Cases that are reopened due to probation violation charges shall be assigned according to the alphabetical division described above.

All new criminal cases shall be scheduled for arraignment on the basis of a misdemeanor 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.

One-half of the small claims cases, including pending cases, shall be assigned to Judge Peary S. Fowler and one-half of the small claims cases shall be assigned to Judge Wayne Miller.

One-half of the county civil cases shall, including pending cases, shall be assigned to Judge Peary S. Fowler, and one-half shall be assigned to Judge Wayne Miller.

Municipal and county ordinance violations requiring a hearing shall be assigned by the date of the violation. Violations occurring on the 1st through the 15th day of the month shall be assigned to Judge Wayne Miller. Infractions occurring on the 16th through the last day of the month shall be assigned to Judge Peary S. Fowler.

B. MIDDLE KEYS DIVISION

All Middle Keys Division cases, including ordinance violations requiring a hearing, shall be assigned to Judge Ruth Becker.

C. UPPER KEYS DIVISION

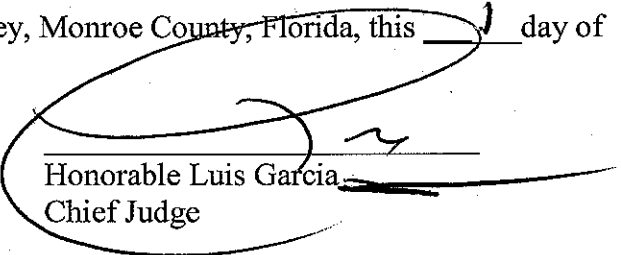
All Upper Keys Division cases, including ordinance violations requiring a hearing, shall be assigned to Judge William R. Ptomey, Jr..

2. For purposes of travel reimbursement authorized and allowable under Section 112.061, Florida Statutes, the headquarters of each judge shall be as follows:
 - A. Ruth Becker, Marathon
 - B. Peary S. Fowler, Key West
 - C. William Reagan Ptomey, Jr., Plantation Key
 - D. Wayne Miller, Key West

Nothing herein is intended to preclude the assignment of a county judge to a secondary office location or division, nor assignment to the circuit court when qualified.

3. Nothing contained in this Order shall be deemed to vest venue or jurisdiction rights for any litigant to any particular judge or court, but instead is only for the equitable distribution of cases between judges.
4. This Order is effective January 1, 2009. However, it shall not operate contrary to any incidental reassignment of cases by the Chief Judge.

DONE AND ORDERED at Plantation Key, Monroe County, Florida, this 1 day of December, 2008.



Honorable Luis Garcia
Chief Judge