

**IN THE CIRCUIT COURT OF FLORIDA, SEVENTH JUDICIAL CIRCUIT
IN AND FOR VOLUSIA COUNTY**

RE: ASSIGNMENT OF CASES IN THE CIRCUIT COURT

**REF: P-2012-178
(Rescinds P-2012-076)**

WHEREAS, it has been made known to the undersigned that the prompt and expeditious administration of justice in Volusia County requires the publication of a current case assignment order for the various divisions of the circuit court;

NOW THEREFORE, I, WILLIAM A. PARSONS, Chief Judge of the Seventh Judicial Circuit of Florida, hereby order that effective October 5, 2012, cases filed in the Circuit Court in and for Volusia County are to be assigned as follows:

A. CRIMINAL DIVISION

1. All circuit criminal cases in the Western Division (excluding Grand Jury indictments) are to be assigned equally to Divisions 07 and 08.
2. All circuit criminal cases in the Eastern Division (including those from the New Smyrna Beach, Oak Hill and Edgewater areas) (excluding Grand Jury indictments) are to be assigned equally to Divisions 41, 42 and 43.
3. All circuit criminal cases in the Eastern Division previously disposed of in Division 40 are to be reassigned equally to Divisions 41, 42 and 43. In addition, all circuit criminal cases in the Eastern Division with outstanding warrants in Division 40 are to be reassigned equally to Divisions 41, 42 and 43 upon service of said warrants.
4. All circuit criminal cases from the New Smyrna Beach, Oak Hill and Edgewater areas previously disposed of in Divisions 07 and 08 are to remain assigned to said divisions if reopened. Likewise, all circuit criminal cases from the New Smyrna Beach, Oak Hill and Edgewater areas with outstanding warrants issued by Divisions 07 and 08 are to remain assigned to said divisions upon service of such warrants.
5. Grand Jury indictments are to be assigned equally to the following divisions:

- Division 07
- Division 08
- Division 41
- Division 42
- Division 43.

B. FAMILY LAW DIVISION

1. The following categories of cases are to be assigned to the Family Law Division:

Simplified Dissolution of Marriage
 Dissolution of Marriage
 Separate Maintenance
 Annulment
 Injunctions against Domestic Violence/Repeat Violence/Dating Violence/Sexual
 Violence/Stalking
 Name Change
 Paternity
 Adoption
 Pre-Adoption Termination of Parental Rights (Ch. 63, F.S.)
 Custody
 Temporary Custody by Extended Family (Ch. 751, F.S.)
 Child Support
 UIFSA
 Declaratory Judgment related to premarital, marital, or post-marital agreements
 Juvenile Delinquency
 Truancy
 Juvenile Dependency
 Juvenile Emancipation
 Children / Families in Need of Services (CINS/FINS)
 Termination of Parental Rights (TPR) (Ch. 39, F.S.)
 Waiver of Parental Notice of Abortion

2. All Juvenile Dependency, Juvenile Emancipation, CINS/FINS, TPR (Ch. 39) and Waiver of Parental Notice of Abortion cases in the Western Division are to be assigned to Division 05. Adoption and temporary custody by extended family cases involving children in juvenile dependency court in the Western Division are also to be assigned to Division 05.
3. All Juvenile Dependency, Juvenile Emancipation, CINS/FINS, TPR (Ch. 39) and Waiver of Parental Notice of Abortion cases in the Eastern and Southern Divisions are to be assigned to Division 38. Adoption and temporary custody by extended family cases involving children in juvenile dependency court in the Eastern and Southern Divisions are also to be assigned to Division 38.
4. All Juvenile Delinquency and Truancy cases in the Western Division are to be assigned to Division 05.
5. All Juvenile Delinquency and Truancy cases in the Eastern and Southern Divisions are to be assigned to Division 37.
6. All Family Law cases in the Western Division pertaining to Simplified Dissolution of Marriage, Dissolution of Marriage, Separate Maintenance, Annulment, Name Change, Paternity, Adoption, Pre-Adoption TPR (Ch. 63), Custody, Temporary Custody by Extended Family, Child Support, UIFSA, and Declaratory Judgment related to premarital, marital, or post-marital agreements are to be assigned equally to Divisions 03 and 04.
7. All Family Law cases in the Eastern Division pertaining to Simplified Dissolution of Marriage, Dissolution of Marriage, Separate Maintenance, Annulment, Name Change, Paternity, Adoption, Pre-Adoption TPR (Ch. 63), Custody, Temporary Custody by Extended Family, Child Support, UIFSA, and Declaratory Judgment related to premarital, marital, or post-marital agreements are to be assigned equally to Divisions 30 and 36.

8. All Family Law cases in the Southern Division pertaining to Simplified Dissolution of Marriage, Dissolution of Marriage, Separate Maintenance, Annulment, Name Change, Paternity, Adoption, Pre-Adoption TPR (Ch. 63), Custody, Temporary Custody by Extended Family, Child Support, UIFSA, and Declaratory Judgment related to premarital, marital, or post-marital agreements are to be assigned equally to Divisions 03 and 04.
9. All Family Law cases in the Western Division pertaining to Domestic Violence Injunctions are to be assigned equally to Divisions 03 and 04.
10. All Family Law cases in the Western Division pertaining to Repeat Violence, Dating Violence, Sexual Violence and Stalking Injunctions are to be assigned equally to Divisions 01 and 02
11. All Family Law cases in the Eastern Division pertaining to Domestic Violence Injunctions are to be assigned equally to Divisions 30 and 36.
12. All Family Law cases in the Eastern Division pertaining to Repeat Violence, Dating Violence, Sexual Violence and Stalking Injunctions are to be assigned equally to Divisions 31 and 32.
13. All Family Law cases in the Southern Division pertaining to Domestic Violence Injunctions are to be assigned equally to Divisions 03 and 04.
14. All Family Law cases in the Southern Division pertaining to Repeat Violence, Dating Violence, Sexual Violence and Stalking Injunctions are to be assigned equally to Divisions 01 and 02.
15. Notwithstanding the terms of this Order, "companion" Family Law cases are to be assigned to judicial divisions pursuant to the terms of Administrative Orders FM-2004-015-SC (A) and FM-2007-036-VL.

**C. PROBATE / GUARDIANSHIP / INCAPACITY / TRUST / MENTAL HEALTH /
MEDICAL TREATMENT PROCEDURES**

1. All probate, guardianship, incapacity and trust cases are to be assigned to Division 10.
2. All guardianship cases involving children in juvenile dependency court are to be assigned to Division 10.
3. All cases seeking court approval of pre-suit settlement of minors' claims are to be assigned to Division 10.
4. All cases seeking expedited judicial intervention concerning medical treatment procedures are to be assigned to Division 10.
5. All Adult Protective Service Act (Ch. 415, Florida Statutes) cases are to be assigned to Division 10.
6. All Baker Act (Ch. 394, Part I, Florida Statutes) cases are to be assigned to Division 40.
7. All Marchman Act (Ch 397, Florida Statutes) cases are to be assigned to Division 40.
8. All Tuberculosis Control Act (Ch. 392, Florida Statutes) cases are to be assigned to Division 40.
9. All cases related to the involuntary admission of a mentally retarded person to residential services (§ 393.11, Florida Statutes) are to be assigned to Division 02.

D. GENERAL CIVIL DIVISION

1. All civil cases not specifically assigned otherwise, including, but not limited to, cases seeking court approval of pre-suit settlement of adults' claims, are to be assigned to the General Civil Division.
2. All general civil cases in the Western Division are to be assigned equally to Divisions 01 & 02.
3. All Involuntary Civil Commitment of Sexually Violent Predator cases in the Western Division previously disposed of in Division 10 are to be reassigned equally to Divisions 01 & 02 if reopened.
4. All general civil cases in the Eastern Division are to be assigned equally to Divisions 31 & 32.
5. All Involuntary Civil Commitment of Sexually Violent Predator cases in the Eastern Division previously disposed of in Division 10 are to be reassigned equally to Divisions 31 & 32 if reopened.
6. All general civil cases in the Southern Division (except those from zip code 32141) are to be assigned equally to Divisions 01 & 02.
7. All general civil cases in the Southern Division from zip code 32141 are to be assigned equally to Divisions 31 & 32.
8. All Involuntary Civil Commitment of Sexually Violent Predator cases in the Southern Division previously disposed of in Division 10 are to be reassigned equally to Divisions 01 & 02 if reopened.
9. All Orders to Show Cause concerning failure to appear for jury duty as instructed in Western, Eastern and Southern Divisions are to be assigned to Division 02.

E. APPEALS FROM COUNTY COURT

1. Appeals from County Court (excluding Civil Traffic Infractions) are to be assigned equally to judges in Divisions 01, 02, 03, 04, 07, 08, 30, 31, 36, 38, 40, 41, 42 and 43 (two-judge panels).
2. The first such Judge to which said appeal is assigned, shall be designated the primary Judge by the insertion of the small letter "p" after the division designation in the docket number for said appeal. The primary Judge is responsible for all administrative matters concerning said appeal such as scheduling oral argument, extension motions and other similar matters. Upon an order of affirmance by either of the Judges assigned, said cases shall be deemed affirmed. A County Court Judgment or order shall stand reversed only upon a unanimous decision by both Judges.
3. Appeals from Civil Traffic Infractions are to be assigned equally to judges in Divisions 01, 02, 03, 04, 07, 08, 30, 31, 36, 38, 40, 41, 42 and 43 (single judge).
4. Upon reassignment of the assigned Judge(s) to a different division, the appeal shall remain assigned to said Judge(s) until completion.

F. REVIEWS OF QUASI-JUDICIAL ACTIONS

1. Reviews of quasi-judicial actions filed pursuant to Rule 9.100(f), Florida Rules of Appellate Procedure, are to be assigned equally to judges in Divisions 01, 02, 03, 04, 07, 08, 30, 31, 36, 38, 40, 41, 42 and 43 (single judge).
2. Upon reassignment of the assigned Judge to a different division, the review shall remain assigned to said Judge until completion.

G. MISCELLANEOUS

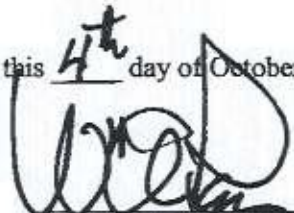
Any civil case, such as habeas corpus, certiorari, mandamus, or prohibition, which is related to a closed or pending criminal case, is to be assigned to the division that handled the criminal case. Any such civil case that is related to an out-of-county criminal case is to be assigned to an appropriate judge in the Criminal Division. All other such cases, not related to a criminal case, are to be assigned to the division that handled the original case, or if an original filing, as any other civil case.

The Clerk of Court's office shall assign cases as specified in this Order. If any uncertainty or ambiguity arises concerning the assignment of a case, the Clerk's office should refer the matter to the Court Administrator's office for resolution by the Chief Judge (see *Kruckenber v. Powell*, 422 So. 2d 994).

IT IS FURTHER ORDERED that administrative order P-2012-076 is hereby rescinded effective October 5, 2012.

TO BE RECORDED in Volusia County, FL

DONE AND ORDERED in Daytona Beach, Volusia County, Florida this 4th day of October 2012.



WILLIAM A. PARSONS
CHIEF JUDGE