

**IN THE COURTS OF THE FIRST JUDICIAL CIRCUIT  
IN AND FOR THE STATE OF FLORIDA**

**ADMINISTRATIVE ORDER NO. 2018-44**

**ADMINISTRATIVE PLAN - FIRST JUDICIAL CIRCUIT**

**WHEREAS**, Rule 2.215, *Florida Rules of Judicial Administration*, requires the Chief Judge to develop an administrative plan for the efficient and effective administration of the courts and judicial resources within the circuit; and

**WHEREAS**, the administrative plan provides for the general operational policies of the court, including the assignment of judges to divisions, prompt disposition of cases, control of the dockets, and regulation of the use of court facilities, and other administrative matters detailed in the plan; it is, therefore

**ORDERED that:**

The administrative plan for the operation of the First Judicial Circuit is as follows:

1. **DESCRIPTION OF THE CIRCUIT**

The First Judicial Circuit is composed of four (4) counties: Escambia, Okaloosa, Santa Rosa, and Walton.

There are thirty-five (35) judges in the First Judicial Circuit; twenty-four (24) circuit judges and eleven (11) county judges. Escambia County is designated as the headquarters of the First Judicial Circuit. There are twelve (12) circuit judges and five (5) county judges assigned to Escambia County, six (6) circuit judges and three (3) county judges assigned to Okaloosa County, four (4) circuit judges and two (2) county judges assigned to Santa Rosa County, and, two (2) circuit judges and one (1) county judge assigned to Walton County.

2. **EQUITABLE DELIVERY OF CIRCUIT COURT SERVICES**

The First Judicial Circuit is comprised of four diverse and distinctively unique counties with different needs and political environments. The court is committed to the equitable delivery of court services and programs to all citizens in each county of the circuit.

3. **DIVISIONS AND ASSIGNMENTS**

The circuit court is primarily divided into hybrids of general jurisdiction-type divisions (criminal, civil, probate, guardianship, and appellate) based upon each county's unique needs and

in consideration of the equitable distribution of caseload, and, family law divisions. The county court is divided into criminal and civil divisions.

The current circuit and county assignments are described in Schedule "A" attached.

4. **ROTATION OF JUDGE ASSIGNMENTS**

Judges are generalists and their assignments are rotated. Generally, the assignments are for two years and are staggered. The length of the assignment and the division of court may vary depending upon special circumstances of the court and the specific needs of a judge. Current rotation policies for each county in the First Judicial Circuit are attached as Schedule "B."

5. **APPEALS - COUNTY TO CIRCUIT**

Appeals from county court to circuit court are heard by a singular judge. Circuit judges are assigned to a county appeal case by a random selection process performed by the clerk of court.

6. **JUDGES' MEETINGS**

Meetings with the administrative judges circuitwide are held at such times the Chief Judge deems appropriate. The format of the quarterly administrative judges' meeting with the Chief Judge is determined by the Chief Judge prior to the beginning of each calendar year.

Each administrative judge determines the frequency of judges' meetings in her/his specific county.

7. **ADMINISTRATIVE JUDGES**

In consultation with and on behalf of the Chief Judge, administrative judges are responsible for the organization and delivery of court services. Administrative judges in the First Judicial Circuit are as follows:

- Administrative Judge for Escambia County
- Administrative Judge for Okaloosa County
- Administrative Judge for Santa Rosa County
- Administrative Judge for Walton County
- Circuitwide Administrative Family Law Judge

8. **COUNTY JUDGES ACTING AS TEMPORARY CIRCUIT JUDGES**

County judges are temporarily appointed as acting circuit judges and asked to cover circuit cases throughout the four counties of the First Judicial Circuit.

9. **SENIOR JUDGES**

Senior judges are a resource for the court assigned by the Chief Judge to cover assignments as needed.

10. **TRIAL COURT ADMINISTRATOR**

The Trial Court Administrator works closely with the Chief Judge to oversee all administrative responsibilities of the circuit. It is the Trial Court Administrator's role and responsibility to facilitate administrative functions within the Circuit and to develop and carry out policies which enhance court system performance. The Trial Court Administrator reviews pertinent case management reports and statistics. The Trial Court Administrator oversees the following departments within the court:

- a. General Magistrates and Hearing Officers
- b. Administrative Services to include finance and accounting, human resources, purchasing, and support personnel for all departments
- c. Self-help/*pro se* personnel
- d. Court Interpreting Programs
- e. Specialty Court Programs
- f. Staff Attorneys
- g. Alternative Dispute Resolution and Mediations
- h. Court Reporting
- i. Court Technology
- j. Other county-funded court programs (Pretrial, Teen Court, etc.)

The Trial Court Administrator also serves as liaison with city, county, and state agencies, other stakeholders, the media, and, the general public.

11. **GENERAL MAGISTRATES/HEARING OFFICERS**

General magistrates and judicial hearing officers support the family, civil, Baker Act/Marchman Act, and traffic divisions. General magistrates and judicial hearing officers are

managed by the Trial Court Administrator with judicial oversight by the Chief Judge.

12. **STAFF ATTORNEYS**

Staff attorneys support the workload of the circuit judges. Staff attorneys are managed by the senior staff attorney with supervision by the Trial Court Administrator.

13. **PERIODIC REVIEW ON STATUS OF INMATES IN CUSTODY**

In coordination with the Public Safety Coordinating Council, the Chief Judge or the Chief Judge's designee regularly examine the inmate population in the county jails within the Circuit.

14. **FIRST APPEARANCE**

All circuit and county judges, unless otherwise notified, serve weekend/holiday duty for first appearance equally and are assigned by rotation.

15. **SPECIALTY COURTS**

The court is committed to the support of the specialty courts. The First Judicial Circuit has the following specialty courts in one or more counties within the Circuit:

Drug Court

Early Childhood Court

TEAM/Mental Health Court

Teen Court

Truancy Court

Veterans Treatment Court

16. **UNIFIED FAMILY COURT**

The First Judicial Circuit has implemented a Unified Family Court. Family cases are screened for related cases. Where practical, related cases are assigned following a policy of "one family, one judge."

17. **CASE MANAGEMENT**

Cases are expected to be resolved timely. Resolving cases timely requires judicial commitment, technology, technology staff, case managers, and quality data entry by the clerks of court. The court will continue to develop the technology resources and foster the judicial commitment for case management.

18. **SECURITY**

The public, attorneys, litigants, staff, jurors, and judges shall be safe and secure in all courthouses. In coordination with each county commission, sheriff's department, the circuit's Court Emergency Management Group (CEMG), each county's CEMG team, and other appropriate stakeholders, consistent procedures and practices for court security are developed throughout the circuit and implemented through administrative orders.

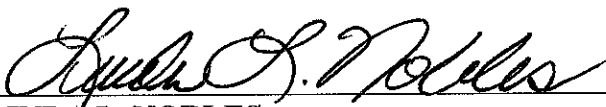
19. **COURT FACILITIES**

The Chief Judge, together with the Trial Court Administrator, ensures space for safe and efficient court operations. This includes the regulation and use of courtrooms, hearing rooms, and other court office and gathering spaces. It is the policy of the circuit to ensure all court facilities are utilized in compliance with the *Canons of Judicial Conduct*.

20. **ADMINISTRATIVE ORDERS**

In furtherance of the First Judicial Circuit's Administrative Plan, all administrative orders are herein incorporated and made a part of this Plan. But for the orders which are confidential under Florida Law, First Judicial Circuit administrative orders and administrative directives (by county) may be found in the office of Court Administration with the most current on the Circuit's website at [www.FirstJudicialCircuit.org](http://www.FirstJudicialCircuit.org).

**ORDERED** this 14<sup>th</sup> day of December, 2018.

  
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**LINDA L. NOBLES**  
**CHIEF JUDGE**

Copy furnished to:

Patricia (PK) Jameson, State Courts Administrator  
OSCA

**SCHEDULE "A"**

**FIRST JUDICIAL CIRCUIT  
ADMINISTRATIVE PLAN**

**ADMINISTRATIVE ORDER NO. 2018-44**

**JUDICIAL ASSIGNMENTS - CIRCUITWIDE  
FIRST JUDICIAL CIRCUIT  
@ December 14, 2018**

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**ESCAMBIA**

<b>JUDGE</b>	<b>ASSIGNMENT</b>
<b>Allen</b>	<b>Division H:</b> Juvenile Delinquency Dependency
<b>Bergosh</b>	<b>Division N:</b> Circuit Criminal Circuit Civil  <b>Division XA:</b> Veterans Court
<b>Boles</b>	<b>Division K:</b> Circuit Criminal Tobacco Litigation One half of entire Probate/Guardianship Division  <b>Division X:</b> Drug Court
<b>Brodersen</b>	<b>Division 3:</b> County Civil
<b>Dannheisser</b>	<b>Division P:</b> Family Law DVIs
<b>Dickey</b>	<b>Division L:</b> Family Law  <b>Division R:</b> Baker Acts Marchman Acts Incapacities
<b>Duncan</b>	<b>Division F:</b> Circuit Criminal Circuit Civil Excess Fees Motions - Circuitwide

<b>Frydrychowicz</b>	<b>Division 4:</b> County Criminal TEAM Court
<b>J. Kinsey</b>	<b>Division C:</b> Circuit Criminal  <b>Division T:</b> One half of entire Probate Guardianship
<b>P. Kinsey</b>	<b>Division 5:</b> County Civil Landlord/Tenant Small Claims
<b>Miller</b>  Administrative Judge	<b>Division J:</b> Circuit Civil Circuit Criminal  <b>Division X:</b> Drug Court
<b>Nobles</b>  Chief Judge	<b>Divisions M:</b> Family Law DVI's
<b>Pitre</b>	<b>Division A:</b> Circuit Civil Circuit Criminal
<b>Robinson</b>	<b>Division G:</b> Juvenile Delinquency Dependency
<b>Shackelford</b>	<b>Division E:</b> Circuit Civil Circuit Criminal
<b>Smith</b>	<b>Division 2:</b> County Criminal
<b>Williams</b>	<b>Division 1:</b> County Criminal



## OKALOOSA

<b>JUDGE</b>	<b>ASSIGNMENT</b>
<b>Brown</b>	<b>Division 01 - Fort Walton Beach</b> Circuit Civil and Felony Forfeitures Appeals
<b>Flowers</b>  <b>Administrative Judge</b>	<b>Division 06 - Crestview</b> Felony Family Law Appeals Forfeitures  <b>Injunctions for Protection Against Violence Division</b> Petitions for protection against Violence
<b>Gontarek</b>	<b>Division 004 - Fort Walton Beach</b> Family Juvenile Delinquency  <b>Injunctions for Protection Against Violence Division</b> Petitions for protection against Violence  <b>Probate Division</b>  <b>Guardianship Division</b>
<b>Grinsted</b>	<b>Division C - Fort Walton Beach</b> Civil Misdemeanor/Criminal Traffic
<b>Ketchel</b>	<b>Division 05 - Crestview</b> Division W Civil Division Juvenile Delinquency Dependency
<b>Mason</b>	<b>Division B - Fort Walton Beach</b> Civil Misdemeanor/Criminal Traffic

<b>Polson</b>	<b>Division 03 - Fort Walton Beach</b> Family Dependency  <b>Mental Health Division</b> Baker and Marchman Acts
<b>Stone</b>	<b>Division 02 - Fort Walton Beach</b> Circuit Civil and Felony Forfeitures Appeals
<b>Ward</b>	<b>Division A - Crestview</b> Civil Misdemeanor/Criminal Traffic Felony Arraignments Small Claims

**SANTA ROSA COUNTY**

<b>JUDGE</b>	<b>ASSIGNMENT</b>
<b>Giraud</b>	<b>County Court Division 1</b> County Civil/Small Claims - odd numbers Criminal - Misdemeanor (K-Z) Criminal - Traffic (K-Z) Mandatory Traffic Infractions First Appearances Ordinance Violations
<b>M. Goodman</b>	<b>Division B</b> Family Law, DVIs Name Changes Magistrate Exceptions

<p><b>R. Goodman</b></p>	<p><b>Division D</b>  Dependency  Juvenile Delinquency  Unified Family  Truancy  DVI's  Probate  Guardianship</p>
<p><b>Hilliard</b></p>	<p><b>County Court Division 2</b>  County Civil/Small Claims - even numbers  Criminal - Misdemeanor (A-J)  Criminal - Traffic (A-J)  Mandatory Traffic Infractions  First Appearances  Ordinance Violations  Criminal - All Domestic Violence  Affidavits for Infractions</p>
<p><b>Rimmer</b></p>	<p><b>Division C</b>  Circuit Criminal (Clerk's Division A)  Circuit Civil (Clerk's Division A)  Jimmy Ryce Cases  Felony Arraignments  DVI's</p>
<p><b>Simon</b>   Administrative Judge</p>	<p><b>Division A</b>  Circuit Criminal (Clerk's Division B)  Circuit Civil (Clerk's Division B)  Foreclosures  Felony Arraignments  DVI's</p>

## WALTON COUNTY

<b>JUDGE</b>	<b>ASSIGNMENT</b>
<b>Green</b>	Circuit Civil - 1/2 County Civil County Criminal Traffic Small Claims Evictions Habeas Petitions - 1/3
<b>Lewis</b>	Circuit Civil - 1/2 Uncontested Probate/Guardianship Dependency Juvenile Delinquency Family Law Cases - 1/2 DVI Cases - 1/2 Baker Act/Marchman Act - 1/2 Certiorari Writs, Appeals, and 2/3 Habeas Petitions
<b>Wells</b>  Administrative Judge	Circuit Civil - 1/3 of Foreclosures Circuit Criminal Contested Probate/Guardianship Felony Post Conviction Relief Motions Family Law Cases - 1/2 DVI Cases - 1/2 Baker Acts/Marchman Acts - 1/2

Prepared by:  
Court Administration  
KLI  
December 14, 2018

**SCHEDULE "B"**

**FIRST JUDICIAL CIRCUIT  
ADMINISTRATIVE PLAN**

**ADMINISTRATIVE ORDER NO. 2018-44**

**ESCAMBIA COUNTY JUDICIAL ROTATION SYSTEM**  
**FOR FAMILY LAW DIVISIONS (FLD)**

**Judges in Order of Seniority from date they became a Circuit Judge in Escambia County:**

Nickinson (January 1990)  
Shackelford (June 2000)  
Nobles (January 2001)  
Allen (August 2003)  
Boles (January 2006)  
Bergosh (November 2011)  
Duncan (December 2011)  
J. Kinsey (January 2015)  
Robinson (June 2015)  
Miller (January 2016)  
Dannheisser (January 2016)  
Dickey (January 2016)

**Current Assignments as of January 2018 and when they end:**

**January 2019**

Allen	H
Dickey	L

**January 2020**

Robinson	G
Nobles	M
Dannheisser	P
J. Kinsey	Probate Division

**Rules of Rotation:**

1. The initial rotation was established by seniority-from most junior to most senior. Excluding those serving in a FLD as of January 2018, the current order is as follows:  
  
Miller  
Bergosh  
Nickinson  
Duncan  
Boles  
Shackelford  
J. Kinsey
2. As positions become open, they are filled in the order designated above. If two or more positions are open simultaneously, the judge with the greatest seniority has the choice of division assignment. This choice of division by seniority applies when a judge is moving into a FLD and when a judge is moving back into a general jurisdiction division. Seniority

is defined at the time the judge began sitting in Escambia County.

3. While the judge in a FLD can opt to remain in the division, the judge who would take the position can bump the sitting judge out. The longest a judge can remain in a FLD or special division assignment such as probate is six consecutive years. At that point, the judge must rotate out of the FLD or special assignment.
4. Upon leaving a FLD, the judge moves to end of the list. In the case of two or more judges leaving at the same time, the most senior judge moves to the very end.
5. The only way a judge moves to the end of the list is if they have served in a FLD. There are no "passes" if a sitting judge remains in the FLD. For example, even if both judges opt to remain in their divisions after January 2019, Miller would continue to stay in the number one position until assigned to a FLD or unless there is a judge new to Escambia County who would be junior to him in the rotation as per paragraph 7.
6. In order for a sitting judge to remain in a FLD, the judge must commit to the chief judge no later than **April 15** of the year before his/her term expires. Such a commitment is binding as of that date. If a judge wants to bump the sitting judge out of a FLD, the judge must commit to the chief judge no later than **April 30** of the year before his/her new assignment would begin. Such a commitment is binding as of that date. If a judge is going into a FLD and has seniority, the decision on which division he/she wants to elect must be made no later than **April 30**. In all circumstances, **April 30** is the cutoff date by which the chief judge must be apprised by the interested parties of the division assignments which will become effective **the Tuesday after the Martin Luther King Holiday in January of the following year**. Since Court Administration begins working on the calendar for the following year in April, this early decision encourages a more efficient process, allows all divisions the opportunity to compete for court dates at the same time, and gives a rotating judge the option of registering for relevant courses at the College of Advanced Judicial Studies prior to a new assignment.
7. Any circuit judge new to Escambia County, whether by election, appointment or transfer immediately moves to the number one position (most junior) on the list effective his/her start date in Escambia County.
8. Elected judges begin their terms in January. Appointed judges may begin their term at any time during the year. Unless the newly appointed judge has started work by April 30 of any given year, that new judge is NOT included in the rotation for the following year. For example, even if Judge Nickinson sends his retirement notification prior to April 30, 2018, but his position is not filled until after April 30, 2018, the person selected for his position would not be part of the rotation discussion until April 30, 2019. The same is true for elected positions. Even though we know Judges Duncan and Dickey will be moving to Santa Rosa County in January 2019, the two people elected to fill their divisions will not be part of the rotation decisions in April 2018. However, the newly elected judges will be part of the rotation for April 2019.

9. Notwithstanding the above, the chief judge or chief judge-elect may choose any division, whether general or FLD, during his/her term. The chief or chief judge-elect must make any election no later than **April 1** of the year before the new assignment would begin to ensure that the other judges affected by rotation are on notice of the chief's decision.
  
10. Also included in the rotation is the new probate division which replaces a civil division for one judge who is in general jurisdiction. Judge Kinsey has agreed to the first assignment for two years. This rotation occurs among general jurisdiction judges and DOES NOT impact the family law division rotation. For that reason, Judge Kinsey is also listed at the bottom of the regular list of family law rotation. At the end of the two-year term, Judge Kinsey may elect to remain for another term in probate if she will have a general jurisdiction assignment for two more years, and if no one with more seniority in general jurisdiction wants to "bump" her out. If she wants to vacate the probate division, she may do so. The person to assume the probate division will be decided based upon seniority-the general jurisdiction judge with the greatest seniority may have the first option and then down the line. If no one elects to voluntarily take the probate division, the most junior general jurisdiction judge will receive the assignment. Once a judge has served in the probate division, that person cannot be required to do so again until all general jurisdiction judges have served a term. The decisions regarding the probate division will be governed by the timeline outlined in paragraph 6 above.

Prepared by Circuit Judge Jan Shackelford  
January 2018



## OKALOOSA COUNTY JUDICIAL ROTATION SYSTEM

On the Martin Luther King day weekend, 2016, the following Divisions shall rotate:

- Division 1     Judge Brown rotates with Division 3 Judge Polson
- Division 2     Judge Stone rotates with Division 4 Judge Gontarek
- Division 5     Judge Ketchel rotates with Division 6 Judge Flowers

On the Martin Luther King day weekend, 2019, the following Divisions shall rotate:

- Division 1     Judge Polson rotates with Division 4 Judge Stone
- Division 2     Judge Gontarek rotates with Division 3 Judge Brown
- Division 5     Judge Flowers rotates with Division 6 Judge Ketchel

No later than April 1<sup>st</sup> of the last year of the then current three (3) year cycle (April 1<sup>st</sup> of the year before the new assignment would begin), if both Judges who would be affected by that next cycle rotation mutually agree that they do not wish to rotate for that next three year cycle, then each such Judge shall so notify both the Chief Judge and the Okaloosa County Administrative Judge via e-mail no later than April 1<sup>st</sup> of the last year of the then current three (3) year cycle (April 1<sup>st</sup> of the year before the new assignment would begin), and each of said two (2) Judges shall continue with his/her then current docket for the entire next three year cycle.

Any post February 1, 2013 new Circuit Judge in Okaloosa County, whether by election, appointment or transfer shall immediately move to the last position (most junior) on the following "Seniority List"; effective on his/her start date in Okaloosa County.

Judge Stone  
Judge Ketchel  
Judge Brown  
Judge Flowers  
Judge Polson  
Judge Gontarek

If two or more new Circuit Judges in Okaloosa County whose start date in Okaloosa County is the same date, then they shall be ordered in the Seniority List between themselves by flipping a coin if only two and if three, by "rock paper, scissors". If a non-Okaloosa County circuit judge transfers into Okaloosa County, that non-Okaloosa County circuit judge shall have his/her name placed at the bottom of the Seniority List.

In the event of a vacancy in any division in Okaloosa County, the then most senior Circuit Judge then seated in Okaloosa County on the Seniority List shall have the option to change his/her division and/or North/South location into the open position. In such event, and after exercising said option, that most senior Judge shall move to the bottom of the Seniority List so the then most senior Judge would become the most junior judge on the Seniority List.

Regarding North and South end Okaloosa County location rotation, because of the cost of relocating the Judges between the North and South end, (transferring personal furniture, art work, and the cost for repainting the office walls, etc.) and because the current remaining Circuit Judges are content with their current locations, rotations between Crestview and Fort Walton Beach shall only occur at the beginning of the above referenced three year cycles and only then if both the Judge in Crestview and the Judge in Fort Walton Beach mutually agree to relocate. In such event, each Judge shall so notify both the Administrative Judge and the Okaloosa County Administrative Judge via e-mail no later than April 1<sup>st</sup> of the last year of the then current three (3) year cycle (April 1<sup>st</sup> of the year before the new assignment would begin), and each of said two (2) Judges shall continue with his/her then current docket for the entire next three year cycle. In no event shall there be a relocation between Crestview and Fort Walton Beach within a three year cycle unless a vacancy occurs and a senior judge exercises his/her option as stated in the prior paragraph.

## **SANTA ROSA COUNTY JUDICIAL ROTATION SYSTEM**

A committee was appointed in 2013 to establish a judicial rotation policy in Santa Rosa County, and it consists of all four, presiding circuit judges in the county. The judges convened in April 2016 and agreed to modify the rotation policy from every 3 years to every 2 years.

Potential division assignment rotations are discussed and agreed upon by the committee. The following represent the current circuit judicial divisions:

### **Division A**

½ Circuit Criminal, ½ Circuit Civil (including all foreclosures), ¼ Domestic Violence Injunctions

### **Division B**

Family Law, ¼ Domestic Violence Injunctions

### **Division C**

½ Circuit Criminal, ½ Circuit Civil (including all Jimmy Ryce cases), ¼ Domestic Violence Injunctions

### **Division D**

Dependency, Delinquency, Probate, Guardianship, ¼ Domestic Violence Injunctions

Office of the Administrative Judge, Santa Rosa County

11/28/18

## **WALTON COUNTY JUDICIAL ROTATION POLICY**

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As the smallest county in the First Judicial Circuit, Walton County utilizes a docket sharing, collaborative approach to docket management. Two circuit judges share the circuit jurisdiction workload under final approval by the Walton County Administrative Judge.

Office of the Administrative Judge, Walton County  
December 2018