

IN THE CIRCUIT COURT OF
THE EIGHTEENTH JUDICIAL
CIRCUIT IN AND FOR
BREVARD COUNTY FLORIDA

ADMINISTRATIVE ORDER
NO. :
93-144-B
Supersedes 91-80-Ci

IN RE: IMPLEMENTATION OF F.S. 34.01 (JURISDICTION OF COUNTY
COURT)

The Florida Legislature amended F.S. 34.01 in the 1990 session thereby changing the civil jurisdiction of the Circuit and County Courts. This Order is entered to implement that legislation.

IT IS ADJUDGED:

1. All dissolution of marriage actions, including simplified dissolutions filed pursuant to Rule 1.611(c) shall be filed in the Circuit Court.
2. A County Court Judge shall be assigned to simplified dissolution of marriage actions on a random basis or pursuant to a schedule to be provided by the County Court Judges. However, the County Court Judges may calendar these cases for final hearing without regard to judicial assignment in order to achieve judicial economy.
3. All dissolution of marriage actions, other than simplified dissolutions shall be initially assigned to a Circuit Judge. Assignments shall be made in accordance with the Administrative Orders which presently govern assignments in Brevard County.
4. If a dissolution of marriage action becomes uncontested, it shall be reassigned to a County Court Judge for final hearing, unless such action is already on the trial calendar of the assigned Circuit Judge. If a dissolution of marriage action becomes uncontested after being placed on the assigned Circuit Judge's trial calendar, the Petitioner may elect to have the case heard on the

Circuit Court calendar as scheduled or have the case reassigned to a County Court Judge for final hearing. All County Court Judges in Brevard County are appointed as acting Circuit Judges for the purpose of determining any uncontested issues including, but not limited to, custody and visitation, amounts of alimony, child support, attorneys' fees, costs, and determining equitable distribution of property and debts. An uncontested dissolution of marriage action is an action in which:

- a. A default has been entered for failure of a party to file a motion or responsive pleading and the only relief requested is dissolution of the marriage, approval of a written Settlement Agreement, and if requested, a name change. (An action in which a default has been entered shall not be considered an uncontested dissolution of marriage if it requires the Court to receive evidence outside of a written Settlement Agreement to determine and establish alimony, child support, parental responsibility, child visitation, equitable distribution of marital assets or equitable assignment of responsibility for marital indebtedness); or
 - b. An Answer and Waiver has been filed as the initial responsive pleading, either with or without accompanying Settlement Agreement and related documents. (An action shall not be considered an uncontested dissolution of marriage action if it requires the Court to receive evidence outside of a written Settlement Agreement to determine and establish alimony, child support, parental responsibility, child visitation, equitable distribution of marital assets or equitable assignment of responsibility for marital indebtedness.)
5. County Court Judges in Brevard County shall be assigned to uncontested dissolutions of marriage on

a regional basis, based upon the residence or office address of the Petitioner or Petitioner's Attorney, respectively, and pursuant to the County Court geographical civil caseload assignment scheme as announced by the Brevard County Court Administrative Judge and as amended from time to time.

6. Uncontested dissolution of marriage actions which become contested prior to entry of Final Judgment shall be reassigned to the Circuit Judge who was originally assigned to the case.
7. This Order shall apply to all cases filed or cases which may become "uncontested" on or after January 1, 1994, in Brevard County, Florida.

DONE AND ORDERED this 30th day of December, 1993.

Jere E. Lober
Jere E. Lober
Chief Judge

Distribution:

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