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RACHEL M. SADOFF

IN THE CIRCUIT COURT OF THE
EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR SEMINOLE COUNTY,
FLORIDA

ADMINISTRATIVE ORDER NO:
24-03-S-2ND AMENDED
SUPERSEDES 24-03-S AMENDED

IN RE: JUDGES - DIVISION AND CASE ASSIGNMENTS

The resident Judges of Seminole County have determined that it is in the best interest of the litigants, attorneys, and judges that so far as possible that cases remain with the judges originally assigned for better understanding, efficiency, and savings of time for all involved.

Accordingly,

IT IS ORDERED:

1. Criminal Division (CF)

A. Organization:

The criminal division will be comprised of Divisions A, E, J and M. All original cases presently assigned to one of those divisions in the clerk's system will remain assigned to that division unless the Administrative Judge of the Criminal Division shall order otherwise in a particular case.

The Administrative Judge of the Criminal Division will be responsible for criminal division operations including, but not limited to, maintaining approximately equal caseload distribution among the various criminal divisions, publication of the Criminal Division Operations Manual, reassignment of cases in which a criminal division judge has recused or been disqualified, and acting as liaison with other components of the criminal justice system.

The Criminal Division Judges will be assigned secondarily to cases assigned to other judges in the division for the purpose of backing up other judges by taking pleas, ruling on motions, scheduling matters, conducting trials and sentencing defendants in cases over which the back-up judge tried. All judges in the criminal division may act in the absence of the judge who is assigned to a case.

B. Assignment of Original Informations:

Original informations and indictments (except for Capital and Jimmy Ryce cases) will be randomly assigned so that the four (4) criminal divisions are each assigned to 25% of

the cases. Informations filed directly (before the defendant is taken into custody) will initially be assigned to Division N. These cases will be reassigned by the Clerk in accordance with this paragraph when the defendant is taken into custody, unless there is an active pending substantive case with the same defendant it will be in accordance with paragraph I.

C. Assignment of Multiple Defendant Cases:

Informations naming multiple defendants will be assigned to the first judge assigned to the case.

D. Assignment of Murder cases and Jimmy Ryce Cases:

The Clerk is responsible, upon the defendant's arrest, for the assignment of a judge to any murder case, excluding Murder by the Unlawful Distribution of a Controlled Substance, Fla. Stat. 782.04(1)(a)3. The following murder cases will be assigned on a rotating basis among the four criminal divisions beginning with Division J followed by Division M, A, and E.

- First Degree Premeditated Murder: Fla. Stat. 782.04(1)(a)1.
- First Degree Felony Murder: Fla. Stat. 782.04(1)(a)2.
- Second Degree Murder: Fla. Stat. 782.04(2).
- Second Degree Felony Murder: Fla. Stat. 782.04(3).
- Third Degree Felony Murder: Fla. Stat. 782.04(4).

The same rotation will continue when a division is assumed by a successor judge. Murder cases, excluding Murder by the Unlawful Distribution of a Controlled Substance, Fla. Stat. 782.04(1)(a)3, and Jimmy Ryce Act cases will be assigned on a rotating basis among the four (4) criminal divisions in alphabetical order beginning with the next division in rotation. A judge who imposes the death penalty will remain assigned to the case for all purposes, including all post-trial and post-conviction proceedings, whether or not the judgment and sentence is upheld on appeal, regardless of the division of the court to which that judge may be assigned subsequent to the imposition of the death penalty sentence. The Chief Judge will assign these cases if the judge who imposes the death penalty is no longer in office.

E. Assignment of Post-Conviction Relief Cases (3.850) and Motions for Correction, Reduction and Modification of Sentence (3.800):

These cases will be assigned to the judge who is assigned to the division designated on the file.

F. Consolidation of Misdemeanor Cases with a Felony Charge Arising Out of the Same Circumstances:

The Clerk will consolidate misdemeanor cases arising out of the same facts as a felony case into the felony case. All papers in the misdemeanor case will be filed in the felony case and the case will be set for arraignment on the next open felony arraignment docket before the assigned judge. The felony information will contain the felony case number and show the former misdemeanor case number.

G. Assignment of Violations of Probation and Miscellaneous Cases:

Violations of probation or community control, adult consequences alternatives, habeas corpus actions contesting the legality of a prisoner's detention, and any other action filed in a criminal case will be assigned to the division designated on the file. If the file does not contain a current division designation, such as old cases, the case will be assigned according to the following schedule, using the last two numbers in the case:

Division A: Cases ending in 00-24

Division E: Cases ending in 25-49.

Division J: Cases ending in 50-74.

Division M: Cases ending in 75-99.

H. **Assignments of Writs of Mandamus, Certiorari, and Prohibition Arising Out of Criminal Charges in the County Court:**

The Clerk will deliver Petitions for Writs of Mandamus, Certiorari, and Prohibition filed in the circuit court and arising out of criminal charges in county court to the Circuit Criminal Division Administrative Judge for action and assignment within the criminal division of the circuit court.

I. **Consolidation of Related Cases Involving the Same Defendant:**

Substantive cases involving the same defendant in two or more divisions in circuit court will be reassigned to the division with the lowest case number, sua sponte, by the Clerk unless at least one of the cases has been resolved by trial. Should a case have been tried as the date of this Order, the judge who presided over the trial will sentence the defendant on that case and on all other cases then pending for sentencing with that defendant. Any subsequent substantive new case obtained by the same defendant will be consolidated with the pending substantive case with the lowest case number. Consolidation of said new case will be made by the Clerk at the time of the arrest and assignment of the case number if an information or indictment has not been filed as of that time. Otherwise, should an information or indictment be filed prior to arrest, the consolidation of said new substantive case will be made by the Clerk at the time of the filing of the information or indictment.

J. **Consolidation of Related Cases Involving Violations of Probation or Community Control:**

Violations of probation or community control cases involving the same defendant and pending in two or more divisions will be assigned to the division with the lowest case number sua sponte, by the Clerk, or upon motion by either party. Defendants who have a new substantive felony case in Seminole County and who have a violation of probation or community control pending will have the new violation case(s) consolidated with the new substantive case if the violation alleges the new substantive case as a ground for the violation. Consolidation will be made by the Clerk after an information or indictment has been filed in the new substantive case at the next violation of probation or community control arraignment date.

K. **Failure to Appear:**

Defendants who are arrested for failure to appear for docket sounding or trial will be placed on the next docket sounding docket before the assigned judge. Defendants who are arrested for failure to appear for violations of probation or community control will be placed on the next violation of probation docket before the assigned judge.

L. **Disposition of Cases in Which Juvenile Sanctions Are Imposed:**

In any case in which a criminal division judge imposes juvenile sanctions, the case will remain assigned to the criminal division judge, as required by F.S. 985.565(4)(d).

2. **Juvenile Division (CJ)**

A. The juvenile division will be comprised of Divisions B and P. All cases presently assigned to those divisions in the clerk's system will remain assigned to that

division unless the judge assigned to that division orders otherwise in a particular case.

- B. All new dependency filings will be assigned equally by the Clerk to Divisions B and P at the time of filing regardless of the case number.
- C. All new delinquency filings against a juvenile who is not on probation or conditional release will be assigned to the division based upon the mailing address of the juvenile. A juvenile whose residence or mailing address is Sanford, Midway, Lake Forest, Heathrow, Lake Mary, Lake Monroe, and Longwood will be assigned to Division B. All other juveniles will be assigned to Division P. Any new charge against a juvenile who is on probation or conditional release will be assigned to the division previously assigned to that case or cases.
- D. New delinquency filings involving co-defendants who would be assigned different divisions because of their mailing addresses or their probationary status will be assigned to the judge assigned to the co-defendant with the lowest case number until all of the co-defendant cases are resolved. Any violation of probation companion cases will also be assigned to that judge for resolution

3. **Probate, Guardianship, and Mental Health (CP)**

- A. The probate, guardianship, and mental health cases will be assigned to Divisions B or P.
- B. All new probate, guardianship, and mental health filings will be assigned as follows: Cases ending in an even number will be assigned Division B. Cases ending in an odd number will be assigned to Division P.

C. **Consolidation and/or Transfer of Probate and Guardianship Cases:**

All probate cases involving the same individual in any pending guardianship matter will be reassigned to the division with the corresponding guardianship case, sua sponte, by the Clerk, unless the guardianship case has been closed. The Clerk, upon the filing of any new probate cases, will assign the probate case to the division of any pending guardianship case involving the same decedent/ward. If there is no guardianship case pending, then it will be assigned according to 3B, *supra*. If a guardianship matter was previously filed involving the decedent in any court of any state, and a probate action is thereafter opened in Seminole County, the attorney in the probate action will be required to file a Notice of Related Cases in both the probate action and the guardianship case indicating the guardianship case number(s), the guardianship case name, the jurisdiction where the guardianship was filed, and status of the guardianship.

The transfer provision does not apply to guardianship cases opened for a minor child of a decedent for the purpose of receiving the estate proceeds not otherwise governed by a trust. However, attorneys opening a guardianship case for a minor child of decedent must file a Notice of Related Cases in the guardianship case and the probate case, indicating the guardianship case number(s), the guardianship case name, the jurisdiction where the guardianship was filed, and status of the guardianship.

4. **General Civil Cases (Including Forfeiture Actions and Excluding Jimmy Ryce Act Cases)**

(CA)

- A. The civil division (including forfeiture cases, but excluding Jimmy Ryce Act cases) will be comprised of divisions G, K, L, and W.
- B. Effective July 1, 2024, the civil division (including forfeiture cases, but excluding Jimmy Ryce Act cases) will be comprised of Divisions G and W. The Clerk will reassign any open civil case assigned to Division K to Division G and any open civil case assigned to Division L to Division W.

- C. Effective March 1, 2024, any new civil case will, in a random but alternating manner be assigned to Divisions G or W so that each division will be assigned an equal and proportionate share of each case type.
 - D. Effective March 1, 2024, any general civil case that is presently assigned in the clerk's system to Division K will be reassigned to Division G, and any general civil case that is presently assigned in the clerk's system to Division L will be reassigned to Division W when reopened.
5. **Family Division (Except Actions Pursuant to F.S. 784.046) (DR)**
- A. Effective July 1, 2024, the family division will be comprised of Division K and L. The Clerk will reassign any open family law case assigned to Division G to Division K and any open family law case assigned to Division W to Division L.
 - B. Effective March 1, 2024, any new family case will, in random but alternating manner assigned to Division K or L so that each division will receive an equal and proportionate share of each case type with the exception of actions filed pursuant to F.S. 741.30 which shall be assigned pursuant to the existing Family Division - Model Family Court Administrative Order.
 - C. Effective March 1, 2024, any family case that is presently assigned in the clerk's system to divisions G, will be reassigned to Division K and any family law case assigned to Division W will be reassigned to Division L when reopened.
6. **Actions for Injunction for Protection Against Domestic Violence (F.S. 741.30) and Actions for Injunction for Protection Against Repeat Violence, Sexual Violence or Dating Violence (F.S. 784.046) as amended and Actions for Injunction for Protection Against Stalking (F.S. 784.048) respectively.**
- A. Upon the filing of a Petition for Injunction for Protection Against Domestic Violence which qualifies as a Unified Family Court injunction as defined in existing Family Division - Model Family Court Administrative Order, the Clerk shall first determine if any of the children named in the petition are the subject of an open juvenile dependency case in Seminole County. If they are, the Clerk will assign the case and forward the petition to the division assigned to the open juvenile dependency case for action by that judge. If there is no open dependency case, the Clerk will then determine whether there is an open or closed family law case involving the parties. If there is, the Clerk will assign the case and forward the petition to the division assigned to the open or closed family law case according to the existing Family Division - Model Family Court Administrative Order. If there is no open or closed family law case, the Clerk will assign the case and forward the petition to the judge in the family law judicial rotation schedule furnished to the clerk for review of the petition.
 - B. All other Petitions for Injunctions Against Domestic Violence filed pursuant to F. S. 741.30 and all Petitions for Injunctions for Protection Against Repeat Violence, Sexual Violence, and Dating Violence filed pursuant to F. S. 784.046 including Petitions for Injunction Against Stalking filed pursuant to F. S. 784.048 shall be forwarded along to the Seminole County judge designated in a rotation furnished to the clerk from the Seminole County Court judges to handle injunctions for that particular week.
 - C. Any Petition seeking an Injunction for Protection Against Sexual Violence in which it is alleged that sexual violence is perpetrated by a child shall be assigned to a presiding juvenile division circuit judge.
7. **Retention of Cases:**
The interest of justice may require that a judge retain assignment over one or more cases that

would customarily be transferred to another judge at the time of the annual rotation of judicial assignments. Any Circuit Judge may elect to retain assignment of individual cases and will accomplish this by entering an order directing the Clerk not to reassign the case.

8. **Habeas Corpus:**

a. **Civil:**

Habeas Corpus actions in pending cases will be assigned to the division in that case. A new Habeas Corpus action that does not allege unlawful detention in a jail, correctional facility, juvenile detention facility, or medical facility will be assigned to each division like other general civil cases.

b. **Probate, Guardianship and Mental Health:**

Habeas Corpus actions related to a probate, guardianship, or mental health case will be assigned as follows: Cases ending in an even number will be assigned to Division B. Cases ending in an odd number will be assigned to Division P.

c. **Juvenile:**

Habeas Corpus actions related to a juvenile case will be assigned to the judge assigned to the case if the detention alleged to be illegal involves a delinquency case pending in the juvenile division. Other Habeas Corpus actions involving a juvenile who is detained in the Juvenile Detention Center, the County Jail or other state detention or commitment facility will be assigned as follows: Cases ending in an even number will be assigned to Division B. Cases ending in an odd number will be assigned to Division P.

9. **County Criminal Division (MM):**

Organization:

The county criminal division will be comprised of Divisions R, C, Z, and U. All original cases presently assigned to one of those divisions in the clerk's system will remain assigned to that division.

10. **County Civil Division (CC) (SC):**

A. **Organization:**

The county civil division shall be comprised of Division F and S.

B. Effective April 1, 2024, any new county civil case and any small claims case designated as a 19P, will be randomly but in alternating manner assigned to Divisions F or S so that each division will receive an equal and proportionate share of each case type. Small claims cases will be assigned to the division pursuant to the rotation schedule furnished to the Clerk.

C. Any county civil case or small claims case that is not presently assigned in the clerk's system to Division F or S, will be reassigned when reactivated on a rotating basis among the divisions beginning with the next division in rotation.

D. Effective April 1, 2024, the Clerk will reassign any small claims case that is not designated as a 19P case, that is currently assigned to Division C, Z, or R to Division F or S so that each case shall receive an equal share of cases.

E. Effective April 1, 2024, the Clerk will reassign any small claims cases that are designated as a 19P case to Division S so that Division F and S each receive an equal share of cases.

11. **Assignment of Circuit Judges to Divisions:**

The circuit judges assigned to the divisions of the court from November 1, 2023, until June 30, 2024, are as follows:

Division A: Melanie Chase – Criminal

- Division B: Melissa Souto – Juvenile/Probate/Guardianship/Mental Health
- Division E: William S. Orth – Criminal
- Division G: Michael J. Rudisill – Civil/Family
- Division J: Jessica Recksiedler – Criminal
- Division K: Christopher Sprysenski – Civil/Family
- Division L: Mark E. Herr – Civil/Family
- Division M: Donna M. Goerner – Criminal
- Division P: John Galluzzo – Juvenile/Probate/Guardianship/Mental Health
- Division W: Susan Stacy – Civil/Family

12. **Assignment of County Court Judges to Divisions:**

The county court judges assigned to the divisions of the court from April 1, 2024, until December 31, 2024, are as follows:

- Division C: James Joseph Dekleva – County Criminal
- Division F: Sylvia Grunor – County Civil
- Division R: Carsandra Buie – County Criminal
- Division S: Wayne Culver – County Civil
- Division U: John L. Woodard, III – County Criminal
- Division Z: Debra L. Krause – County Criminal

DONE AND ORDERED this 25th day of March, 2024.


 CHARLIE CRAWFORD
 CHIEF JUDGE

- Distribution:
- All Circuit and County Judges (Seminole County)
 - Court Administration (Brevard and Seminole Counties)
 - Clerk of Court (Seminole County)
 - State Attorney (Seminole County)
 - Public Defender (Seminole County)
 - Sheriff (Seminole County)
 - Bar Association (Seminole County)
 - Law Library (Seminole County)