

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

ADMINISTRATIVE ORDER
NO. :
96-31-B

SHERIFF - MEMORANDUM OPINION AND ORDER

The Sheriff of Brevard County, Florida is required to attend in person or by his deputy all terms of the circuit and county court. Section 30.15 Florida Statutes. The Sheriff is the executive officer of the circuit court. Section 26.49 Florida Statutes. The Sheriff of the county shall perform all duties in the county court and is the executive officer thereof. Section 34.07 Florida Statutes. Deputy sheriffs have the same power as the sheriff. Section 30.07 Florida Statutes. Bailiffs are deputies and act under the authority of the sheriff. Nicholson v. State, 20 So. 818 (1896). The presiding judge of the judicial circuit is empowered to assign bailiffs and to do everything necessary to promote the prompt and efficient administration of justice in the courts over which he or she presides. Sections 43.26(2)(b) and (2)(f) Florida Statutes. As an officer of the court the sheriff or deputy sheriff (bailiff) has a duty to comply with an order of the presiding judge, and a failure of said officer to comply with this order shall constitute neglect of duty which may result in suspension or contempt of court. Section 43.26 Florida Statutes; State v. Leavitt, 271 S.W.2d 63 (Mo. Ct. Of App. 1954). The trial courts in Brevard County presently depend on the bailiffs (deputy sheriffs) to facilitate the deputy clerks of court in the filling out of paperwork, so that prompt and efficient administration of justice in the courts of Brevard County can occur.

NOW THEREFORE, it is hereby

ORDERED that all bailiffs in attendance to all county and circuit courts in Brevard County, Florida shall assist all deputy trial clerks fill out and complete necessary paperwork

to promote the prompt and efficient administration of justice in this county.

DONE AND ORDERED this 18th day of September, 1996, Titusville, Brevard County, Florida.

JOHN DEAN MOXLEY, JR.
JOHN DEAN MOXLEY, JR.
Chief Judge and Presiding Judge under
Section 43.26 Florida Statutes and rule
2.050 of the Florida Rules of Judicial
Administration

Distribution:

All Circuit and County Judges (Brevard County)

Court Administration (Brevard and Seminole Counties)

Clerk of Court (Brevard County)

State Attorney

Public Defender

Sheriff (Brevard County)

Bar Association (Brevard County)

Law Library (Brevard County)

BREVARD DTD 9-24-96 OR BOOK 3607 PAGE 0513 TO 0514

SEMINOLE DTD 10-1-96 OR BOOK 3137 PAGE 0859 TO 0860