

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

ADMINISTRATIVE ORDER NO. :
07-16-B
SUPERSEDES 05-53-B

**IN RE: ABORTION - GOVERNING THE ASSIGNMENT OF CASES ADDRESSING A
 MINOR'S REQUEST FOR JUDICIAL WAIVER OF PARENTAL NOTICE OF
 ABORTION**

Whereas, due to the enactment of the Parental Notice of Abortion Act, Section 390.01114, Florida Statutes, effective June 30, 2005, pregnant minors may petition the court for a judicial waiver of the parental notice requirements; and

Whereas, in order to promote judicial economy and efficiency in the assignment and management of cases filed pursuant to this legislation, and to ensure that court proceedings filed under this Act are given precedence over other pending matters to the extent necessary to reach a decision promptly, it is necessary that these cases be assigned in the most efficient manner.

Accordingly, it is hereby ordered;

1. Case Assignment:

The Clerk of Court shall assign the Petition Seeking Judicial Waiver of Parental Notice to a circuit court judge. Immediately thereafter, the clerk of court shall forward the petition and court file to the assigned judge. Petitions shall be assigned to a circuit court judge on a rotating basis.

2. 48 Hour Rule:

Proceedings arising out of these petitions shall be given precedence over other pending matters and shall be heard in closed court in a prompt fashion. The court shall rule and issue written findings of fact and conclusions of law

within forty-eight (48) hours from the time the petition is filed, except that the forty-eight (48) hour limitation may be extended at the request of the minor. If the court fails to rule within forty-eight (48) hours and the minor has not requested an extension, the petition is deemed granted, and the notice requirement is waived.

3. Review of Petitions and Proceedings on Weekends or Court Holidays:

If a petition is filed between the hours of 12:00 p.m. noon and 5:00 p.m. and the next day falls on a court holiday or a weekend, the clerk of court shall provide the court files to the emergency duty judge immediately. The emergency duty judge is authorized to hear proceedings arising from this petition at either the jail or the courthouse.

4. Right to Court Appointed Counsel:

The clerk shall advise the minor that she has a right to counsel, without cost, at the time the petition is filed. If the petitioner requests counsel, the court shall appoint counsel for her.

5. Confidentiality:

Any information in documents relating to the petition, and which could be used to identify the minor, is confidential. The court file shall be sealed and the minor's identity shall remain anonymous.

6. Expedited Appeal:

Where the court denies the petition, the minor shall be entitled to an expedited appeal.

7. This administrative order shall become effective immediately.

Done and Ordered this 19TH day of JULY, 2007.

TONYA RAINWATER
TONYA RAINWATER
CHIEF JUDGE

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