

THIRD JUDICIAL CIRCUIT OF FLORIDA
ADMINISTRATIVE ORDER 2018- 021

IN RE: EMERGENCY DUTY JUDGE PROTOCOL

WHEREAS, the Florida Legislature has mandated that the public shall have access to judicial services for temporary injunctions in domestic violence cases during weekends, holidays, and after traditional business hours;

WHEREAS, there are other emergency cases, such as petitions for arrest warrants, search warrants, Risk Protection Orders, and other proceedings that arise and require immediate judicial action;

WHEREAS, in order to accommodate these demands, it is necessary to provide afterhours access to judicial resources in an orderly manner; and

WHEREAS, on September 10, 2010, then-Chief Judge David W. Fina drafted a memorandum outlining the protocol for reaching a judge afterhours. This order espouses the same and is intended to formally adopt the outlined practice.

It is therefore **ORDERED**:

1. That a judge, referred to as the “duty judge,” will be available for afterhours and weekend coverage for emergency petitions, motions, warrants, *ex parte* injunctive relief, and other such emergency matters. For purposes of this order, the term “emergency” refers to matters of extreme emergency (i.e. matters of life and death, instances of irreparable harm, and those specifically outlined herein). Outside these parameters, the duty judge will decide if a request for judicial intervention is an emergency.

2. The judge assigned to the applicable division shall be contacted first and local protocol should be followed. Should that judge be unavailable, another resident judge(s) shall be contacted. If the assigned judge and resident judge(s) are unavailable, the emergency duty judge should be contacted.

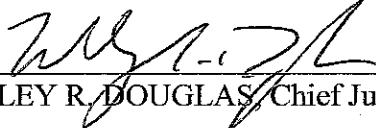
3. Each Clerk of Court and dispatch center for each Sheriff’s Office in the Third Circuit will be provided with contact information for the emergency duty judges. Any agency needing judicial assistance under the circumstances outlined above should

call dispatch for their local Sheriff's Office and dispatch will relay a message to the emergency duty judge.

4. Court Administration will notify the Clerks of Court and dispatch of the emergency duty judge schedule and send a weekly reminder. The emergency duty judge assignment begins at 8:00 a.m. on Monday and ends at 8:00 a.m. on the following Monday.

5. A judge who needs coverage for a duty judge term will be responsible for finding a substitute and giving written notification of the substitute to Court Administration.

DONE in Columbia County, Florida, on December 17, 2018.



WESLEY R. DOUGLAS, Chief Judge

Copies to:
All Judges
All Judicial Assistants
Apalachee Mental Health
Clerks of Court
Florida Department of Agriculture
Florida Department of Children and Families
Florida Department of Juvenile Justice
Florida Department of Transportation – Motor Carrier Compliance
Florida Highway Patrol
Meridian Behavioral Healthcare
Police Departments
Public Defender
Sheriffs, Third Judicial Circuit
State Attorney
Carrina Cooper, Court Administration