

THIRD JUDICIAL CIRCUIT OF FLORIDA
ADMINISTRATIVE ORDER 2024-002

IN RE: DUTY JUDGE AND EMERGENCY HEARING 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 special, emergency cases, such as petitions for arrest warrants, search warrants, pen registers, communication intercepts, medical consents, 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

It is therefore **ORDERED**:

That a judge, referred to as the "duty judge," will be available for afterhours and weekend coverage for emergency petitions, motions, or applications for arrest warrants, pen registers, communication intercepts, medical consents, or *ex parte* injunctive relief to prevent domestic and repeat violence, 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.

The duty judge will also conduct juvenile detention hearings for all counties (Columbia, Dixie, Hamilton, Lafayette, Madison, Suwannee, and Taylor) during weekends, on holidays, and any other time the courthouses are closed. Detention hearings will be scheduled with the individual duty judge when necessary.

HOURS

The duty judge will be available after hours, weekends, holidays, and any time the courthouse is closed. This availability shall be facilitated through an on-call system where the duty judge can be reached by phone.

The duty judge is on-call after 5:00 p.m. on weekdays, on weekends, on holidays, and any other time the courthouse is closed. The assignment begins at 8:00

a.m. on Monday morning and continues until 8:00 a.m. the next Monday morning.

SCHEDULING

The duty judge assignments are determined on a rotation basis from the list of all judges in the Third Judicial Circuit and found on the Duty Judge Schedule that is maintained by Court Administration and published to the appropriate agencies. Each Clerk of Court and dispatch center for each Sheriff's Office in the Third Judicial Circuit will be provided with contact information for the duty judges. Any agency needing judicial assistance under the circumstances outlined above should call their local Sheriff's Office dispatch and request a message be relayed to the emergency duty judge.

A judge who needs coverage for a duty judge term will be responsible for finding a substitute and advising Court Administration of the substitution. Court Administration will send weekly reminders to each Clerk of Court and other appropriate agencies.

Administrative Order 2018-021 is hereby rescinded and superseded, and the September 10, 2010, memorandum, issued by the Honorable David W. Fina, outlining the protocol for reaching a judge after hours is superseded by this order.

DONE in Columbia County, Florida, on April 30, 2024.



Melissa Gates Olin, Chief Judge

Copiesto:

AllJudges

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

Office of the Public Defender

Sheriffs, Third Judicial Circuit

Office of the State Attorney

Carrina Cooper, Court Administration