

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR DADE
COUNTY, FLORIDA

CASE NO. 79-1
(Court Administration)

IN RE: ASSIGNMENT, REASSIGNMENT
AND TRANSFER OF CASES IN THE
GENERAL JURISDICTION DIVISION OF
THE CIRCUIT COURT

REVISED
ADMINISTRATIVE ORDER
NO. 79-2

PURSUANT TO the authority vested in me as Chief Judge of the Eleventh Judicial Circuit of Florida, the following procedures shall be adhered to in the Assignment, Reassignment and Transfer of Cases in the General Jurisdiction Division of the Circuit Court.

1. Assignment of Cases by the Clerk of the Court.
 - (a) All proceedings shall be assigned equally and randomly by the Clerk among the several sections of this Division, except as otherwise provided by Order of the Chief Judge or by memorandum from the Administrative Judge of said Division.
 - (b) No file or pleading shall indicate the name of a Judge. All assignments will be made by section in accordance with the blind filing system.
 - (c) Emergency cases shall be assigned to a section of the Court promptly upon the filing of the same, and such assignment of cases shall be made by the Clerk, or by one of his deputies under his direction, in a manner which will not disclose or indicate how the assignment was made.

2. Reassignment of Cases.

After the initial assignment of cases in the individual section by the Clerk by the blind filing system, there shall be no transfer of cases from one section to another, except as follows:

- (a) When a Judge has recused himself or herself or has been disqualified from hearing a case; or whenever it appears to a Judge that a case should be transferred for this reason, such case should be brought to the attention of the Administrative Judge of the General Jurisdiction Division as hereinafter set forth.
- (b) The assigned Judge shall immediately enter his or her Recusal Order stating the reason for the recusal, send the file to the Administrative Judge who shall have this cause reassigned to another section of the Court in accordance with established procedure.

3. To prevent delays or continuances because of the absence, unavailability or overburdened calendar of any Judge; to promote the efficient operation of the General Jurisdiction Division as a whole; or, for any other good cause:

- (a) Any two or more Judges may hear any matters or try any cases for each other and may hear each others calendars.
- (b) No transfer will be made under this section in lieu of recusal or disqualification, as any transfer for the latter reason must be referred to the Administrative Judge for reassignment.

4. Transfer of Cases.

- (a) When a case has been previously filed and subsequently dismissed and the Plaintiffs attorney has knowledge of the prior case, he shall at the time of filing his original complaint with the Clerk's office, file an additional pleading entitled "Notice of Previous Filing", and set forth in said pleading the style, case number, section and Date of Dismissal of the prior case. The Administrative Office of the Court, upon verification of the previous filing, shall send the case to the Administrative Judge for reassignment and transfer to the section in which the original complaint was filed.
- (b) Any party desiring to transfer a case from the assigned section to another section shall file a written motion for transfer stating the reasons of said motion, serve notice on all parties, and set the matter for hearing before the Administrative Judge of the Division.
- (c) Pending cases arising from the same or substantially identical transactions, happenings or events; cases calling for determination of the same or substantially identical questions of law; or cases which for other reasons would entail substantial duplication of labor if heard by different Judges, may be reassigned by the Administrative Judge to the section in which the first case is filed.
- (d) The Administrative Judge may at any time, on the Court's own motion, transfer or reassign a case to another Section in the interests of justice or to promote the efficient operation of the General Jurisdiction Division as a whole.

5. That Administrative Order No. 79-2 heretofore entered on the 3rd day of January, 1979, shall be and the same is hereby rescinded, and the same to be held for naught.

DONE AND ORDERED in Chambers at Miami, Dade County, Florida, this 12 day of OCTOBER, 1979.

EDWARD D. COWART, CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA