

**THE ELEVENTH JUDICIAL CIRCUIT  
MIAMI-DADE COUNTY, FLORIDA**

**CASE NO. 17-1  
(Court Administration)**

**ADMINISTRATIVE ORDER  
NO. 17-05**

**IN RE: PROCEDURE FOR  
TEMPORARY REASSIGNMENT OF  
CRIMINAL TRIAL PROCEEDINGS IN  
THE EVENT A JUDGE IS  
TEMPORARILY ABSENT OR UNABLE  
TO PERFORM THE OFFICE'S DUTIES**

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**WHEREAS**, pursuant to Rule 2.215(b)(4) of the Florida Rules of Judicial Administration, the chief judge shall assign judges to the courts and division, and shall determine the length of each assignment; and

**WHEREAS** pursuant to this Rule, "all judges shall inform the chief judge of any contemplated absences that will affect the progress of the court's business. If a judge is temporarily absent, . . . or is unable to perform the duties of the office, the chief judge or the chief judge's designee may assign a proceeding pending before the judge to any other judge or any additional assigned judge of the same court. The chief judge may assign any judge to temporary service for which the judge is qualified in any court in the same circuit;" and

**WHEREAS**, pursuant to Section 903.02(2), Florida Statutes and Rule 3.131(d)(1)(C), no judge or a court of equal or inferior jurisdiction may modify or set a condition of release unless the judge . . . has been assigned to preside over the criminal trial of the defendant;

**NOW, THEREFORE**, pursuant to the authority vested in me as Chief Judge of the Eleventh Judicial Circuit of Florida, under Rule 2.215, Florida Rules of Judicial Administration, it is hereby **ORDERED** that the following procedures shall be in place:

1. In the event that a judge is temporarily absent or unable to perform the duties of the office, the Chief Judge or the Chief Judge's designee may assign a proceeding pending before the judge to another judge to preside over the criminal trial of the defendant.
2. Notice of the temporary reassignment shall be provided to the clerk of court by a written memorandum, and the clerk of court shall make a notation of the reassignment in the court record.

3. Once the new judge has been assigned to preside over the criminal trial of the defendant pending before the initial judge, the newly assigned judge will have the authority to modify or set a condition of release pursuant to Rule 3.131(d)(1)(C).
4. In the event that the initial judge is able to resume the duties of the office, a written memorandum reassigning the judge to preside over the criminal trial of the defendant will be provided to the clerk of court, who shall make a notation of the reassignment in the court record.

This Administrative Order shall become effective immediately upon execution and shall remain in effect until further order of the Court.

**DONE AND ORDERED** in Chambers at Miami-Dade County, Florida, on August 17, 2017.

**BERTILA SOTO, CHIEF JUDGE  
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA**