

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA

ADMINISTRATIVE ORDER NO. 10.301-12.20\*

IN RE: CIVIL TRAFFIC INFRACTION  
HEARING OFFICER PROGRAM

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On March 5, 1991, the Civil Traffic Infraction Hearing Officer Program approved by the Supreme Court was established in Palm Beach County. The program was confirmed in Administrative Order No. 10.005-9/92. Since the 2002 Order, statutory and other changes warrant revision to the Order. Therefore, in order to continue the efficient operation of the Civil Traffic Infraction Hearing Officer Program in Palm Beach County and in accordance with Florida Statutes and the Florida Rules of Traffic Procedure; and in order to provide for the orderly appointment and compensation of civil traffic infraction hearing officers, it is

**NOW, THEREFORE**, pursuant to the authority conferred by Florida Rule of Judicial Administration 2.215, it is **ORDERED** as follows:


1. The existence of the Civil Traffic Infraction Hearing Officer Program in Palm Beach County is affirmed and continued from the date of establishment detailed above.
2. The Civil Traffic Infraction Hearing Officer (THO) shall be selected by the Chief Judge. As many individuals may be selected to serve as THO's as may be necessary to ensure that traffic infraction cases are disposed of timely and efficiently.
3. THO's shall:
  - a. Execute an oath of office;
  - b. Serve part-time and at the pleasure of the Chief Judge;
  - c. Hear and consider all traffic infraction proceedings, including parking ticket hearings;
  - d. Preside over calendars scheduled during the week and on weekends at traffic court locations throughout Palm Beach County;
  - e. Have the power to accept pleas from Defendants, hear and rule upon motions, decide the guilt or innocence of any person, adult or juvenile charged with any civil traffic infraction, and adjudicate or withhold adjudication in the same manner as a county court judge under the statutes, rules and procedures presently existing or as subsequently amended.

4. However, THO's shall not:
  - a. Have the power to hold any person in contempt of court, but shall be permitted to file a verified motion for order of contempt with an appropriate state trial court judge pursuant to Florida Rule of Criminal Procedure 3.840;
  - b. Hear a case involving an accident resulting in injury or death;
  - c. Hear a criminal traffic offense case or a case involving a civil traffic infraction issued in conjunction with a criminal traffic offense; or
  - d. Have the power to suspend a Defendant's driver's license pursuant to Florida Statute 316.655(2).
5. Any THO regularly scheduled to preside over a calendar will be an independent contractor and must enter into a contract with the Fifteenth Judicial Circuit before serving as a THO. The compensation for contract THO's will be as provided in his or her contract with the Fifteenth Judicial Circuit. A court employee qualified under Florida Rule of Traffic Court 6.630 may preside over a calendar as part of his or her regular duties when determined necessary by the County Administrative Judge or the Chief Judge.
6. The following attorneys have completed, or are in the process of completing, the required training. Once training has been completed, they are approved to act as Hearing Officers and are hereby appointed (or reappointed as the case may be) and are authorized to hear proceedings in Palm Beach County, Florida until further order of this Court.

Cathy Chimera  
Jack Goldberger  
Robert Gershman  
John Gurney  
Daniel Haverman  
James Kehoe  
John Kurtz  
Steven Miller  
Marshall Osofsky  
Donia Roberts

7. THO's shall perform their duties in accordance with Florida Statutes, Rules of Court, the Code of Judicial Conduct, applicable Administrative Orders, relevant case law and the terms and conditions of the contract between the THO and the Fifteenth Judicial Circuit.
8. Matters of contempt arising from the THO's calendars shall be heard by the County Court Judge assigned to the applicable traffic division.
9. Upon the timely request of a Defendant in a Notice of Appearance or in a written plea pursuant to F.R.T.C. 6.630(n), a case shall be assigned to the county court judge assigned to the applicable traffic division instead of scheduling the case to be heard by a THO.
10. Appeals from dispositions of the THO's shall be filed in the Circuit Court.
11. All actions taken before this date by previously appointed THO's are hereby confirmed.
12. Other THO's may be appointed as deemed necessary by the Chief Judge.
13. The THO program will be supervised by judges designated by the Chief Judge and administered by a THO ("Administrative THO") designated by the Chief Judge.
14. The Clerk and Comptroller shall provide deputy clerks to perform normal courtroom duties during traffic infraction hearings.
15. The Chief Courtroom Deputy shall assign a courtroom deputy to attend and assist the THO's during traffic infraction hearings.

**DONE and SIGNED** in Chambers at West Palm Beach, Palm Beach County, Florida this 18th day of December 2020.

A handwritten signature in black ink that reads "Krista Marx". The signature is written in a cursive style and is positioned above a horizontal line.

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Krista Marx  
Chief Judge

\*supersedes administrative order no. 10.301-9/18(sic) signed 9/6/19