

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

ADMINISTRATIVE ORDER NO. 11.603-5/19*

IN RE: TRIAL COURT LAW CLERKS
INTERNAL OPERATING PROCEDURES

The Legislature has funded law clerk/staff attorney positions to assist the judiciary in the Fifteenth Judicial Circuit in the discharge of its responsibilities.

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

1. **The Trial Court Administrator, in consultation with the Chief Judge and General Counsel**, is responsible for the hiring, assignment, deployment and **promotion** of the Trial Court Law Clerks. **For each hiring, a committee shall be empaneled by the Chief Judge and consist of the Trial Court Administrator (or designee), Chief of Personnel, General Counsel, and a minimum of three judges (representing both the Circuit and County bench).**
2. **General Counsel shall report directly to the Trial Court Administrator and shall be responsible for the supervision of the Trial Court Law Clerks and the Supervising Senior Trial Court Law Clerks. General Counsel shall** develop a Trial Court Law Clerk Program **and shall** annually consult with a Trial Court Law Clerk Committee to ensure that the Trial Court Law Clerk program is meeting the demands of the judiciary. The Trial Court Law Clerk Committee shall be composed of the **Trial Court Administrator** and no less than three members of the judiciary to be appointed by the Chief Judge and shall include at least one judge from both the county and circuit court.
3. Assignments for the Trial Court Law Clerks shall be prioritized as follows:
 - a. Priority 1: Emergency Assignments - those assignments that require a legal response within twenty-four (24) hours. These assignments are to be given top priority over any other assignment a trial court law clerk may have pending. This applies to both Circuit and County assignments.
 - b. Priority 2: Criminal and Civil Appeals – including county court, criminal, administrative, extraordinary writs and post conviction motions.

- c. Priority 3: General Research Assignments - assignments that are based upon a specific case and can be reasonably scheduled with other pending assignments.
- d. Priority 4:
 - i. **Teaching Materials - legal and related research for judges' teaching materials for Conference and OSCA programs;**
 - ii. **Supreme Court Committees - legal and related research for Supreme Court Committees;**
 - iii. **Scholarly writings - Trial Court Law Clerks will be available for assignments related to articles for bar journals or judicial magazines on an "as available basis".**

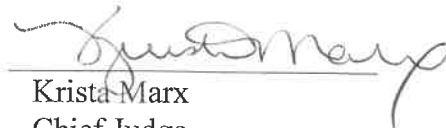
These assignments have the lowest priority rating in terms of Trial Court Law Clerk assignments and **shall not be made by General Counsel without the approval of the Chief Judge.**

4. When a judge seeks the assistance of a Trial Court Law Clerk, the Judge shall clearly state the assignment's required completion date. The Judge shall use, unless impracticable, the "Assignment Request Form" which is sent out semi-annually to all judges and judicial assistants. When making assignments, the judge shall first contact the Division Coordinator assigned to that judge's division. In an emergency, a judge may contact directly a Trial Court Law Clerk assigned to the Judge's division if other priority assignments do not conflict.
5. Should the number of assignments given to the Trial Court Law Clerks from any one judge greatly exceed the number of assignments from other judges in the same division at the same time, the judge who has made the greater number of assignments will be asked to either curtail the assignments or some of his/her assignments will be reprioritized by General Counsel.
6. Trial Court Law Clerks assigned to the North County and South County courthouses will accept assignments from the judges assigned to such courthouse as well as from General Counsel. Trial Court Law Clerks assigned to either the North County or South County courthouses may be required to work from the Main Courthouse, as the demands of the judiciary require.
7. Trial Court Law Clerks will have an annual performance appraisal by General Counsel.
8. In accordance with the Office of State Court Administrators, Trial Court Law Clerks are entitled to forty (40) hours of paid administrative leave to attend a bar review course in preparation for the Florida Bar exam. This forty (40) hours of paid administrative leave is only available once during the Trial Court Law Clerk's employment with the Fifteenth Judicial Circuit. Trial Court Law Clerks are entitled to two (2) days of paid leave when sitting for the Florida Bar exam. This two (2) day paid leave is available whenever a Trial Court Law Clerk sits for the Florida Bar exam during his or her employment. Whether to grant additional leave to prepare for the Florida Bar Exam is within the discretion of the General Counsel and Chief Judge. At no time, however, will more than twenty-eight (28) days of leave (paid or unpaid) be permitted. Failure to pass the Florida Bar exam within one

(1) year of employment will result in the termination of employment. Failure to pass the Florida Bar exam after two attempts (regardless of whether the exam was taken while employed as a trial court law clerk) will result in termination of employment.

9. Trial court clerkships will be for a period of two (2) years. However, trial court clerks, as well as **Supervising Senior Trial Court Law Clerks**, may **be employed** for a period greater than two (2) years when agreed upon by the **Chief Judge, the Court Administrator, and General Counsel** in consultation with administrative judge assigned to the respective satellite courthouse.
10. Trial Court Law Clerks will maintain time sheets as required by the Office of State Court Administrators. Time sheets will be electronically submitted no later than the seventh day of the following month to **General Counsel**. **Core work hours shall be from 8 a.m. to 5 p.m. Monday-Friday as per the Personnel Regulations.**
11. Vacation or other leave **must be submitted to General Counsel for consideration** at least two (2) weeks in advance of the requested date unless circumstances do not otherwise permit. Vacation or other leave requests may be denied if another Trial Court Law Clerk in the same assigned division has already requested leave.
12. General Counsel **and the Trial Court Administrator, in consultation with the Chief Judge**, shall review the assignments of the Trial Court Law Clerks periodically and may reassign Trial Court Law Clerks to different divisions. Reassignment decisions will be made upon consideration of factors including, but not limited to, length of assignment, seniority, preference, experience and performance.

9 **DONE and SIGNED**, in Chambers, at West Palm Beach, Palm Beach County, Florida, this
day of May 2019.



Krista Marx
Chief Judge

*supersedes admin. order no. 11.603-9/08