

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

ADMINISTRATIVE ORDER NO. 5.102-11/09\*

IN RE: ASSIGNMENT OF DELINQUENCY  
AND DEPENDENCY CASES

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Administrative Order No. 11.101 sets forth this Circuit's policy concerning the assignment of judges, appointment of administrative judges and assignment of cases requiring that the Clerk of the Court equitably and randomly assigns cases within the division in which the cases are filed. The cases assigned to the Juvenile Subdivision of the Unified Family Court Division are assigned on a geographical basis, in order to provide an efficient and consistent process in handling those cases.

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

A. GENERAL RULES

1. Delinquency cases filed on or after April 20, 2009, are deemed to arise where the crime occurs. If no zip code exists for the location of the crime, then the case shall be deemed to arise where the child resides. If no zip code is known for the residency of the child, then the case shall be assigned to the Main Judicial Complex according to the **blind-assignment system**.
2. Dependency cases are deemed to arise where the mother resides. If no zip code is known for the residency of the mother, then the case shall be deemed to arise where the child resides. **If no zip code is known for the residency of the child, then the case shall be deemed to arise where the father resides. If no zip code is known for the residency of the mother, child or father, then the case shall be assigned according to the blind-assignment system.**
3. **Upon motion of either party, the court will consider reassigning a juvenile case.**

B. ASSIGNMENT OF CASES TO THE WEST COUNTY COURTHOUSE

1. The Clerk of the Court shall assign delinquency and dependency cases arising west of the twenty mile bend (those cases that fall within the area handled by the Palm Beach County Sheriff District V Substation) to Division "JA" located at the West County Courthouse.

C. ASSIGNMENT OF CASES TO THE SOUTH COUNTY COURTHOUSE

1. The Clerk of Court shall assign delinquency and dependency cases arising in the following zip codes to Division "JS" to be located at the South County Courthouse.

Boynton Beach 33424	Boca Raton 33487
Boynton Beach 33425	Boca Raton 33488
Boynton Beach 33426	Boca Raton 33496
Boynton Beach 33435	Boca Raton 33497
Boynton Beach 33436	Boca Raton 33498
Boynton Beach 33437	Boca Raton 33499
Boynton Beach 33472	Delray Beach 33444
Boynton Beach 33474	Delray Beach 33445
Briny Breezes 33435	Delray Beach 33446
Boca Raton 33427	Delray Beach 33447
Boca Raton 33428	Delray Beach 33448
Boca Raton 33429	Delray Beach 33482
Boca Raton 33431	Delray Beach 33483
Boca Raton 33432	Delray Beach 33484
Boca Raton 33433	Gulfstream 33483
Boca Raton 33434	Highland Beach 33487
Boca Raton 33481	Ocean Ridge 33435
Boca Raton 33486	

D. ASSIGNMENT OF CASES TO THE MAIN JUDICIAL COMPLEX

1. The Clerk of the Court shall assign delinquency and dependency cases arising east of the twenty mile bend as defined above, and not arising from a zip code listed in paragraph B1 above, to the appropriate juvenile court division at the Main Judicial Complex.

2. Assignment of Delinquency Cases

- a. The Clerk shall **randomly assign the delinquency cases amongst the juvenile division judges at the Main Judicial Complex in accordance with Administrative Order 11.101-08/09 (as amended).**
- b. **Any known** siblings in delinquency cases shall be assigned to the division having the lowest case number **regardless of case status (pending or closed).**
- c. **If, rather than file separate counts in the same petition, the state elects to file separate cases concerning the same factual situation, the assistant state attorney filing the cases shall notify the clerk, in writing, that companion cases are being filed. A companion case is a case wherein the delinquent has multiple cases in the system. The clerk, in turn, utilizing the blind-assignment system, shall select one judge and assign all designated companion cases to that judge.**

- d. **If companion cases are assigned to different judges, it shall be the continuing duty of the state to notify, in writing, all judges involved and to file a motion to reassign the cases to the judge with the lowest numbered case.**
- e. **If the state enters a nolle prosequi and subsequently refiles the case, the newly-filed case shall be assigned to the division of court in which the original case was assigned. It is the duty of the state to advise the clerk of the earlier nolle prosequi case.**
- f. **Violations of Probation: Upon the filing of a violation of probation, the case shall be assigned to the division which handled the underlying charge, regardless of timeframe. Cases will remain in the same division they were originally filed in, regardless of whether the parent or child changes their residence. This includes reopened or modification cases.**
- g. **In the event a juvenile is currently in a diversionary program and is arrested again and is thus the subject of an entirely new case, the juvenile's new case should be assigned to the judge who had been randomly selected at the time the child was put into the diversionary program, if a judge was so assigned.**

3. Assignment of Dependency Cases

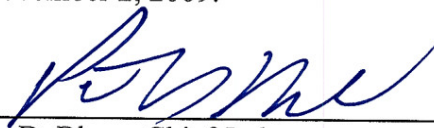
- a. **The Clerk shall randomly assign the delinquency cases amongst the juvenile division judges at the Main Judicial Complex in accordance with Administrative Order 11.101-08/09 (as amended).**
- b. **If a delinquency or dependency case is active for the minor parent of the child for whom a petition of dependency was filed, the clerk shall assign the dependency action to the division in which the child's minor parent has a pending dependency or delinquency matter. If both parents have pending matters before a juvenile court, the dependency action will be assigned to the judge presiding over the mother's active juvenile matter.**

4. Assignment of "Cross Over" Cases

- a. **In the event, the parties and/or child have an existing dependency case and the child enters the delinquency system, the same judge/division shall be assigned the delinquency case, regardless of case status (pending or closed). The same shall apply to a dependency case where there is an existing delinquency case.**
- b. **Any known siblings in delinquency cases shall be assigned to the division having the lowest case number.**

5. In the event a case must be transferred because of disqualification or recusal by the judge to which the case was previously assigned or elimination of a division, the clerk shall, by random selection, unless otherwise specified in the case of division closure, reassign the case to another division within the **Main Courthouse, excluding South** and West Branch divisions.

**DONE AND SIGNED** in Chambers at West Palm Beach, Palm Beach County, Florida, this 6 day of November, 2009, *nunc pro tunc* November 2, 2009.



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Peter D. Blanc, Chief Judge

\*supersedes admin. order no. 5.102-11/09