

ADMINISTRATIVE ORDER
NO. 2023-19

IN THE CIRCUIT COURT OF THE
NINTH JUDICIAL CIRCUIT, IN AND
FOR ORANGE COUNTY, FLORIDA

**ADMINISTRATIVE ORDER GOVERNING THE
PRIORITY OF SERVICES FOR FISCAL YEAR 2023-2024 PROVIDED BY
THE CLERK OF THE TRIAL COURT IN ORANGE COUNTY, FLORIDA**

The chief judge of each circuit, after consultation with the clerk of court, shall determine the priority of services provided by the clerk of court to the trial court.

By the power vested in the chief judge under Article V, section 2(d) of the Florida Constitution, section 43.26, Florida Statutes, and rule 2.215 of the Florida Rules of General Practice and Judicial Administration, effective **immediately**, to continue until further order and superseding any provisions in prior Administrative Orders which may be inconsistent, and after consulting with the Clerk of Court for Orange County, it is **ORDERED** the Clerk shall:

1. Continue to fully provide all services rendered by the Clerk's office to the Court during the previous fiscal year.

2. Pursuant to section 43.26(2)(d) and section 43.26(2)(e), Florida Statutes, the chief judge shall have the power to require the attendance of clerks and “[t]o do everything necessary to promote the prompt and efficient administration of justice in the courts over which he or she is chief judge.” *See* section 43.26(2)(e), Florida Statutes and Florida Rule of General Practice and Judicial Administration 2.215(b)(6). Therefore, the Clerk must maintain the current level of trial clerk coverage for the Judges, Magistrates and Hearing Officers. In the event new Judges, Magistrates and/or Hearing Officers are added, as well as the addition of any new Court divisions or specialized courts, the Clerk must meet and confer with the Chief Judge to determine coverage priorities based upon availability of funding due to budget cuts mandated by the Florida Clerk of Court Operations Corporation.

3. Documents should be uploaded and evented into the progress docket within one (1) business day, but not longer than two (2) business days to the electronic case file; with the exception of a Suggestion of Bankruptcy which must be processed immediately due to the Automatic Stay provisions of the United States Bankruptcy Code. Documents filed for any case that has a hearing scheduled within forty-eight (48) hours or less must be given priority.

Informations and Notices of Appearance in criminal traffic and misdemeanor cases must be docketed and filed immediately for those cases scheduled for arraignments. Any notice or request of recusal or disqualification, proposed final judgments and orders shall be delivered to the Judge within forty-eight (48) hours of receipt by the Clerk.

4. Because a demand for speedy trial must be heard within five (5) days of the filing of the motion, within twenty-four (24) hours of filing of the motion the Clerk shall email the judicial assistant of the division the case is assigned notice of the motion.

5. Affidavits in support of arrest warrants and other supporting documentation must be provided to the Judges at Initial Appearances, including Initial Appearances which are reset.

6. Emergency motions in domestic cases, notice of expiration of speedy trial, motions to stay writ of possession in foreclosure cases, and motions to stay in landlord/tenant cases should be presented to the assigned Judge on the same day they are filed.

7. The Clerk shall continue to provide the caseload report statistics to the Court on the first of each month. The report shall be emailed to the Chief Judge and each Administrative Judge, with copy to each respective judicial assistant.

8. Because the Court utilizes forms within Odyssey that incorporate the information on the party screen into the certificate of service, the Clerk shall endeavor to maintain accurate and current information on the party screen.

9. The Clerk shall provide to the Supervising Senior Staff Attorney, via email, a monthly report of all postconviction motions filed for the preceding month. The report shall include those motions filed pursuant to Florida Rules of Criminal Procedure 3.850, 3.800, 3.851 and 3.853, including all related motions for extension of time filed by the State, as well as those motions which are postconviction but not specifically filed under one of the foregoing rules. The report shall list the defendant's name, case number, type of motion and the date filed.

The Clerk shall also provide to the Supervising Senior Staff Attorney, via email, a monthly report of all notices of appeal to be heard by the Circuit Court and all petitions for writ that were filed for the preceding month. The report shall list the petitioner's name, case number, type of filing and the date filed.

10. The Clerk shall provide weekly notice, via email, of the filing of petitions for writ to the judicial assistant for the judge assigned to the case, with a copy sent to the assigned Judge.

11. The Clerk must not distinguish between attorney filed postconviction motions and pro-se filed postconviction motions. All postconviction motions filed by an attorney must be sent to the assigned Judge in the same manner as a pro-se filed postconviction motion. The Clerk cannot rely on the attorney to send a courtesy copy to the Judge.

12. The Clerk must immediately upon appointment forward to the Court Monitor a certified copy of the Order Appointing Guardianship Court Monitor.


13. The Clerk must immediately forward a copy of all filings in a Guardianship case, excluding those by a guardian or guardian attorney, for judicial review.

14. Because funding and logistical resources of this Circuit are dependent upon an accurate assessment of caseload, the Clerk must be attentive to ensuring that cases are accurately closed within the case maintenance system.

15. Each time the Clerk makes an upgrade or any type of change which impacts the functionality of its case maintenance system, the Clerk shall ensure the Court continues to have case management capabilities within the case maintenance system. The Clerk shall also keep the Court informed of any anticipated changes in software that may affect the Court.

16. Administrative Order 2022-06 is vacated and set aside except to the extent that it has been incorporated and/or amended herein. Vacating an Administrative Order that vacates a prior Order does not revive the prior Order.

DONE AND ORDERED at Orlando, Florida, this 18th day of August, 2023.



Lisa T. Munyon
Chief Judge

Copies provided to:

Clerk of Court, Orange County
Clerk of Court, Osceola County
General E-Mail Distribution List
<http://www.ninthcircuit.org>