

MONROE COUNTY
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DANNY L KOLHAGE, CLERK

IN THE CIRCUIT COURT OF THE 16TH
JUDICIAL CIRCUIT OF THE STATE OF
FLORIDA IN AND FOR MONROE COUNTY

ADMINISTRATIVE ORDER 2.020
AMENDED 97-1

IN RE;

CIRCUIT AND COUNTY COURT
DIVISIONS/TRANSFER PROVISION

WHEREAS, the Chief Judge is charged by Rule 2.050, Fla.R.Jud.Admin., generally with the responsibility for administrative supervision of the circuit and county court; and

WHEREAS, it is established policy of this Court, to the extent possible, to try cases in a courthouse location which is convenient to litigants, witnesses, the general public, and its officers; it is therefore,

ORDERED that:

A. In the Circuit and County Court, hearings shall be conducted and trials shall be held in the courthouse or branch courthouse facility serving the geographic area of Monroe County where the offense was alleged to have been committed, and in actions at law where the property in litigation is located, except that actions at law brought by or against Monroe County shall be heard and tried in the geographic area where the cause of action accrued or the property in litigation is located. For purposes of this section, Monroe County shall be divided into the following geographic divisions:

1. Lower Keys Division: Including the City of Key West to the west end of Spanish Harbor Bridge, which are served by the Monroe County Courthouse at Key West.

2. Middle Keys Division: Beginning at the west end of Spanish Harbor bridge to the east end of Channel Five (5) Bridge; which are served by the Branch Courthouse at Marathon.

3. Upper Keys Division: Beginning at the east end of Channel Five (5) Bridge to and including Key Largo and that portion of Monroe County situated upon the mainland of Florida, which are served by the Branch Courthouse at Plantation Key.

B. The requirements of Sec. A above, shall apply to cases now pending or hereafter instituted, with the exception of juvenile dependency cases arising from Big Pine Key. Such cases shall be heard in the Middle Keys Division of the Circuit Court. All dependency cases originating from Big Pine Key presently pending in the Lower Keys Division shall be by this Order, transferred to the Middle Keys Division. Notwithstanding the provisions of Sec. A.

above, a case may be transferred to another courthouse division for hearing or trial under the following circumstances:

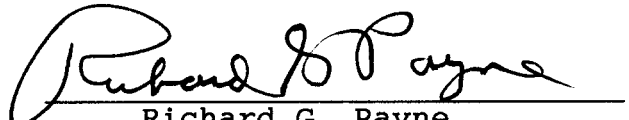
1. The presiding judge may, for expeditious reasons and in his/her discretion, transfer a cause.

2. Upon stipulation of counsel and with approval of the presiding judge, a cause may be transferred.

C. Depositions of parties, properly taken in Monroe County under applicable rules of procedure or substantive law, shall be taken within the geographical division in which the case is pending unless all parties mutually agree to hold the depositions in an alternative location. For the convenience of litigants, cases transferred to another division due solely to the unavailability of a judge (due to disqualification or otherwise) depositions are properly held in the original division, notwithstanding that the trial may be held in the new division unless the parties stipulate otherwise.

D. The provisions of this Administrative Order shall not be deemed to vest any litigant with substantive legal rights, but instead is intended solely as an administrative manner to effectuate the convenience of the public in attending court nearest to their homes with the least hardship or inconvenience, and to divide the judicial caseload in a fair manner between judges.

DONE and ORDERED at Key West, Monroe County, Florida, this 15th day of April, 1997.


Richard G. Payne
Chief Judge

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