

*St Lucie  
Law Library*

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT  
IN AND FOR INDIAN RIVER, MARTIN, OKEECHOBEE, AND  
ST. LUCIE COUNTIES, FLORIDA

ADMINISTRATIVE ORDER 98-14

**RE: DOMESTIC VIOLENCE DUTY JUDGE**

WHEREAS, Section 26.20, Florida Statutes, requires that a judge be available after hours and on weekends and holidays to handle petitions for ex parte injunctive relief to prevent domestic violence;

NOW, THEREFORE, it is **ORDERED** as follows:

1. By separate administrative order the Chief Judge shall promulgate an annual duty roster so that a circuit judge, hereinafter referred to as the "Duty Judge" shall be available to all of the counties in the circuit on weekdays after hours and on all weekends and holidays to handle petitions for ex-parte injunctive relief to prevent domestic violence.
2. The Duty Judge shall serve for a one week period beginning Monday at 5:30 p.m. to the following Monday at 5:30 p.m.. On holidays and weekends the Duty Judge shall be available 24 hours per day, except during the times that the courthouse in each of the counties is open and clerks are available to file petitions for ex-parte injunctive relief in domestic violence cases.
3. Emergency intake and processing of ex-parte applications for injunctive relief to prevent domestic violence between the hours of 5:30 p.m. and 8:00 a.m. on weekdays as well as all 24 hour per day on all holidays and weekends shall be the responsibility of the personnel of the Clerk of Court for each county or such other persons who have been specially appointed as Deputy Clerks to perform these functions.
4. The Duty Judge shall be equipped with a pager and fax machine and shall be available to the Clerk after normal hours and on weekends and holidays at his or her residence or at another location with telephone access to rule on domestic violence petitions. (See Section 26.20, Florida Statutes.) The Sheriff of each of the counties in the Nineteenth Circuit is hereby authorized and empowered to accept a certified copy of a faxed domestic violence injunction for service of process.
5. The transfer of responsibility from one Duty Judge to the next shall occur at 5:30 p.m. on Monday of each week, including those weeks in which Monday is a holiday. Each county in the Nineteenth Circuit shall purchase a fax machine and a pager that has a range throughout all counties in the circuit from their court facilities fund. These fax machines and pagers will be kept in the counties and shall be used by the resident judges when they serve as the Duty Judge.

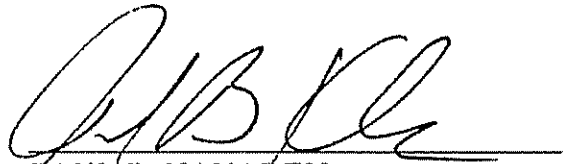
6. The Duty Judge shall be provided a pager, a fax machine, and a loose-leaf binder containing relevant statutes, rules, and case law. The equipment and information shall be transferred between the Duty Judges in each county as required.

7. Duty Judge assignments shall rotate in alphabetical order except that no judge should be required to serve more than one holiday weekend in a calendar year, in which case the Chief Judge may alter the schedule as necessary to ensure fairness and equity.

8. In the event a judge wants to change duty weeks, it will be his/her responsibility to find a judge willing to change weeks. It will also be his/her responsibility to notify in writing the Chief Judge and all persons affected by the change.

9. This order shall become effective February 1, 1999.

**DONE AND ORDERED** in quadruplicate at Vero Beach, Indian River County, Florida, this 22 day of December 1998.

A handwritten signature in black ink, appearing to read 'P. B. Kanarek', written over a horizontal line.

**PAUL B. KANAREK**  
Chief Judge