

**IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT
IN AND FOR HARDEE, HIGHLANDS, AND POLK COUNTIES, FLORIDA**

ADMINISTRATIVE ORDER NO. 1-46.0

**APPOINTMENT AND FUNCTIONS OF
GENERAL MAGISTRATES AND HEARING OFFICERS**

WHEREAS the distinctive quasi-judicial nature of general magistrate and hearing officer staff positions requires guidelines to clarify the judicial and administrative responsibilities of the persons filling these positions and of those who exercise supervisory duties over these employees; now therefore, it is

ORDERED that:

1. **Appointment of General Magistrates and Hearing Officers:** General magistrates and hearing officers will be appointed in accordance with a procedure approved at the discretion of the Chief Judge. Such procedure may include interviews or written recommendation by the judge(s) of the division to which the magistrate or hearing officer will be assigned. Under no circumstances may a general magistrate or hearing officer assume case-related duties until an oath has been executed and the Chief Judge has formally approved the appointment.
2. **Quasi-Judicial Functions of General Magistrates and Hearing Officers:** Duties involving responsibility for hearing court cases, deciding legal issues, preparing recommended findings and rulings, calendaring, meeting expected work production levels, managing assigned caseload, communicating with court-related agencies about operating procedures, maintaining statistics, drafting or amending court forms, are considered quasi-judicial functions.

All quasi-judicial functions will be carried out under the supervision of the Chief Judge or an administrative judge designated by the Chief Judge. These appointments will be made by the Chief Judge in a special order.

In performing quasi-judicial functions, general magistrates and hearing officers are explicitly subject to Canons 1, 2A and 3 of the Code of Judicial Conduct, and are also subject to any other Canons that might reasonably apply to judicial functions.

3. **Administrative Functions of General Magistrates and Hearing Officers:** Adhering to personnel policies and practices reflected in the State Courts System personnel manual – i.e., duty hours, attendance and leave, holidays, training, appointments, personal conduct, political activity, equipment usage, performance evaluation, discipline, grievances, parking, mileage, etc., are administrative functions.

All other duties and responsibilities, including, but not limited to: scheduling of work, alternating assignments with other general magistrates and hearing officers, and serving as a liaison with the Bar are administrative functions.

All administrative functions will be carried out under the supervision of the Court Administrator for the Tenth Judicial Circuit, currently Nick Sudzina, who will serve as liaison between any magistrate or hearing officer and all judges on administrative matters.

DONE AND ORDERED on this 30th day of June, 2011.

J. DAVID LANGFORD
Chief Judge