

IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT

IN AND FOR POLK COUNTY, FLORIDA

ADMINISTRATIVE ORDER NO. 5-41.0

IN RE: EMERGENCY PRO SE MOTIONS

WHEREAS, it is necessary for the prompt and efficient administration of justice in this Circuit that the Family Law Division have administrative provisions to handle "emergency pro se" motions of extreme urgency not meeting the definition of "emergency" as promulgated by Administrative Order No. 1.15.0 "In Re: Duty Judge Assignment and Responsibilities";

NOW THEREFORE, IT IS **ORDERED** AND **ADJUDGED** AS FOLLOWS:

1. At such time as an emergency pro se motion is filed with the Clerk of Courts, the clerk shall forward the emergency pro se motion to the family division section that was simultaneously designated to the case by the clerk upon the initial filing of the action as provided for in Administrative Order No. 5-24.4 "In Re: Assignment of Family Cases to

Self-Help Program (Pro Se Section 80) Cases in Polk County".

2. If the designated family law section is unable to fulfill the responsibilities of his or her assignment as referenced in paragraph one above, the Clerk shall forward the emergency pro se motion to the Administrative Judge of the Family Law Division ("administrative judge"). The administrative judge shall timely review and rule on the emergency pro se motion.

3. If the administrative judge is unable to fulfill the responsibilities of his or her assignment as referenced in paragraph two above, the Clerk shall forward the emergency pro se motion to the duty judge. The duty judge shall timely review and rule on the emergency pro se motion.

4. If the court determines that a hearing on the emergency pro se motion is necessary, the hearing shall be held in an amount of time deemed reasonable by the court. Such hearings shall be held before the designated family division section as discussed in paragraph one. If the designated division is unavailable during the time deemed reasonable by the court, the hearing shall be held before the administrative judge, if available. If both the designated division judge and the administrative judge are unavailable, the emergency pro se motion shall be scheduled within a reasonable time to be held before a duty judge.

DONE AND ORDERED on this 17th day of July, 2002.

Charles B. Curry, Chief Judge