

**IN THE CIRCUIT COURT, SIXTH JUDICIAL CIRCUIT
IN AND FOR PASCO AND PINELLAS COUNTIES, FLORIDA**

ADMINISTRATIVE ORDER NO. 2019-008 PI-CIR

**RE: REASSIGNMENT OF CASES FROM TRAFFIC COURT TO COUNTY OR
CIRCUIT COURT - PINELLAS**

In order to provide for the efficient operation of the criminal and traffic sections of the County and Circuit Court in Pinellas County, and in accordance with Article V, section 2, Florida Constitution, Rule of Judicial Administration 2.215, and section 43.26, Florida Statutes, it is

ORDERED:

When a Pinellas Traffic Court Judge determines that a defendant assigned to his/her traffic section has other pending criminal charges, which appear to be based on the same acts/transactions or arise out of the same set of facts as the traffic offense(s), the Traffic Court Judge may, if the transfer is necessary for the expedient resolution of both cases, order these related traffic matters be transferred to the Pinellas County Justice Center and be reassigned to a section judge there. (The traffic cases transferred shall include criminal traffic offenses, as well as related infractions, which would necessarily be consolidated therewith pursuant to Florida Rule of Traffic Court 6.130 and cannot be heard by a civil traffic infraction hearing officer). Cases will also be transferred when the defendant has appointed counsel* or files a demand for jury trial.

Following entry of such a transfer order by the Traffic Judge, the Clerk of the Circuit Court shall reassign the transferred traffic case(s) as follows:

1. If the related misdemeanor or criminal charges are assigned to a county criminal section, the transferred traffic case(s) shall be assigned to that same section. A pretrial conference should be scheduled within 20 days of the transfer unless already set for pretrial by the court.
2. If the related criminal case is a felony, the transferred traffic case shall be assigned to the circuit court felony section **ONLY** when the felony information has been filed and it is stamped "encompassed" or includes the traffic case as a count.
3. If the pending felony is not yet filed, the transferred misdemeanor traffic case shall be assigned as in number one above, or on a random basis if the defendant has no prior cases in Odyssey.
4. If the related case is a felony, and the pending traffic matter is an infraction, the infraction remains in traffic court for disposition, whether by judge or magistrate, irrespective of the status of the felony, unless all parties agree to the transfer of the infraction.

*The appointment of the Public Defender in advisories or at traffic court will include the appointment on all pending related charges.

Administrative Order PI-CTY-2017-021 is hereby rescinded.

DONE AND ORDERED in Chambers at St. Petersburg, Pinellas County, Florida, this _____ day of February 2019.

ORIGINAL SIGNED ON FEBRUARY 5, 2019
BY ANTHONY RONDOLINO, CHIEF JUDGE

cc: All Pinellas Judges
The Honorable Bernie McCabe, State Attorney
The Honorable Bob Dillinger, Public Defender
The Honorable Ken Burke, Clerk of Court, Pinellas County
Gay Inskeep, Trial Courts Administrator
Ita M. Neymotin, Regional Counsel, Second District
Ngozi Acholonu, Assistant Regional Counsel
Bar Associations, Pinellas and Pasco Counties
Law Libraries, Pinellas and Pasco Counties