

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Administrative Order 85-26

IN RE: DUTY JUDGE ASSIGNMENT
SCHEDULE

The following is a schedule for October, November and December as to the Duty Judge, for the northern division of court, whose functions are as follows:

1. Handle all grand jury matters. This includes convening grand juries and ruling on matters affecting those grand juries during each month's duty. The Clerk's Office will call the offices of the Duty Judge to attempt to arrange a time convenient to the Judge for the empanelment of the grand jury (if one is scheduled for that month), but if the jurors have already been summoned, the date will have to be firm and the judge will have to adjust his or her schedule accordingly. Once the date for the empanelment is set by the Judge in consultation with the clerk, the date will have to be firm and not subject to change. Rule 6(f) of the Federal Rules of Criminal Procedure makes provisions for a grand jury return to be taken by either a Federal Judge or a U.S. Magistrate. Whether the District Judge or the Magistrate will take a return will be determined by the Judge. Until Rule 6(f) is further construed, a District Judge should handle immunization of witnesses and all matters that pertain to contempt.

2. Presiding over emergency naturalization matters.

3. Preside over matters arising from Magistrates' proceedings which are not assigned to a District Judge, including but limited to, applications for reduction of bonds and competency examinations.

4. Swearing in of attorneys to practice.

5. Preside over wire tap applications in matters not assigned to any District Judge.

6. Approval of issuance of warrants of arrest in admiralty cases when the Judge in whose division the case is assigned is not in that division or is otherwise unavailable.

MONTHLY ASSIGNMENTS:

September	1985	Judge Gonzalez
October	1985	Judge Paine
November	1985	Judge Roettger
December	1985	Judge Gonzalez

The Duty Judge should be present in the district and available for handling duty judge matters at all times during the month assigned. If it is necessary for the Duty Judge to be out of the district for a short period of time during the assigned month, it is his or her responsibility to make arrangements with another judge to handle all Duty Judge matters arising during the prior absence, and to notify the Chief Judge and the Clerk of Court.

DONE and ORDERED in chambers at the United States Courthouse, Federal Courthouse Square, Miami, Florida, this 26th day of July 1985.


JAMES LAWRENCE KING
CHIEF JUDGE

cc: All Southern District Judges