

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

ADMINISTRATIVE ORDER NO. 6.107-06/2022

IN RE: MENTAL HEALTH CASE ASSIGNMENT:
BAKER ACT, MARCHMAN ACT, FIREARM MOTIONS
AND TUBERCULOUS CASES

_____:

The Court is committed to providing judicial services at convenient locations consistent with the efficient and sound administration of justice. The Court has concluded that the foregoing principle dictates mental health cases listed above should be heard at the branch courthouses in addition to the Main Courthouse;

NOW, THEREFORE, pursuant to the authority conferred by Florida Rule of Judicial Administration 2.215, it is **ORDERED** as follows:

A. MENTAL HEALTH MATTERS GOVERNED BY THIS ORDER

1. The Probate & Guardianship Division of the Circuit Court, Palm Beach County, Florida hears probate, guardianship, and other mental health matters as defined in Administrative Order 6.102.
2. The following matters will be assigned according to the terms of this Administrative Order (“Mental Health Proceedings”):
 - i. Baker Act (Ch. 394 F.S.);
 - ii. Hal S. Marchman Alcohol and Other Drug Services Act (Ch. 397 F.S.);
 - iii. Adult Protective Services Act (Sec. 415.1051 F.S.);
 - iv. Compulsory Treatment and Commitment of Persons Afflicted with Tuberculosis (Sec. 392.55, 392.56, 392.57 F.S.);
 - v. Firearm motions brought pursuant to § 790.064, Fla. Stat., and relating to one of the above Mental Health Proceedings.
3. Although designated a “Mental Health” case number, assignment and procedures related to risk protection orders brought pursuant to § 790.401, Fla. Stat., will be as set forth in Administrative Order 6.312.

B. DIVISIONS ASSIGNED TO MENTAL HEALTH MATTERS

1. Effective July 5, 2022, the Clerk of the Circuit Court & Comptroller (Clerk) will not assign any newly filed Mental Health/General Magistrate Proceedings to Divisions IH, II, IJ, IB, ID, IC, IX, and IY. Cases pending at that time shall remain in their assigned divisions.
2. After July 5, 2022, all Mental Health/General Magistrate Proceedings as defined in Paragraph A.2 above shall only be assigned to Divisions IA, IW, and IZ.
3. Assignment of cases between Divisions IA, IW, and IZ will be regional, as set forth in Section C below, subject to the following exception:
 - a. Marchman Act petitions with a juvenile respondent should be assigned to a juvenile judge when there is an open dependency and/or delinquency case. *See* Admin. Order. 5.101, ¶ B.6.

C. REGIONAL CASE ASSIGNMENT OF “MENTAL HEALTH” MATTERS.

1. The regional case assignment will determine the judge presiding over the proceeding who will review all reports, recommendations, and proposed orders submitted by the assigned General Magistrate.
2. Mental Health Cases will be divided into three separate regions:
 - a. The Southern Region, in which cases will be assigned to the Division IZ Judge
 - b. The West Region, in which cases will be assigned to the Division IW Judge.
 - c. The Northern/Central Region, in which cases will be assigned to the Division IA Judge.
3. The regions established for the purpose of case assignment are defined as follows:

SOUTHERN REGION

The SOUTHERN REGION will serve the following cities as identified by their presently existing zip code numbers:

BOYNTON BEACH	33424
BOYNTON BEACH	33425
BOYNTON BEACH	33426
BOCA RATON	33428
BOCA RATON	33429
BOCA RATON	33431
BOCA RATON	33432
BOCA RATON	33433
BOCA RATON	33434

BOYNTON BEACH	33435
BOYNTON BEACH	33436
BOYNTON BEACH	33437
DELRAY BEACH	33444
DELRAY BEACH	33445
DELRAY BEACH	33446
DELRAY BEACH	33447
DELRAY BEACH	33448
LAKE WORTH	33454
ATLANTIS	33462
LAKE WORTH	33463
LAKE WORTH	33464
LAKE WORTH	33465
LAKE WORTH	33466
LAKE WORTH	33467
BOYNTON BEACH	33472
BOYNTON BEACH	33473
BOYNTON BEACH	33474
BOCA RATON	33481
DELRAY BEACH	33482
DELRAY BEACH	33483
DELRAY BEACH	33484
BOCA RATON	33486
BOCA RATON	33487
BOCA RATON	33496
BOCA RATON	33498
BOCA RATON	33499

WESTERN REGION

The WESTERN REGION will serve the following cities as identified by their presently existing zip code numbers:

BELLE GLADE	33430
CANAL POINT	33438
CLEWISTON	33440
LAKE HARBOR	33459
PAHOKEE	33476
PELICAN LAKE	33491
SOUTH BAY	33493

NORTHERN/CENTRAL REGION

The NORTHERN/CENTRAL REGION is defined as all areas within Palm Beach County not contained within the Southern or Western Regions.

4. The Clerk of the Circuit Court & Comptroller (Clerk) is hereby responsible for determining regional case assignment as follows:
 - a. General Rule: Assignment will be made to the region based upon the Respondent's residential address, if known.
 - b. Respondent Address Outside County:
 - i. If the Respondent's residential address is in Martin, St. Lucie, Okeechobee, or Indian River Counties, the case shall be assigned to the Northern Region.
 - ii. If the Respondent's residential address is in Broward, Miami-Dade, or Monroe Counties, the case shall be assigned to the Southern Region.
 - iii. All other cases where the Respondent has an out-of-county or out-of-state residential address shall be assigned to the Northern Region.
 - c. Licensed Services Provider Exception: However, if the Petitioner is a licensed services provider (hospital or treatment center), or the Respondent is currently in a licensed services facility, the assignment will be made to the region that includes the licensed services facility's address.
 - d. Respondent Address Unknown: If the Petitioner is not a licensed service provider and the Respondent's residential address is unknown, the assignment will be made to the Region that includes the Petitioner's residential address.

D. HEARING LOCATIONS AND GENERAL MAGISTRATE ASSIGNMENTS

1. General Magistrates are authorized by statute and by Administrative Order 5.104 to preside over Baker Act and Marchman Act proceedings.
 - a. Magistrates stationed in the North County Courthouse will hear Baker Act and Marchman Act cases assigned to Division IA.
 - b. Magistrates stationed in the South County Courthouse will hear Baker Act and Marchman Act cases assigned to Division IZ.
2. Location of Emergency and Ex Parte Hearings: Emergency and ex parte hearings (including, but not limited to, Petitions for Involuntary Examination or Assessment) pursuant to the Baker Act or the Marchman Act shall be heard where the Petitioner files the Petition, regardless of whether the case is assigned to that Region. Case assignment will remain as described above.

3. Additional Provisions Regarding Cases Assigned to the Western Region (Absence of Division IW Judge):

- a. The judge and judicial assistant for Division IW will be responsible for notifying the Administrative Magistrate and the West County Courthouse Clerk's office of any future or immediate judicial coverage needs.
- b. When coverage needs arise, the following procedures will apply:
 - i. Ex-parte/walk-in Mental Health cases will be heard by the Magistrates assigned to the South County Courthouse located at 200 West Atlantic Avenue, Delray Beach, Florida 33444.
 - ii. Magistrates assigned to the Main Courthouse will serve as alternatives if no South County Magistrate is available.
 - iii. The West County Courthouse Clerk's office shall email the petition and other related filings to the South County Courthouse via the CAD-MH_South@pbcgov.org email and inform the South County Courthouse Mental Health Clerk.
 - iv. The Order on the ex-parte/walk-in Baker Act, handled by the South County Courthouse Magistrate, will be forwarded to the Mental Health Division Signing Judge via the emergency queue in South County.
 - v. In the event there is a Respondent requiring an Involuntary Placement Hearing in West County and no judge is available, the Baker Act receiving facility in Belle Glade will transport the Respondent to its facility in West Palm Beach for hearing on the regular Baker Act docket.

E. GENERAL PROVISIONS: TUBERCULOSIS CASES AND FIREARMS MOTIONS

1. Tuberculosis Cases: All cases concerning Compulsory Treatment and Commitment of Persons Affected with Tuberculosis (§§ 392.55, 392.56, and 392.57, Fla. Stat.) will be assigned to Division IA but will be heard by the Magistrates assigned to the Main Courthouse.
2. Firearms Motions: All motions regarding firearms relating to Mental Health cases (except for Risk Protection Orders) shall be forwarded to the Magistrates in the Main Courthouse via the CAD-MH_Main@pbcgov.org email for processing.

DONE and SIGNED in Chambers at West Palm Beach, Palm Beach County, Florida, this 6th day of June, 2022.



Glenn Kelley
Chief Judge