

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Administrative Order 85-52

IN RE: DUTY JUDGE ASSIGNMENT
SCHEDULE, SOUTHERN DIVISION

The following is a schedule for January through June 1986, of Duty Judges for the southern division of the 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 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 provision 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 not 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:

January	1986	Judge Kehoe
February	1986	Judge Davis
March	1986	Judge Spellman
April	1986	Judge Hastings
May	1986	Judge Nesbitt
June	1986	Judge Marcus

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 brief 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 19th day of December 1985.



JAMES LAWRENCE KING
CHIEF JUDGE

cc: All Southern District Judges