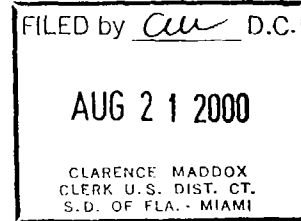


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2000-61



IN RE:

GOVERNANCE OF THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

At a special meeting of the Court held on July 6, 2000, the Active Judges in attendance, being a quorum of the Active Judges of this Court, agreed that the decision with respect to the form of governance of the United States District Court for the Southern District of Florida be left to the Chief Judge.

Accordingly, after due consideration, it is

ORDERED AND ADJUDGED as follows:

1. That the Executive Committee heretofore created by Administrative Order No. 94-49 be and the same is hereby abolished and of no further force and effect. To the extent that Administrative Order No. 94-49 created the position of the Court Administrator and articulated the duties and responsibilities of the Court Administrator, Administrative Order No. 94-49 remains in full force and effect.

2. There shall be regular, pre-scheduled meetings of the Judges as set by the Chief Judge. The dates and places of the

regular meetings shall be set by the Chief Judge well in advance to give timely notice to the Judges of this Court, and the Chief Judge shall promptly notify the Judges in writing of the schedule. If the Chief Judge is absent, the Acting Chief Judge shall preside at the meetings of the Judges. There shall be no postponement of a regular, pre-scheduled meeting of the Judges except as required by serious emergency and the postponement shall not be for more than two (2) weeks from the scheduled date. The Judges of this Court shall administer and conduct the business of the Court by action at their Judges' meetings. The Judges shall establish the policies of the Court, determine its programs and adopt and promulgate its rules at their Judges' meetings.

3. There shall be such special meetings of the Judges as the Chief Judge may from time to time call, or as required.

4. Proxy voting at Judges' meetings or voting by mail will not be allowed. Any Judge of the Court is deemed to be in attendance and may participate in the meeting if connected by means of a telephone or video hookup which enables all participants to hear or hear and see all proceedings and the statements of all other participants. However, it is the sense of the Court that Judges should make a maximum effort to attend Judges' meetings in person.

5. The Active Judges of the Court, including the Chief Judge, shall be entitled to vote on all matters. All decisions at Judges' meetings shall be by majority vote of the Judges as a collegial body.

6. No action may be taken at any regular or special meeting of the Judges unless at the commencement of the meeting there is in attendance at least fifty percent of the Active Judges of the Court.

7. The Court Administrator/Clerk of Court or his designee shall act as the Secretary at the meetings of the Judges. The Secretary shall promptly prepare and submit to the Chief Judge for approval minutes of each such meeting. After approval, the Court Administrator/Clerk of Court shall promptly transmit a copy of the minutes to each Judge of the Court, noting on the original and on each copy the date of such transmittal.

The Court Administrator/Clerk of Court shall keep and maintain permanent books containing the minutes of all Judges' meetings. These permanent books shall be indexed from time to time by the Court Administrator/Clerk of Court so that all actions on a given subject can be easily retrieved.

The Court Administrator/Clerk of Court shall keep and maintain a permanent book containing a conformed copy of this Order

re: governance and every future amendment thereof.

8. The Chief Judge shall have the following powers and duties:

- A. To convene and preside at the meetings of the Judges, regular and special.
- B. To set and preside over all en banc and ceremonial sessions of the Court.
- C. To be an ex officio, voting member of each Standing or Ad Hoc Court Committee.
- D. To be the spokesperson for the Court to the public, the Bar, other government agencies and the judicial establishment.
- E. To appoint, pursuant to the decision of the Court, the Chief Bankruptcy Judge and the Chief Magistrate Judge. The Court shall also determine the term for each.
- F. To promulgate duty rosters for all duty positions established by the Court.
- G. In a serious, natural disaster or other emergency, to close all operations of the Court at any or all of the facilities in which the Court operates.
- H. To exercise such other powers and duties as may be assigned to the Chief Judge from time to time by the

Court or by statute.

9. There shall be certain Standing Committees as an integral part of the Court's operation. Standing Committees shall remain in existence and operate continuously provided, however, that the Chief Judge, at any time, may terminate the existence of a Standing Committee, create one or more new Standing Committees, or combine the functions of Standing Committees already in existence. A list of the Standing Committees, effective the date of this Order, are as follows:

- A. The Committee on Court Services (this includes the office of the Clerk of Court, court reporters and court interpreters);
- B. The Committee on Automation and Technology;
- C. The Committee on the Budget and Fiscal Management;
- D. The Committee on Pretrial Services, Probation and the United States Marshal; and
- E. The Committee on Rules and Manuals (for example, this includes, inter alia, the Advisory Committee on Rules and Procedures of the Southern District of Florida, the Court's Policy Manual, Attorney Admissions, Local Rules, etc.).

10. There shall be such Ad Hoc Committees as the Chief Judge and/or the Court shall from time to time create. At the time of the creation of an Ad Hoc Committee, its purpose and function shall be defined. It shall remain in existence until the Chief Judge determines that its purpose and function have been completed or for the term set for its existence.

11. The size of each Court Committee shall be determined and the Chair of each Committee shall be appointed by the Chief Judge. To create greater participation and collegiality within the Court, Magistrate Judges may serve as voting members of both Standing and Ad Hoc Committees.

12. Whenever an Active Judge retires from the Court, or a courtroom and chambers becomes available in any division of the Court, the Chief Judge shall poll the Active Judges to determine which, if any of them, seek assignment to the vacant position. Assignment to such available position shall be made as follows: when more than one active Judge seeks assignment to a vacant or newly available position, the position shall be assigned to the most senior Active Judge seeking it.

13. This Order and any future amendments to it shall become effective only when filed by the Court Administrator/Clerk of Court, bearing the signature of the Chief Judge. Any amendment of

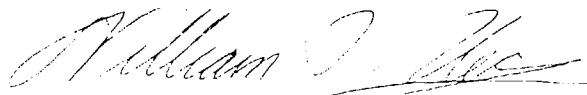
this Order shall specify the language deleted from or added to. All amendments shall be serially numbered.

14. In assisting this Court to continue to be a collegial body, it is expected that the Judges of this Court will observe all Local Rules and the Court Policy Manual in the conduct of Court business.

15. If any provision of this Order conflicts with any provision of any prior Administrative Order, Order of any prior Chief Judge, or action reflected in the minutes of any prior Judges' meeting, this Order shall govern.

16. The provisions of this Order are subject to the statutes of the United States and the Federal Rules promulgated by the Supreme Court of the United States. Where either is in conflict with the provisions of this Order, said statutes and/or Rules shall govern.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida, this 18th day of August, 2000.



WILLIAM J. ZLOCH
Chief United States District Judge

cc: All Southern District Judges
All Southern District Magistrate Judges
All United States Bankruptcy Judges
Court Administrator*Clerk of Court