

**THE ELEVENTH JUDICIAL CIRCUIT
MIAMI-DADE COUNTY, FLORIDA**

**CASE NO. 08-1
(Court Administration)**

**ADMINISTRATIVE ORDER
NO. 08-04
(Rescinds AO No. 99-15)**

**IN RE: ESTABLISHMENT OF
PROCEDURES FOR PRE-TRIAL
CONFERENCES IN CIVIL TRAFFIC
INFRACTION CASES**

WHEREAS, pursuant to Administrative Order No. 99-15, entered on May 24, 1999, this Circuit, based upon the recommendation of an Ad Hoc Committee chaired by the Honorable Steve Leifman, initiated a pilot program featuring a Pre-Trial Conference procedure for civil traffic infraction cases where a request for trial is filed ("Pilot Program"); and

WHEREAS, the Pilot Program was very effective as a method of reducing the backlog of such cases;

NOW THEREFORE, pursuant to the authority vested in me as Chief Judge of the Eleventh Judicial Circuit of Florida, the following procedures are hereby established to be implemented throughout this Circuit for civil traffic cases where a request for trial is filed:

1. Except as otherwise provided herein, a Pre-Trial Conference shall be conducted in traffic infraction cases where trials have been duly requested.
2. The Pre-Trial Conference Program shall exclude civil traffic infraction cases involving a personal injury or death; cases involving a civil traffic infraction issued in conjunction with a criminal traffic offense; civil traffic infraction cases which have prior trial settings; and toll violations issued by Miami-Dade Expressway Authority (MDX) and SunPass agencies.
3. For continuance/reset requests, the appropriate judicial officer shall review each continuance request, and cases in which continuances are granted shall be reset for Pre-Trial Conferences.

4. Pre-Trial motions – All motions relating to defects in the Charging Document shall be made at the Pre-Trial Conference, or they are waived. Once waived, no such matter shall be revisited. All motions relating to irregularities or informalities in the charging Document, or factual disputes, may be denied without prejudice and noted on the file, but may be raised again only during a trial of the case.
5. Failure to Appear – If a defendant, or his or her attorney, fails to appear at a Pre-Trial Conference scheduled pursuant to this Administrative Order, the Court shall enter a D6, suspension of license, pursuant to §318.15(1), Florida Statutes.
6. Notice of Appearance – Prior to representation of any defendant in a traffic infraction case, a notice of appearance shall be filed by the responsible attorney with the Clerk of Courts.
7. On the effective date of this Administrative Order, the Clerk of the Court is hereby directed to begin scheduling Pre-Trial Conferences.

This Administrative Order shall become effective immediately upon execution and shall remain in effect until further order of the Court.

Administrative Order No. 99-15 in Case No. 99-1 (Court Administration) is hereby rescinded in its entirety and shall be held for naught.

DONE AND ORDERED in Chambers at Miami-Dade, Florida, this _____ day of _____, 2008.

**JOSEPH P. FARINA, CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA**