

March 29, 2006

The Honorable Justices of the Florida Supreme Court
500 South Duval Street
Tallahassee, Florida 32399

Chief Justice Barbara J. Pariente
Justice Charles T. Wells
Justice Harry Lee Anstead
Justice R. Fred Lewis
Justice Peggy A. Quince
Justice Raoul G. Cantero III
Justice Kenneth B. Bell

RE: OBJECTIONS TO PROPOSED RULE OF JUVENILE PROCEDURE 8.257(h)

We the undersigned Circuit Judges of the Second Judicial Circuit do hereby request the Supreme Court of Florida not to adopt the proposed Rule of Juvenile Procedure as it relates to prohibiting Magistrates from presiding over adjudicatory hearings in Dependency cases. We offer the following reasons in support of our request:

Our System is Working

With the exception of Shelter Hearings, the Dependency Court in Leon, Gadsden, Franklin and Jefferson County is presently conducted by a Magistrate. The cases are being processed timely and in a legal manner. The number of Exceptions to the Magistrate's reports are minimal and there is a general sense that justice is being accomplished.

Any Party may Opt Out

The rules have always provided for the A. . . consent to the referral by all parties.@Fla R. Juv. P 8.257(b). If any party objects the matter is heard by the assigned Judge. In our circuit we have not had many objections to the referrals which, again, we believe is indicative of the general satisfaction of the major players (i.e. DCF, Parents Bar, and GAL) within the system.

Efficient use of a Valuable Resource

This resource has been provided and it is our duty to make the most efficient use of it. Presently, each Chief Judge has the discretion to utilize Magistrates in a way that provides for the needs of their circuit. Circuits should be allowed to have different levels of utilization of Magistrates as they best determine.

We hope that you will continue to allow the flexible utilization of Magistrates in Dependency Court by denying the proposed changes and thereby let the procedures which have worked in the Second Circuit for over five years continue. Thank you for considering our input.

George S. Reynolds III

Kathleen Dekker

Nikki Ann Clark

John E. Crusoe

Thomas H. Bateman

James C. Hankinson

Jonathan Sjostrom

John Cooper

Janet E. Ferris

Angela Dempsey

P. Kevin Davey

Terry P. Lewis

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of this document has been forwarded by regular U. S.

Mail to Alan Abramowitz, Committee Chairperson, 400 West Robinson Street, Orlando, Florida

32801-1782 March 30, 2006

GEORGE S. REYNOLDS, III
Circuit Judge
Second Judicial Circuit