



Administrative Office of the Courts

JOB OPPORTUNITY BULLETIN

CONTRACTUAL POSITION	DEPARTMENT: Court Administration
POSITION: Administrative Civil Traffic Hearing Officer	
SALARY: \$65/hr.	

A. SCOPE OF WORK

1. Sections 318.30-318.38, Florida Statutes, authorize the establishment of a civil traffic infraction hearing officer program and Florida Rule of Traffic Court 6.630 governs the procedures for establishment and operation of a civil traffic infraction hearing officer program. The Administrative Civil Traffic Hearing Officer (“ACTHO”) will perform the following part-time contractual services within the Circuit’s traffic infraction hearing officer program for the benefit of the Circuit and at the pleasure of the Chief Judge:
 - a. Coordinate and maintain the schedule of the Circuit’s Civil Traffic Hearing Officers (“CTHO”).
 - b. Develop and coordinate the annual training of the Circuit’s CTHOs.
 - c. Develop and coordinate the provision of an education and training program for potential CTHOs.
 - d. Review and rule on correspondence/motions in traffic infraction cases as outlined in sections 2 and 4 of the Circuit’s Administrative Order 10.403-7/14 (as may be amended from time to time).
 - e. Hear and consider all civil traffic infraction proceedings (including parking tickets) over which a civil traffic hearing officer has jurisdiction pursuant to Florida law. This includes accepting pleas from defendants, hearing and ruling upon motions, deciding the guilt or innocence of any person, adult or juvenile, charged with any civil traffic infraction over which the ACTHO has jurisdiction. Pursuant to Florida law, the ACTHO is empowered to adjudicate or withhold adjudication in the same manner as a county court judge under the statutes, ordinances, rules, and procedures presently existing or as subsequently amended.
 - f. Preside over calendars scheduled at traffic court locations throughout Palm Beach County.
 - g. Provide services pursuant to the Florida Statutes, as may be amended from time to time, Rules of Court, the Code of Judicial Conduct, Administrative Order 10.301-09/18 (as may be amended from time to time), and any other applicable county ordinances, administrative orders, and relevant case law.
 - h. Enter orders as required, both written and orally, and perform research as needed, on those matters that come before the ACTHO both in court and outside of court upon written motion and/or correspondence.
2. Pursuant to Florida law, the ACTHO shall NOT

- a. Have the power to hold any person in contempt of court. The ACTHO is permitted to file a verified motion for order of contempt, if appropriate, with an appropriate state trial court judge pursuant to Florida Rule of Criminal Procedure 3.840.
- b. Hear a case involving an accident resulting in injury or death.
- c. Hear a criminal traffic offense case or a case involving a civil traffic infraction issued in conjunction with a criminal traffic offense.
- d. Hear any other traffic infraction for which statutory jurisdiction has been placed solely with a county court judge and not a CTHO.
- e. Wear a judicial robe or in any other manner appear to be an elected or appointed judicial constitutional officer.

B. MINIMUM REQUIREMENTS

1. The ACTHO shall:
 - a. Be a member in good standing of the Florida Bar.
 - b. Be a commissioned notary public.
 - c. Have completed in accordance with the requirements of Florida Rule of Traffic 6.630(f), a 40-hour education and training program approved by the Florida Supreme Court.
 - d. Complete an approved 4-hour continuing education program for CTHOs on an annual basis which course shall be provided at the expense of the Circuit.
 - e. Possess the skills and ability to competently perform the duties of a CTHO.
 - f. Not have any conviction for any felony, misdemeanor, or criminal traffic offense.
 - g. Not have any pending traffic or parking tickets that have not been timely paid.
 - h. Make true and complete representations, to the best of his/her belief, on the CTHO application.
 - i. Undergo a background check, which shall be provided by the Circuit and at the Circuit's expense.

C. DELIVERABLES

The ACTHO agrees to:

1. Perform the services for which the ACTHO is retained to the best of his or her ability and at the direction and request of the Circuit.
2. Communicate regularly with the Administrative Judge of the Civil Traffic Program on issues related to the program.

3. Adhere to the Florida Rules of Traffic Court and Florida Statutes as applicable to the position of ACTHO.
4. Maintain all records he or she makes or receives in conjunction with his or her obligations under this Agreement in accordance with Rule 2.420, Florida Rules of Judicial Administration. Further, the ACTHO will maintain the confidentiality of any records that are exempt from disclosure pursuant to Rule 2.420, Florida Rules of Judicial Administration.
5. Comply with the Code of Judicial Conduct, as applicable.
6. Coordinate and provide monthly CTHO calendars to the Administrative Judge of the Civil Traffic Program, the Court Administrator, the Palm Beach Sheriff's Office Court Operations unit, and the Clerk of Court no later than 30 days prior to the first day on the calendar.
7. Create course material and facilitate an annual training for the Circuit's CTHOs in accordance with Florida Rule of Traffic 6.630(h).
8. Create course material and facilitate training for potential CTHOs in accordance with Florida Rule of Traffic 6.630(f).
9. Review and rule on correspondence/motions in traffic infraction cases as outlined in sections 2 and 4 of the Circuit's Administrative Order 10.403-7/14 (as may be amended from time to time) within 72 hours of receipt.
10. Preside over traffic court as he or she is scheduled by Court Administration and perform such services in a timely manner. Should the ACTHO not be able to preside on his or her assigned date and time, it will be the responsibility of the ACTHO to obtain coverage for the assigned date and time from another CTHO or judge. Court Administration will furnish the ACTHO with a roster of those CTHOs that are currently serving under an active contract for this purpose.

D. COMPENSATION

The Circuit will pay the ACTHO \$65.00 per hour for presiding over civil traffic infraction hearings whether on weekdays or weekends and \$65.00 per hour for coordinating scheduling and trainings within the Circuit's CTHO program. In addition, the ACTHO will be paid \$65.00 per hour for other legal services and research performed in conjunction with his or her ACTHO duties as outlined above. The ACTHO will be paid \$65.00 per hour for attending the annually required 4 hour Continuing Education Program. The ACTHO will not be paid for travel time.

E. INDEPENDENT CONTRACTOR

1. The ACTHO is and will perform all obligations under this Agreement as an independent contractor. Nothing contained in this Agreement will be construed to imply or be interpreted to establish any relationship other than independent contractor.
2. The ACTHO will receive no salary or benefits from the Circuit, the State Courts System, or the State of Florida, but shall be compensated for the services rendered in accordance with the terms and conditions of this Agreement. The ACTHO will not be entitled to any rights or privileges of State employees and will not be considered in any manner to be a State of Florida employee, or an agent of the Circuit, the State Courts System or the State of Florida.
3. The ACTHO represents that he or she has not been an employee or OPS employee of the State of Florida nor has he or she received W-2 reportable wages from the State of Florida for a period of at least twelve calendar months immediately preceding the execution date of this Agreement. The ACTHO will notify the Circuit's Contract Manager immediately upon his or her acceptance of employment with any agency or entity of the State of Florida.
4. The ACTHO is responsible for reviewing and complying with all pertinent State and Federal laws, for all income taxes including, but not limited to FICA, FUTA, social security taxes and other unemployment taxes of a similar nature on all compensation received under this Agreement.
5. As an independent contractor, the ACTHO is not entitled to worker's compensation benefits under this Agreement. Should the ACTHO desire worker's compensation insurance coverage, the ACTHO is solely responsible for securing his or her own worker's compensation insurance coverage.
6. Nothing in this Agreement precludes the ACTHO from contracting with other clients during the term of this Agreement. The ACTHO does acknowledge and agree, however, that ACTHO will not accept or perform work that would conflict with the ACTHO's duties, responsibilities and obligations under this Agreement.

HOW TO APPLY:

Interested parties should electronically submit an application package consisting of a:

- Cover letter
- Resume
- State of Florida Application available at:
<https://www.15thcircuit.com/sites/default/files/files/jobDocuments/StateOfFloridaApplication.pdf>

The application package must be submitted to: **Chief of Personnel, Tammy Anton**, at CAD-Recruiting@pbcgov.org.

NOTICE:

Incomplete applications will not be considered. **Applications will continue to be received until the position is filled.** Submission of an application does not guarantee the applicant an interview. Applicants will be subject to a criminal background check. We are an Equal Opportunity Employer. We do not discriminate against any of the protected classes.

If you are a person with a disability who needs any accommodation in order to participate in the interviewing process once selected, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Tammy Anton, Americans with Disabilities Act Coordinator, Palm Beach

County Courthouse, 205 North Dixie Highway West Palm Beach, Florida 33401; telephone number (561) 355-4380 at least 7 days before your scheduled either in-person or telephonic interview; if you are hearing or voice impaired, call "711."