



Administrative Office of the Courts

JOB OPPORTUNITY BULLETIN

CONTRACTUAL POSITION	DEPARTMENT: Court Administration
POSITION: Civil Traffic Hearing Officer	
SALARY: \$50/hr.	

A. SCOPE OF WORK

1. The Civil Traffic Hearing Officer (CTHO) will perform the following part-time contractual services (as an independent contractor) for the benefit of the Circuit and at the pleasure of the Chief Judge:
 - a. 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 CTHO has jurisdiction. Pursuant to Florida law, the CTHO 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.
 - b. Preside over weekday and weekend calendars scheduled at traffic court locations throughout Palm Beach County.
 - c. 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.
 - d. Enter orders as required, both written and orally, and perform research as needed, on those matters that come before the CTHO both in court and outside of court upon written motion and/or correspondence.
2. Pursuant to Florida law, the CTHO shall NOT
 - a. Have the power to hold any person in contempt of court. The CTHO 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 CTHO 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 which 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 CTHO agrees to:

1. Perform the services for which the CTHO is retained to the best of his or her ability and at the direction and request of the Circuit.
2. Adhere to the Florida Rules of Traffic Court and Florida Statutes as applicable to the position of CTHO.
3. 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 CTHO will maintain the confidentiality of any records that are exempt from disclosure pursuant to Rule 2.420, Florida Rules of Judicial Administration.
4. Comply with the Code of Judicial Conduct, as applicable.
5. Preside over traffic court as he or she is scheduled by Court Administration and perform such services in a timely manner. Should the CTHO not be able to preside on his or her assigned date and time, it will be the responsibility of the CTHO to obtain coverage for the assigned date and time from another CTHO or judge.

D. COMPENSATION

The Circuit will pay the CTHO \$50.00 per hour for presiding over civil traffic infraction hearings whether on weekdays or weekends. In addition, the CTHO will be paid \$50.00 per hour for other legal services and research performed in conjunction with his or her CTHO duties as outlined above when pre-approved by the ACTHO and the Trial Court Administrator. The CTHO will be paid \$50.00 per hour for attending the annually required 4 hour Continuing Education Program. The CTHO will not be paid for travel time.

E. INDEPENDENT CONTRACTOR

1. The CTHO 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 CTHO 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 CTHO 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 CTHO 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 CTHO 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 CTHO 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 CTHO is not entitled to worker's compensation benefits under this Agreement. Should the CTHO desire worker's compensation insurance coverage, the CTHO is solely responsible for securing his or her own worker's compensation insurance coverage.
6. Nothing in this Agreement precludes the CTHO from contracting with other clients during the term of this Agreement. The CTHO does acknowledge and agree, however, that CTHO will not accept or perform work that would conflict with the CTHO's duties, responsibilities and obligations under this Agreement.
7. The CTHO is liable for and will indemnify, defend, and hold harmless the Court, the State Court System, its officers, agents, and employees from all claims, suits, judgments, or damages, including attorneys' fees and costs, and claims made by the Internal Revenue Service, the United States Department of Labor, or any person or entity providing services under this Contract, arising out of any misrepresentation by the CTHO as to the CTHO's status as an independent contractor under this Section.

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."