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AS TO TIME AND DATE NOTED
PAUL F. HARTSFIELD
CLK. OF CIRCUIT COURT

IN THE SECOND JUDICIAL CIRCUIT
FLORIDA

OFFICE OF THE CHIEF JUDGE

ADMINISTRATIVE ORDER NO. 76-23

IN RE: County Court Probation System, in and for the Second Judicial Circuit.

The Florida Legislature, during the 1975 Regular Session, amended Sections 921.23 (1) and 948.01 (2) F. S. providing that only the Circuit Courts of the State of Florida be empowered and authorized to refer certain cases to the Florida Parole and Probation Commission. By the amendment, it has left the County Courts of the State of Florida without authority to utilize the services of said Parole and Probation Commission.

It has come to the attention of the Office of the Chief Judge that there is a need and desire to continue a probation system for the County Court of the Second Judicial Circuit as a part of the sentencing program.

The office of the Court Administrator of the Second Judicial Circuit has facilities and personnel to implement a program whereby misdemeanants may be placed on probation either under the Court Administrator or his deputy's personal supervision.

The Florida Legislature during the 1976 regular session passed Chapter 76-238, Laws of Florida, Acts of 1976, which amended Chapters, 945 and 948, F. S. authorizing a defendant to be placed under the custody of the Salvation Army for supervision and rehabilitation and providing for a contribution of $10.00 per month by the probationer.

The Salvation Army of Tallahassee, Florida, has offered its services, facilities and personnel to implement a program whereby misdemeanants may be placed on probation under the supervision of the Salvation Army for the enforcement of County Court Orders placing a misdemeanant on supervised probation.

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CLERK OF THE CIRCUIT COURT & COMPTROLLER LEON COUNTY GWEN MARSHALL
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A County Court Probation System for the Second Judicial Circuit, under the supervision and coordination of the Court Administrator's office, is hereby authorized and shall be called County Court Misdemeanor Division, Department of Probation. The Court Administrator's office is hereby authorized to implement such a program, using the Salvation Army or any other agency, either private or public with the means to provide such supervision subject to the approval of the County Judges in each of the counties of the Second Judicial Circuit who wish to use these services. The Court Administrator's office, any agency, or individual, supervising probationers shall have the authority to carry out the orders of the court, enforce the conditions of probation, issue a complaint or affidavit for violation of probation, appear in court and offer testimony in support of the violation, but shall not have any powers of arrest.

The County Court Judges are hereby authorized to refer all misdemeanants who they deem fit to be placed under the supervised probation system to the County Court Probation System of their respective counties. The Court Administrator's office shall coordinate with and supervise all agencies in administrative procedures, who are designated to counsel and supervise probationers. Said program to become effective immediately.

DONE and ORDERED this 13th day of August, 1976.

Ben C. Willis

BEN C. WILLIS, CHIEF JUDGE

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