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09/02/2004 at 12:39 PM, BOB INZER, CLERK OF COURTS

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AT THIS TIME AND DATE NOTED
PAUL F. HARTSFIELD
CLERK OF CIRCUIT COURT

IN THE SECOND JUDICIAL CIRCUIT
OF FLORIDA

OFFICE OF THE CHIEF JUDGE

ADMINISTRATIVE ORDER NO. 78-12

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

This Order supercedes Administrative Order No. 76-23, which is the original Order creating the County Court Probation System of the Second Judicial Circuit, and includes all amendments made pursuant to the original order. All adjudications and obligations made pursuant to the original order of this Court dated August 13, 1976, and any subsequent amendments shall remain in full force and effect and this Order shall relate to any probations rendered on or after the effective date of this Order.

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

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either under the supervision of the Court Administrator or his deputy, or any other agency, either private or public, with the means to provide such 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 or any other agency, either private or public, for supervision and rehabilitation and providing for a contribution of $10.00 per month by the probationer.

The Salvation Army and the Alternative Community Service Program, both of Tallahassee, Florida, have offered their services, facilities and personnel to implement a program whereby misdemeanants may be placed on probation under their supervision for the enforcement of County Court Orders placing a misdemeanant on supervised probation and is authorized to collect a contribution of $10.00 per month from the probationer for cost of supervision.

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 the Alternative Community Service Program, 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

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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.

Because of the responsibilities of the Court Administrator's Office to coordinate and supervise all agencies in administrative procedures and to better meet the needs of the Courts, the Court Administrator or his deputy is hereby authorized to transfer the supervision of a probationer, at his discretion, to any other agency authorized to supervise County Court probationers, and the supervision of said probationers becomes that agency's responsibility. All agencies providing the aforesaid supervision shall be coordinated by and receive all instructions from the office of the Court Administrator.

The County Court Judges are hereby authorized to refer all misdemeanants whom 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 relative to administrative procedures, who are designated to counsel and supervise probationers. This Order shall become effective immediately.

DONE AND ORDERED this 1st day of March, 1978.

/s/ Ben C. Willis
BEN C. WILLIS, CHIEF JUDGE

Copies: County Judges of
Leon, Gadsden & Wakulla Counties
Clerks of Court--Leon, Gadsden & Wakulla Counties
Salvation Army
Director, Alternative Community Service Program

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