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PAUL F. HARTSFIELD
CLERK OF CIRCUIT COURT

IN THE COUNTY COURT OF THE
SECOND JUDICIAL CIRCUIT, IN
AND FOR LEON COUNTY, FLORIDA.

ADMINISTRATIVE ORDER NUMBER: 13

Re: First Appearances

AFTER consideration of the types of cases considered at First Appearance the following Order is promulgated to specifically distinguish what types of matters should be brought to First Appearance and those matters not appropriate for consideration at that non-adversary proceeding.

THEREFORE the following two general classifications of matters are specifically to be adhered to in scheduling cases at First Appearance.

A. The following matters only are to be scheduled for consideration at First Appearance:

1. Defendants who have previously bonded out of the Leon County Jail before First Appearance and have subsequently been arrested for failing to appear for their arraignment or trial.

2. Defendants who fail to appear in Traffic Court within the mandatory ten (10) days limitation and who have not previously been at First Appearance.

3. Where an Information or Indictment has been filed against a Defendant, for felonies or misdemeanors, and a capias has been issued, with or without bond, and the Defendant has not had First Appearance.

4. Where the Defendant has been arrested by a Law Enforcement Officer without a warrant and placed in the custody of the Leon County Jail.

5. Where a bondsman has recommitted a Defendant and that Defendant has never appeared before the Committing Magistrate at First Appearance.

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6. Transfer of case from Circuit Court to County Court.

7. Where the Defendant has been charged with a Violation of Probation.

8. Where a Defendant is classified as a Fugitive or has been released from Federal custody from the Federal Correctional Institute and turned over to the State authorities for out of State warrants.

B. The following incidences do not require First Appearance.

1. Where a capias has been issued for a Defendant for failing to appear and the Defendant has previously had a First Appearance and had an attorney appointed or retained private counsel.

a. A petition for the setting of a bond or a bond reduction should be filed directly with the Judge ordering the capias.

b. The Judge issuing the capias should be contacted with regard to all matters in the case including bond.

2. Where the Defendant has been picked up on an out of County warrant with or without bond being set on that warrant, however, in all cases the Sheriff shall allow that Defendant access to the Public Defender for consultation.

3. Where a bondsman has recommitted a Defendant and the Defendant has previously on the original charge appeared before a Committing Magistrate for First Appearance.

4. Where a capias has been issued for failure of the Defendant to comply with the sentence. The Defendant should appear directly before the Judge issuing the capias and should not be brought to First Appearance.

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DONE AND ORDERED in Chambers this 27th day of August, 1982.

CHARLES D. McC[illegible]
ADMINISTRATIVE JU[illegible]

cc: Honorable Hal S. McClamma
Honorable John E. Crusoe
Misdemeanor Division
Traffic Division
Public Defender's Office
State Attorney's Office
Leon County Sheriff's Office

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