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CLERK OF CIRCUIT COURT

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

ADMINISTRATIVE ORDER NO. 85-5

RE: CONTINUANCES - CRIMINAL
AND TRAFFIC DIVISIONS
_____/

All requests for continuance shall be by motion in writing made to the judge scheduled to hear the matter on the date sought to be continued. In the event of the unavailability of that judge after reasonable notice, another judge of this court may consider the motion.

A defendant requesting so in writing is entitled to a first continuance of any appearance date scheduled within 60 days of arrest without consent of the State or further approval of the court. Such continuance shall be for a period not to exceed two (2) weeks.

A defendant may have a continuance for a period not to exceed four (4) weeks without further approval of the court if a continuance is requested in writing for any appearance date set within 90 days of arrest, with the consent of the State, waiver of speedy trial by the defendant, and assertion by defendant that not more than one (1) prior continuance has been granted.

In all criminal and traffic cases, all defendants shall personally appear at each and every proceeding or continuance of that proceeding which is set before the court 90 days or more from the date of arrest, and for which they have received notice to appear in proper person or through counsel. Process of the court for the arrest of defendants failing to comply with this order shall forthwith issue upon the failure of a defendant to appear in person. Appearance by counsel without the presence of the defendant will not be in compliance with this order.

The only exception shall be when the absence of the defendant is permitted by order of the court in writing issued at least 48 hours prior to the scheduled appearance of defendant.

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An Administrative Order of the Supreme Court effective July 1, 1985 sets a Trial Court Time Standard in misdemeanor cases of 90 days arrest to trial, and counsel are requested to assist the court in compliance herewith.

This Order shall become effective on November 1, 1985.

DONE AND ORDERED in Chambers, Tallahassee, Leon County, Florida this 9 day of October, 1985.

COUNTY JUDGE

Ronald O. Hartwell
CHIEF JUDGE

Copies to:

State Attorney's Office
Public Defender's Office
Tallahassee Bar
Clerk of Court
Court distribution to counsel

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CLERK OF THE CIRCUIT COURT & COMPTROLLER
LEON COUNTY
GWEN MARSHALL
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