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

IN THE SECOND JUDICIAL
CIRCUIT OF FLORIDA

OFFICE OF THE CHIEF JUDGE

ADMINISTRATIVE ORDER 91- 12

FILED AND DATE NOTED
IN THE OFFICE OF THE
PAUL F. HARTSFIELD
CLERK OF CIRCUIT COURT
92 JAN 10 PM 1:04

RECORDED IN THE PUBLIC
RECORDS OF LEON CO. FLA.
IN THE BOOK & PAGE IND.

IN RE: **SCHEDULING OF FIRST COURT APPEARANCE FOR ALL ARRESTED DEFENDANTS, WHETHER INCARCERATED OR RELEASED ON RECOGNIZANCE, BOND, PRE-TRIAL RELEASE, OR NOTICE TO APPEAR**

Effective January 1, 1992, the following criteria will govern the scheduling of first court appearance for all defendants who have been arrested and incarcerated in the Leon County Jail or who have been released on recognizance, bond, pre-trial release or by notice to appear.

A. INCARCERATED DEFENDANTS.

1. All on-view arrests, whether by probable cause or by capias or warrant in felony, misdemeanor, and criminal traffic cases: Schedule for next first appearance hearing in Courtroom J1.

2. Violation of probation in misdemeanor and criminal traffic cases: Schedule for arraignment on the next regular business day in Courtroom J1 (excluding weekends and holidays).

3. Violation of probation in felony cases: Schedule for felony arraignment on second regular business day after arrest in Courtroom J1 (excluding weekends and holidays).

4. Failure to appear or violation of release conditions in misdemeanor and criminal traffic cases: Schedule for appearance on next regular business day in Courtroom J1 (excluding weekends and holidays). If the defendant has not previously appeared before a judge in the case schedule for first appearance. If the defendant has appeared before a judge in the case schedule for arraignment.

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5. Failure to appear or violation of release conditions in felony cases: Schedule for appearance on the second regular business day in Courtroom J1 (excluding weekends and holidays). If the defendant has not previously appeared before a judge in the case schedule for first appearance. If the defendant has appeared before a judge in the case schedule for arraignment.

6. Contempt of court and violation of domestic injunction: Schedule for first appearance on next day after arrest in Courtroom J1.

7. Defendants held on detainers or warrants from out of state jurisdictions: Schedule for next first appearance.

B. DEFENDANTS RELEASED ON RECOGNIZANCE, BOND, PRE-TRIAL RELEASE OR BY NOTICE TO APPEAR (INCLUDING TRAFFIC CITATION)

1. Felony cases whether on-view, failure to appear or violation of probation: Schedule for second regular business day (excluding weekends and holidays). If the defendant has not previously appeared before a judge in the case schedule for first appearance in Courtroom 3A. If the defendant has previously appeared before the judge in the case schedule for arraignment in either Courtroom 3A (Judge Gary) or Courtroom 3B (Judge Sauls).

2. Misdemeanor cases whether on-view, failure to appear or violation of probation are to be scheduled for arraignment on the third TUESDAY after date of arrest in Courtroom 2A as follows:

Defendant's last name A-K	8:30 a.m.
Defendant's last name L-Z	1:00 p.m.
All Public Defender cases	10:00 a.m.
EXCEPTION: All Passing Worthless Banks Check cases	1:00 p.m. third THURSDAY after date of arrest.

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3. Criminal traffic cases whether on-view, failure to appear or violation of probation are to be scheduled for arraignment on the third Thursday after arrest in Courtroom 1B as follows:

Defendant's last name A-K	8:30 a.m.
Defendant's last name L-Z	1:00 p.m.
All Public Defender cases	10:30 a.m.

A quick reference guide to the foregoing is attached. It is expected to be referred to often. It should be conspicuously posted at the jail booking desk and in the Felony, Misdemeanor and Traffic Divisions of the Clerk's Office. It should be made readily available to clerks, booking officers, individual law enforcement officers and others who make arrests or issue notices to appear (including criminal traffic citations) or who otherwise must provide a defendant with a date and time to appear in court.

If there is any question or confusion concerning the scheduling of any person detained, contact the first appearance judge.

DONE AND ORDERED in Chambers, at Tallahassee, Leon County, Florida, this 30th day of December, 1991.

WILLIAM L. GARY, Chief Judge

Copies Provided To:

All Circuit Judges
All County Judges
Clerk of Court
Leon County Jail
Law Enforcement Agencies

(12/91 - Effective 1/1/92)

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COURT APPEARANCES FOR DEFENDANTS RELEASED ON RECOGNIZANCE, PRE-TRIAL, BOND, OR GIVEN NOTICE TO APPEAR

Type Arrest	Type Appearance	Location	Time
Felony On-View	First	3A	8:30 a.m. *Note 1
Felony FTA	Arraignment	3A / 3B	8:30 a.m. *Note 1
Felony VOP	Arraignment	3A / 3B	8:30 a.m. *Note 2
Misdemeanor On-View	Arraignment	2A	*Note 3
Misdemeanor FTA	Arraignment	2A	*Note 3
Misdemeanor VOP	Arraignment	2A	*Note 3
Traffic On-View	Arraignment	1B	*Note 4
Traffic FTA	Arraignment	1B	*Note 4
Traffic VOP	Arraignment	1B	*Note 4

Note 1: If defendant has not had a court appearance, schedule first appearance in courtroom 3A, 8:30 a.m. second business day. If defendant has had a court appearance, schedule arraignment in 3A / Gary or 3B / Sauls, 8:30 a.m.

Note 2: Schedule arraignment second business day, 3A / Gary or 3B / Sauls, 8:30 a.m.

Note 3:

8:30 a.m.	A - K	Third Tuesday after date of arrest
1:00 p.m.	L - Z	Third Tuesday after date of arrest
10:00 a.m.	Public Defender Cases	
1:00 p.m.	All Check Cases: Third Thursday after date of arrest	

Note 4:

8:30 a.m.	A - K	Third Thursday after date of arrest
1:00 p.m.	L - Z	Third Thursday after date of arrest
10:30 a.m.	Public Defender cases: Third Thursday after date of arrest	

JAIL ONLY

Defendant released prior to a court appearance: Remove court dates on **PF 5** that you typed in at time of arrest. Print notice using the above guidelines and have defendant sign.

Defendant released after a court appearance: If a future court date shown, print notice and have defendant sign. If no court date shown, print contact notice and have defendant sign.

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COURT APPEARANCES FOR DEFENDANTS GIVEN A CITATION OR NOTICE TO APPEAR

Type Arrest	Type Appearance	Location	Time	
Felony On-View	First	3A	8:30 a.m.	*Note 1
Felony FTA	Arraignment	3A / 3B	8:30 a.m.	*Note 1
Felony VOP	Arraignment	3A / 3B	8:30 a.m.	*Note 2
Misdemeanor On-View	Arraignment	2A	*Note 3	
Misdemeanor FTA	Arraignment	2A	*Note 3	
Misdemeanor VOP	Arraignment	2A	*Note 3	
Traffic On-View	Arraignment	1B	*Note 4	
Traffic FTA	Arraignment	1B	*Note 4	
Traffic VOP	Arraignment	1B	*Note 4	

Note 1: If defendant has not had a court appearance, schedule first appearance in courtroom 3A, 8:30 a.m. second business day. If defendant has had a court appearance, schedule arraignment in 3A / Gary or 3B / Sauls, 8:30 a.m.

Note 2: Schedule arraignment second business day, 3A / Gary or 3B / Sauls, 8:30 a.m.

Note 3:

8:30 a.m.	A - K	Third Tuesday after date of arrest
1:00 p.m.	L - Z	Third Tuesday after date of arrest
10:00 a.m.	Public Defender Cases	
1:00 p.m.	All Check Cases: Third Thursday after date of arrest	

Note 4:

8:30 a.m.	A - K	Third Thursday after date of arrest
1:00 p.m.	L - Z	Third Thursday after date of arrest
10:30 a.m.	Public Defender cases: Third Thursday after date of arrest	

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FIRST COURT APPEARANCES FOR INCARCERATED DEFENDANTS

TYPE ARREST	TYPE APPEARANCE	LOCATION	TIME	
Felony On-View	First	J1	8:30 a.m.	*Note 1
Felony FTA	*Note 2			
Felony VOP	Arraignment	J1	8:30 a.m.	*Note 3
Misdemeanor On-View	First	J1	8:30 a.m.	
Misdemeanor FTA	*Note 2			
Misdemeanor VOP	Arraignment	J1	8:35 a.m.	*Note 3
Traffic On-View	First	J1	8:30 a.m.	
Traffic FTA	*Note 2			
Traffic VOP	Arraignment	J1	8:40 a.m.	*Note 3
Contempt/Injunctions	First	J1	8:30 a.m.	*Note 4

Note 1: The cut-off time for court appearances is 5:00 a.m. each day. Schedule all first appearances first day.

Note 2: If a defendant has not had a court appearance, schedule for first appearance. If defendant has had a court appearance schedule: Felony arraignment, second business day; Misdemeanor and Traffic arraignment, first business day following arrest.

Note 3: Schedule felony for second business day; Misdemeanor and Traffic for first business day.

Note 4: All contempt cases, whether Civil (**V**), Misdemeanor (**C**), Felony (**R**), are to be scheduled for first appearance on the first day. If a purge amount is specified, they do not qualify for a court appearance.

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