20030095670 RECORDED IN PUBLIC RECORDS LEON COUNTY FL BK: 2954 PG: 855,
09/15/2003 at 02:42 PM, BOB INZER, CLERK OF COURTS

IN THE SECOND JUDICIAL
CIRCUIT OF FLORIDA

OFFICE OF THE CHIEF JUDGE

ADMINISTRATIVE ORDER NO. 94-11

RE: INMATE PETITIONS; DOCUMENTS REQUIRED FOR DETERMINATION OF INDIGENCY; REQUIRED COPIES FOR SERVICE ON DEFENDANTS AND RESPONDENTS; METHODS OF CURING DEFICIENCIES

_____/

WHEREAS, Leon County is the headquarters for both the Florida Parole Commission and the Florida Department of Corrections and,

WHEREAS, the Circuit Court for Leon County handles an extremely large volume of petitions filed by inmates in state custody, and,

WHEREAS, the court does not have the resources to photocopy petitions and exhibits to petitions for service with an order to show cause or a summons and,

WHEREAS, the efficient management of cases filed by inmates in custody requires the court to adopt administrative procedures regarding a determination of indigency and arranging for service of process and,

WHEREAS, the efficient management of cases requires the court to use a standard form for an inmate's financial statement.

IT IS ORDERED

1. A complaint or petition filed by an inmate in custody must be accompanied by a sufficient number of copies for service on the respondent or defendant. An inmate filing a complaint or petition in this court shall transmit along with the complaint or petition one complete copy with exhibits for each defendant or respondent to be served.

2. An inmate filing a complaint in this court must submit the applicable filing fee. An inmate who is unable to pay the filing fee must submit an affidavit of insolvency, and thereafter, the clerk shall issue a certificate of insolvency.

3. The clerk shall accept all inmate petitions and complaints for filing regardless of any defects that may exist in the affidavit of insolvency.

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LEON COUNTY
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Omitted from
BOOK

4. An inmate who has submitted a complaint or petition for filing without payment of the filing fee must submit the following documents along with the complaint or petition at the time of filing:

(a). A Financial Affidavit. The plaintiff or petitioner must use the form attached to this administrative order. This form contains questions that pertain specifically to inmates in custody. The form must be completed, signed, and notarized.

(b). A Certificate Regarding Inmate Account. The certificate must be signed by an officer at the institution. If the inmate has a prison bank account the certificate must include both the balance of the account at the time the certificate is signed and the average daily balance of the account for the last 3 months.

(c). A Computer Printout Of Bank Activity. An inmate with prison bank account must also include a computer printout showing all activity in that bank account for the last 3 months.

5. If an inmate files a complaint or petition that does not comply with the provisions of this order, the court will immediately enter an order advising the inmate of the deficiency and allowing the inmate an opportunity to cure the deficiency within a reasonable time. The complaint or petition may be dismissed, in the discretion of the assigned judge, if the inmate does not cure the deficiency within the time specified by the court.

5. This order shall be posted in the inmate library of each institution within the Department of Corrections.

DONE AND ORDERED in Chambers, Tallahassee, Leon County, Florida, this 24 day of August, 1994.

PHILIP J. PADOVANO
Circuit Judge

Copies furnished to:

All Correctional Institutions
ıe Department of Corrections
ıne Florida Parole Commission

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

Case No._____

_____,

Petitioner,

v.

_____,

Respondent.

_____/

CERTIFICATE REGARDING INMATE ACCOUNT

Department of Corrections Representative: Please sign applicable portion of certificate.

I certify that the petitioner does not have a bank account within the institution in which he or she is confined.

_____
Signature of Authorized Officer of Institution

- or -

I certify that the petitioner has the sum of $ _____ on account to his or her credit at the _____ institution where he or she is confined. I further certify that during the last six months the petitioner's average daily balance was $_____.

ATTACH A STATEMENT OF THE INMATE'S BANK ACCOUNT FOR THE LAST THREE MONTHS.

_____
Signature of Authorized Officer of Institution

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

Case No._____

_____,

Petitioner,

v.

_____,

Respondent.

_____/

AFFIDAVIT OF INSOLVENCY

As required by the court, I hereby answer the following questions under oath:

1. Are you presently employed in an inmate work program within the Department of Corrections?

___YES ___NO

a. If the answer is "yes," state the amount of your salary or wages per month, and give the name and address of your employer. (list both gross and net salary)

b. If the answer is "no," state the date of last employment and the amount of the salary and wages per month which you received.

2. Are you presently employed in a work release program?

___YES ___NO

a. If the answer is "yes," state the amount of your salary or wages per month, and give the name and address of your employer. (list both gross and net salary)

b. If the answer is "no," state the date of last employment and the amount of the salary and wages per month which you received.

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