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DAVE LANG
CLERK CIRCUIT COURT
LEON COUNTY, FLORIDA

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

ADMINISTRATIVE ORDER NO: 94-13

IN RE:

LEON COUNTY DOMESTIC VIOLENCE COURT.

WHEREAS, the stated legislative intent of Section 741.2901, Florida Statutes, is that domestic violence be treated as a crime, and

WHEREAS, Section 741.2901, Florida Statutes, directs the state attorney in each circuit to adopt a pro-prosecution policy for acts of domestic violence, and to assign such cases to prosecutors trained in and specializing in domestic violence issues, who are to determine the filing, nonfiling, or diversion of criminal charges, over the objection of the victim, if necessary, and

WHEREAS, Section 741.2901, Florida Statutes, directs the state attorney to perform a thorough investigation of a defendant's history, including, but not limited, to prior arrests for domestic violence, prior injunctions for protection, other complaints and reports of domestic violence concerning the defendant, and information on any victims, said information to be presented to the trial court at first appearance, when setting bond, and when passing sentence, and

WHEREAS, issues of domestic violence, both civil and criminal, cross jurisdictional lines in Leon County and are

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regularly presented and considered in both the circuit and county court, and

WHEREAS, the legislative intent and statutory directives of Section 741.2901, et seq. Florida Statutes, can be more efficiently and effectively accomplished by close cooperation between circuit judges and county judges assigned to cases involving domestic violence, and

WHEREAS, the county court judges have determined that having a separate consolidated docket for all domestic violence related case proceedings, i.e., in effect creating a "domestic violence court", has certain advantages, including but not limited to the following:

1. Sufficient time can be devoted, where needed, to individual cases;

2. Prosecutors and defense attorneys are more likely to be knowledgeable, informed and prepared on the special issues that are involved in domestic violence cases, and are more likely to become specialized with a single unified docket;

3. A single docket is more convenient for victim advocates, treatment or counselling providers, and other interested persons who wish to monitor or provide information or resources for the court's consideration in such cases;

4. Defendants, victims, and others should have a better understanding of the common conditions that are imposed in these cases, such as drug and alcohol conditions, New Hope counselling, no contact or peaceable contact provisions, supervised child

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visits, etc., since these conditions will be repeatedly imposed and explained in open court;

5. It should be easier to maintain pertinent statistical information concerning such cases;

6. The isolation and denial common to victims and defendants in domestic violence cases will be harder to maintain where such victims and defendants are exposed to and observe similar cases with similar facts, issues, and problems;

7. Consistency in prosecution and in sentencing is more likely when similar cases are handled at the same time on the same docket.

THEREFORE, there is created in the Misdemeanor Division of the County Court of Leon County, Florida, a separate, consolidated docket of all cases involving domestic violence, which shall be known as "DOMESTIC VIOLENCE COURT". The county court judge assigned to this Court shall be responsible, together with the judges assigned to the family law division, felony criminal division, and juvenile division, for developing cross jurisdictional policies and procedures designed to implement the legislative intent and statutory directives of Section 741.2901, et seq. Florida Statutes, including, but not limited to, the education and training of judges, lawyers, clerks, probation officers, and others in domestic violence issues, collection and dissemination of information concerning available treatment, counselling, and support programs for victirs, offenders, and their families, the establishment of regular forums for discussion of ideas and

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dissemination of information among court personnel on domestic violence law, policies, practices and procedures, and maintaining records and statistics to assist in evaluating policies and procedures.

DONE AND ORDERED in Leon County, Florida, this 29 day of May, 1994.

THOMAS H. BATEMAN, III
County Judge

TERRY P. LEWIS
County Judge

KATHLEEN F. DEKKER
County Judge

HAL S. McCLAMMA
County Judge

PHILIP J. PADOVANO
Chief Judge

Copies to:

Clerk of Misdemeanor Division
Office of the State Attorney
Office of the Public Defender
Leon County Probation Department
Leon County Pretrial Release Program
Court Administrator

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