20080059835 RECORDED IN PUBLIC RECORDS LEON COUNTY FL BK: 3895 PG: 2038,
08/18/2008 at 04:24 PM, BOB INZER, CLERK OF COURTS

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

MISDEMEANOR DIVISION

AMENDED
ADMINISTRATIVE ORDER 95-1

RE: Misdemeanor Diversion Program

_____/

WHEREAS, Rule 2.085(b)(1) of the Florida Rules of Judicial Administration imposes upon the Court the duty to assume early and continuous control of the court calendar: and

WHEREAS, Rule 2.085(b)(2) of the Florida Rules of Judicial Administration further imposes upon the Court the duty to identify cases subject to alternative dispute resolution processes; and

WHEREAS, there has been an unexpected increase in the number of misdemeanor cases being docketed in Leon County, which is causing an overcrowding of the existing misdemeanor court room facility. This overcrowded condition is hampering the efficient administration of justice in this Court; and

WHEREAS, it would further the interest of justice to divert specific categories of first time nonviolent misdemeanor offenders so they may benefit from not having a criminal record; and

WHEREAS, the Office of the State Attorney has expressed a desire to institute a Misdemeanor Diversion Program; and

WHEREAS, the Office of the State Attorney is empowered to facilitate a reduction of the number of cases being handled in misdemeanor court by instituting a diversion program in this Court;

NOW THEREFORE, IT IS ORDERED AS FOLLOWS:

1. That the Office of the State Attorney shall establish a program to divert specific nonviolent, first time misdemeanor offenders in Leon County, and

2. That the Defendants who are diverted into this program will be placed on a probation period for a period of three months in order to complete all the conditions of the diversion program. The program will be supervised by the Office of the State Attorney, and

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LEON COUNTY
GWEN MARSHALL
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3. That the Defendants will pay $170.00 to the Leon County Clerk of the Court, Misdemeanor Diversion, to be dispersed as follows: $110.00 to the Office of the State Attorney for cost of prosecution pursuant to Section 939.01, Florida Statutes, $35.00 to the Leon County Clerk of Court, Misdemeanor Division, $20.00 to the Crimes Compensation Trust Fund, $2.50 to North Florida Legal Aid and $2.50 to the Florida Bar Legal Aid and

3. That the Defendant will attend one day on the County Work Program, which will be coordinated through the Leon County Probation Office at a cost of $30.00, and

4. That the Defendant will attend an educational program provided by the Office of the State Attorney, and

5. That the Defendant will not violate any Federal, State, or Local laws while on the diversion program. In the event of a criminal arrest while participating in the diversion program the Defendant will be subject to automatic dismissal from the program, at the discretion of the State Attorney, and

6. That the Defendant's probation period may be terminated upon completion of all the conditions of the diversion program.

DONE AND ORDERED in Chambers at Tallahassee, Leon County, Florida, this 1st day of October, 2001.

County Judge

cc: State Attorney
Clerk of Court

Approved this 1st day of October, 2001.

Chief Judge

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LEON COUNTY
GWEN MARSHALL
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