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IN THE SECOND JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA

CHAMBERS OF THE CHIEF JUDGE

ADMINISTRATIVE ORDER NO.:97-12

IN RE: LEON COUNTY FELONY DRUG INTERVENTION DIVISION

WHEREAS, for approximately the past four years a Felony Drug Intervention Division has been maintained in Leon County with federal funding support;

WHEREAS, the Florida Department of Corrections, Probation Office, has agreed to assume the supervision and case management of current participants, as well as future participants, effective October 1, 1997, in a community partnership arrangement with Leon County which shall provide certain supplemental funding and personnel assistance; and

WHEREAS, the proposed Leon County Felony Drug Intervention Division will be a joint cooperative effort of the Office of Court Administration, Office of the State Attorney, Public Defender's Office, Leon County Probation Pre-Trial Release Program, Florida Department of Corrections, Clerk of the Court, and the provider of substance abuse treatment; and

WHEREAS, clearly articulated and agreed upon policies with regard to the implementation and operation of the Leon County Felony Drug Intervention Division are required,

IT IS THEREFORE,

ORDERED that:

1. Effective October 1, 1997, supervision of all participants in the Felony Drug Intervention Division shall be the responsibility of the Florida Department of Corrections, Probation and Parole Circuit Office. The Pre-Trial Release Office of the County Probation Division shall be responsible for screening and referral of eligible drug court participants. This program shall be limited to a maximum caseload of 75 participants unless otherwise ordered by the court.

2. Defendants whose offenses occurred on or after October 1, 1997, shall be eligible to participate in such program if they are charged with a second or third degree drug purchase/possession offense under Chapter 893 in accordance with the criteria of Section 948.08(6), Florida

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Statutes. Participants must not have any pending felony cases or be on active Department of Corrections supervision.

3. Those defendants deemed appropriate for participation in the program will appear before the Felony Drug Intervention Division judge for program orientation at the next scheduled court date to determine the appropriateness for admission into the program.

4. All participants must be Leon County residents whose alleged offense occurred in Leon County. This program will not accept transfers from other judicial circuits.

5. All participants shall submit a financial affidavit in approved form and copies of their latest W-2 and income tax return. A participant fee shall be charged to each participant entering the program on October 1, 1997 or later, on a sliding fee scale basis with the amount of the fee to be determined by the participant's net annual income in accordance with the schedule hereto attached. The clerk of the court shall collect all participation fees for deposit in a fund for the operation of the Leon County Felony Drug Intervention Division, provide receipts for such fees and report any delinquent fee collections to the court.

6. Participation in the Felony Drug Intervention Division shall be on a voluntary basis. Eligible defendants electing not to enroll in the program will have their cases transferred to a regular criminal division.

7. Participation in the Felony Drug Intervention Division will be for a minimum period of 12 months and a maximum period of 18 months, unless otherwise ordered by the court. The defendant will receive credit from the day treatment began, even if that date preceded arraignment.

8. Participants must remain drug free for 12 consecutive months and if at any time any participant tests positive for any controlled substance, they will be considered for termination from the treatment program.

9. The cost of supervision fee for the Department of Corrections will be waived in every case until a specific order with respect thereto is entered in such case.

DONE AND ORDERED in Chambers, at Tallahassee, Leon County, Florida, this 25th day of September, 1997.

N. SANDERS SAULS
CHIEF JUDGE

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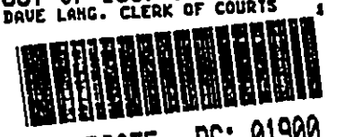

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Attachment 1

FELONY DRUG INTERVENTION DIVISION FEE SCHEDULE

Categroy	Income Range	Weekly Fee	Monthly Fee
A	$ 0 - $ 4,999	$ 5.00	$ 20.00
B	$ 5,000 - $12,499	$10.00	$ 45.00
C	$12,500 - $24,999	$20.00	$ 85.00
D	$25,000 - $37,499	$30.00	$130.00
E	$37,500 - $49,999	$40.00	$175.00
F	$50,000 or more	$50.00	$220.00

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