

IN THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR THE STATE OF FLORIDA

IN RE: CHANGE OF VENUE  
PROCEDURES

)  
) ADMINISTRATIVE ORDER  
) NO: 2.16  
)

(A) Purpose and Application. This rule governs change of venue procedure and applies only to criminal cases where venue has been changed pursuant to Fla. R. Crim. P. 3.240.

(B) Preliminary procedures. Prior to the announcement or entry of an order to change venue to a particular circuit, the chief judge or the chief judge's designee should contact the chief judge of the circuit where the case is intended to be moved to determine the receiving county's ability to accommodate the change of venue. It is the intent of this order that the county identified to receive the case should do so unless the physical facilities or other resources in that county are such that moving the case to that county would either create an unsafe situation or would otherwise adversely affect the operations of that court. Any conflict between circuits regarding a potential change of venue should be referred to the Chief Justice of the Florida Supreme Court for resolution.

(C) Presiding Judge. The presiding judge from the originating court shall accompany the case subject to the change of venue, unless both the originating and receiving courts agree otherwise.

(D) Reimbursement of costs. As a general policy, the county where the action originated should reimburse the county receiving the change of venue case for any ordinary expenditure or extraordinary but reasonable and necessary expenditure which would not have been incurred by the receiving county, but for the change of venue. For purposes of this rule, "ordinary expenditure", "extraordinary expenditure" and "nonreimbursable expenditure" shall include but are not necessarily limited to the following:

(1) Ordinary expenditure includes:

- (a) Jury costs;
- (b) Witness costs;
- (c) Attorney travel costs for public counsel;
- (d) Judicial travel costs;
- (e) Travel costs for all necessary staff of public counsel and the judiciary; and,
- (f) Court reporter costs.

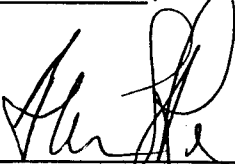
- (2) Extraordinary expenditure includes:
- (a) Security related expenditures;
  - (b) Facility remodeling or renovation; and,
  - (c) Leasing or renting of space or equipment;
- (3) Nonreimbursable expenditure includes:
- (a) Normal operating expenses including the overhead of the receiving county; and,
  - (b) Equipment purchased and kept by the receiving county which can then be used for other purposes or cases.

(E) Documentation of costs. No expenses should be submitted for reimbursement without supporting documentation, such as a claim, invoice, bill, statement or time sheet. Any required court order or approval of costs should also be sent to the originating court.

(F) Timing of reimbursement. Unless both counties agree to other terms, reimbursement of all expenses which are not questioned by the originating county should be made payable within sixty (60) days of receipt of the claim for reimbursement. Payment of disputed amounts should be made within sixty (60) days of the date of resolution.

(G) Media Relations. Procedures to accommodate the media should be developed by the receiving county in advance when the change of venue trial is expected to generate a high degree of publicity. These procedures must be approved by the chief judge of the receiving circuit and implemented pursuant to administrative order. The presiding judge shall obtain the concurrence of the chief judge of the receiving county before entering any orders which vary from or conflict with existing administrative orders of the receiving circuit.

DONE AND ORDERED at Fort Myers, Lee County, Florida, this 19<sup>th</sup> day of January, 1994.

  
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 Thomas S. Reese  
 Chief Circuit Judge

History. - New.

STATE OF FLORIDA, COUNTY OF LEE

FILED FOR RECORD

2 This 26<sup>th</sup> Day of Jan. 19 94 Record in Min.  
 Book 38 Page \_\_\_\_\_ and Record Verified.  
 CHARLIE GREEN By Mark Wood  
 Clerk Circuit Court Deputy Clerk