

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

IN RE: ESTABLISHMENT OF MILITARY VETERANS  
AND SERVICEMEMBERS COURT

ADMINISTRATIVE  
ORDER  
NO. 3.31

Pursuant to Article V, Section 7 of the Florida Constitution and Florida Statute sections 394.47891, 948.08, and 948.16 the Chief Judge authorizes the establishment and continued maintenance of specialty Military Veterans and Servicemembers Courts (hereinafter "Veterans Treatment Courts") in any county or counties within the Twentieth Judicial Circuit. Veterans Treatment Courts shall be within the division of the Criminal Court (felony or misdemeanor), as may be appropriate.

In recognition of the distinct features and resources of the five individual counties of the Twentieth Judicial Circuit, Veterans Treatment Courts are authorized, though not mandated, and the establishment and continued maintenance of Veterans Treatment Courts is subject to policies and procedures as may be applicable to individual counties and divisions, and is subject to any Veterans Treatment Court Program Manuals. Any such policies, procedures, and Veterans Treatment Court Program Manuals, and the actual establishment and continued maintenance of Veterans Treatment Courts within any county or division, is subject to the approval of the Chief Judge and/or the Chief Judge's designee.

As established, Veterans Treatment Courts will preside exclusively over appropriate cases involving arrested persons who suffer from a military-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem. Referrals to Veterans Treatment Courts will be considered on the basis of the facts and circumstances unique to the individual and to that individual's case or cases. All defendants identified for referral to Veterans Treatment Courts must meet all requirements for participation set forth under

00000033

applicable Florida Statutes, as well as requirements of any other controlling Veterans Treatment Court orders and program manuals.

Entry by a qualified defendant into a Veterans Treatment Court program shall be on a voluntary basis. However, once a qualified defendant has voluntarily agreed to participate in Veterans Treatment Court, the defendant will be deemed to have accepted the requirements of the program and to have agreed that the Veterans Treatment Court judge may order coercive sanctions, which may include (as may be applicable and authorized by law) incarceration, community service, and other coercive measures intended to motivate the defendant to overcome or address his or her military-related problems or issues.

Upon successful participation and completion of a Veterans Treatment Court program, a defendant may, in certain cases, be permitted to withdraw his or her plea, and the State Attorney's Office may reduce or dismiss the charge or charges.

To the extent that any provision of this Administrative Order may be construed as being in conflict with any law, statute, or rule, the law, statute, or rule shall prevail.

**DONE AND ORDERED** in Chambers at Fort Myers, Lee County, Florida, this 5<sup>th</sup> day of April, 2016.

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STATE OF FLORIDA, COUNTY OF LEE  
FILED FOR RECORD  
This 7 Day of April Recorded in  
Book 100 Page 33-34 and Record Verified.  
LINDA DOGGETT By [Signature]  
Clerk Circuit Court Deputy Clerk

[Signature]  
Michael T. McHugh  
Chief Judge

History. – New.

I certify this document to be a true and correct copy of the record on file in my office.  
Linda Doggett, Clerk Circuit/ County Court, Lee County, FL  
Dated: 4/7/16  
By [Signature]  
Deputy Clerk

