

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

IN RE: DISCOVERY IN)
MISDEMEANOR AND)
CRIMINAL TRAFFIC CASES)

ADMINISTRATIVE ORDER
NO: 6.2

The Clerk of the Court shall not issue subpoenas for depositions in cases where only misdemeanor or criminal traffic offenses are charged unless authorized by the trial judge.

The trial judge assigned to hear the case will then determine good cause and enter orders directing the clerk to issue subpoenas for discovery depositions.

Each Defendant's written motion showing good cause shall specify facts supporting:

- A. The consequences to the Defendant.
- B. The complexity of the issues involved.
- C. The complexity of the witnesses' testimony (e.g., experts) and,
- D. The opportunities available to the Defendant to discover the information sought by deposition.

Upon receipt of the Motion to Show Good Cause to Take Depositions, the trial judge shall initially determine the legal sufficiency thereof. If the Court determines the motion is legally insufficient the Defendant will be so informed. However, if the Court determines the motion to be legally sufficient, then the Court will schedule the matter for an expedited hearing unless both parties waive the same.

The Order Determining the Legal Sufficiency of the Motion Showing Good Cause to Take Depositions shall be substantially as

follows:

IN THE COUNTY COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN
AND FOR LEE COUNTY CRIMINAL ACTION

STATE OF FLORIDA,

v.

Defendant.

CASE NO: _____

ORDER DETERMINING LEGAL SUFFICIENCY OF
MOTION SHOWING GOOD CAUSE TO TAKE DEPOSITIONS

THIS MATTER having come on to be heard on the
Defendant's Motion to Show Good Cause to Take
Depositions and the Court having considered the motion
hereby determines that the same is legally:

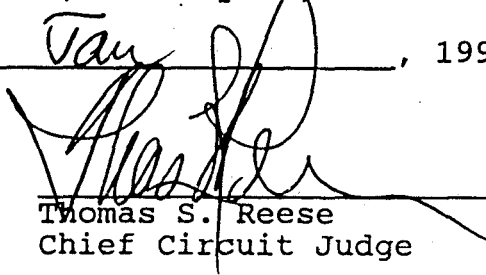
_____ sufficient

_____ insufficient

DONE AND ORDERED at Fort Myers, Lee County,
Florida, this _____ day of _____, 19__.

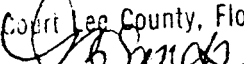
County Judge

DONE AND ORDERED in Chambers, Fort Myers, Lee County,
Florida, this 28 day of Jan, 1991.



Thomas S. Reese
Chief Circuit Judge

JAN 29 1991

Charlie Green, Clerk Circuit
Court Lee County, Florida
By:  D.C.

STATE OF FLORIDA, COUNTY OF LEE

FILED FOR RECORD

This 28 Day of JAN 1991 Record in Minir

Book 35 Page C and Record Verified.

CHARLIE GREEN
Clerk Circuit Court

By: 
Deputy Clerk

History. - Administrative Order 89-25.