

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

IN RE: ESTABLISHMENT OF MISDEMEANOR )  
PRETRIAL DIVERSION PROGRAM AND ) ADMINISTRATIVE ORDER  
AUTHORIZATION FOR FEE COLLECTION ) NO: 6.5  
\_\_\_\_\_ )

WHEREAS, the Court has a recognized role in promoting the prompt and efficient administration of justice within the Twentieth Judicial Circuit; and

WHEREAS, Fla. R. Jud. Admin. 2.545 (formerly Fla. R. Jud. Admin. 2.085) imposes a duty on the Court to assume early and continuous control of the court calendar and to identify cases subject to alternative dispute resolution processes; and

WHEREAS, there has been an increase in the number of cases being docketed within the Twentieth Judicial Circuit, resulting in an overcrowding of the existing courtroom facilities, thereby hampering the efficient administration of justice; and

WHEREAS, there is a recognized need to reduce overcrowding in the county jails within the Twentieth Judicial Circuit; and

WHEREAS, it is within the interest of justice to provide specific categories of offenders charged with misdemeanor offenses with an alternative to the traditional criminal process of ordinary prosecution;

NOW, THEREFORE, pursuant to the authority vested in me as Chief Judge of the Twentieth Judicial Circuit of Florida under Fla. R. Jud. Admin. 2.215 (formerly Fla. R. Jud. Admin. 2.050), I hereby approve, for use within the Twentieth Judicial Circuit, of the Misdemeanor Pretrial Diversion Program which has been created and is being administered cooperatively by the Office of the State Attorney of the Twentieth Judicial Circuit and the Administrative Office of the Courts of the Twentieth Judicial Circuit, under the supervision of

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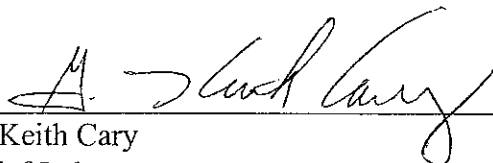
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the county probation or pretrial services departments, and which provides for the deferred prosecution of certain qualified persons charged with certain misdemeanor offenses. As to each person placed in the Misdemeanor Pretrial Diversion Program, the Clerk of Court is authorized to collect a supervision fee of up to \$50.00 a month, or, in the case of Lee County, a flat fee of \$150.00, or in the case of Collier County, a flat fee of \$225.00 for each three month period, up to a maximum of \$375.00, or, in the case of Charlotte County, a flat fee of \$180.00. Upon receipt of payment, the Clerk of Court shall deposit said payments, less an appropriate administrative fee, with the Board of County Commissioners in the county in which it was collected. To the extent that this Administrative Order may conflict with any law, statute, or rule, the law, statute, or rule shall prevail.

The amendments to this Administrative Order shall be effective July 1, 2008, and shall remain in effect until otherwise ordered, amended or rescinded.

The amendment to this Administrative Order of May 30, 2008, was improvidently entered and is rescinded retroactively to May 30, 2008. The version of Administrative Order 6.5 entered on November 7, 2007, is reinstated retroactively and shall remain in effect through June 30, 2008.

**DONE AND ORDERED** in chambers in Fort Myers, Lee County, Florida, this 4 day of June, 2008.

  
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G. Keith Cary  
Chief Judge

History. - Administrative Order 6.5 (July 23, 2004); Administrative Order 6.5 (May 25, 2007); Administrative Order 6.5 (November 7, 2007); Administrative Order 6.5 (May 30, 2008, *rescinded*).