

IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT
IN AND FOR POLK COUNTY, FLORIDA

ADMINISTRATIVE ORDER NO. 2-71.1

IN RE: CREATION OF POLK COUNTY DUI/DRUG COURT

WHEREAS, in 2006, the Court created the Polk County DUI/Drug Court following a report by the National Highway Traffic Safety Administration and the Florida Department of Highway Safety and Motor Vehicles that there had been 3,155 alcohol related crashes with 2,605 alcohol related injuries and 187 fatalities between 2000 and 2004 in Polk County; and

WHEREAS, due to judicial assignment changes, it is necessary to update the below procedures; and

WHEREAS, in accordance with the authority vested in the Chief Judge under article V, section 2(d), Florida Constitution; section 43.26, Florida Statutes; and Florida Rule of General Practice and Judicial Administration 2.215(b)(2); and

NOW, THEREFORE, it is ORDERED as follows:

1. There is hereby created a Polk County DUI/Drug Court to be handled by the judge assigned to the M8 Division. The presiding judge is authorized and assigned to accept pleas to misdemeanor and felony DUI cases or associated cases in accordance with the criteria established for acceptance into the DUI/Drug Court program. The presiding judge shall also be responsible for any Violations of Probation while the defendants are participating in the program and if the defendants are terminated from the program.
2. In accordance with the admission criteria, the State Attorney may, in his/her discretion, offer any multiple DUI offender the option of DUI/Drug Court as part of a negotiated plea offer. If accepted, the offender's case will be transferred to the judge presiding over DUI/Drug Court to take the plea and sentence accordingly. The DUI/Drug Court shall be a condition of the offender's probation.
3. The DUI/Drug Court shall explain and provide the offender with a copy of the Rules and Possible Sanctions that may be imposed for any violation of the program requirements. Any violations shall be considered a violation of probation and the presiding judge may impose any sanctions, including termination from the program, and sentence the offender according to the law.

4. This Order VACATES and SUPERSEDES Administrative Order No. 2-71.0, entered on September 20, 2006, and is effective upon signing.

DONE AND ORDERED on this 21st day of January, 2024.

s/JAMES A. YANCEY, Chief Judge

Original:

Polk County Clerk of the Circuit Court

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