

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

ADMINISTRATIVE ORDER NO. 2-85.1

**IN RE: CREATION OF AND PROCEDURES FOR
THE FELONY VIOLATION OF PROBATION DIVISION**

WHEREAS, the judges of the Polk County Felony Division have evaluated the needs of the Felony Division and have determined that the Court has a need for a Felony Violation of Probation Division; 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);

NOW, THEREFORE, it is ORDERED that:

1. Creation: The Felony Violation of Probation Division (hereinafter “FVOP Division” or “F7 Division”) is created to handle cases assigned to the division pursuant to Administrative Order 2-5.9 (or as amended).
2. Procedures:
 - a. The FVOP Judge is authorized to handle any misdemeanor cases or violation of probation of misdemeanor cases on the same offender assigned to the FVOP Judge as he/she may from time to time deem appropriate in the best interest of judicial economy.
 - b. All motions for early termination of probation/community control, modification of probation/community control, for travel, etc., shall be assigned to the FVOP or F7 Judge if the defendant has a pending violation of probation/community control in the FVOP or F7 division or if the order of probation/community control to which the motion is directed resulted from an affidavit of violation alleging no new Polk County felony criminal charge. Otherwise, such motions shall be assigned to the original felony division in which they were sentenced or, if originally sentenced in Division “F7” prior to the creation of VOP “F7”, to the felony division to which

the case was reassigned pursuant to Special Order – In Re: Transfer of Felony Cases entered on November 16, 2023.

- c. The FVOP Judge shall also be assigned all Fugitive from Justice and Interstate Compact Cases.
3. Effective Date: This Administrative Order is effective on February 2, 2024, and VACATES and SUPERCEDES Administrative Order No. 2-85.0, entered on November 30, 2023.

DONE and ORDERED on this 2nd day of February, 2024.

s/JAMES A. YANCEY, Chief Judge

Original: Polk County Clerk of the Circuit Court

Copies:

All Judges

Polk County Clerk of the Circuit Court

Office of the State Attorney

Office of the Public Defender

Second District Office of Conflict Regional Counsel

Electronic Bar Mailing