



File # 2008008271
OR BK 3021 Pages 1509 - 1511
RECORDED 02/13/08 09:27:16
Harold Bazzel, Clerk
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**IN THE CIRCUIT COURT OF THE FOURTEENTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA, IN AND FOR BAY COUNTY**

ADMINISTRATIVE ORDER # 2008-01-04

**RE: ESTABLISH A COLLECTIONS PROCESS FOR THE PAYMENT OF COURT
COSTS AND FINES IN FELONY CASES, EFFECTIVE JANUARY 2, 2008**

WHEREAS, Rule 2.215 (b) (3), Rules of Judicial Administration, directs the chief judge to develop an administrative plan for the efficient and proper administration of all courts within the circuit;

WHEREAS, Rule 2.215 (b) (5), Rules of Judicial Administration, allows the chief judge to designate a judge in any court or court division of circuit or county courts as "administrative judge" of any court or division to assist with the administrative supervision of the court or division;

WHEREAS, the assessment and provision for payment of fines and costs directly impacts the uniform and equitable treatment of offenders as well as directly impacting limited local resources to defray the costs of prosecution and public defense and the maintenance and operation of various courts within the Fourteenth Circuit of Florida;

WHEREAS, pursuant to Section 938.30, Florida Statutes, procedures are necessary to improve the assessment and collection of fines and costs in criminal cases;

WHEREAS, the Legislature of the State of Florida has imposed certain statutorily mandated costs in every criminal case;

WHEREAS, the public perception that the courts and judicial system are providing equitable, equal and uniform treatment to all who come before the courts is preserved if all offenders with similar offenses are treated similarly;

NOW THEREFORE, it is ORDERED and ADJUDGED that the following shall occur for the collection of fines, costs and public defender liens in felony criminal cases, all of which are hereinafter collectively referred to as "fines and costs."

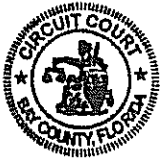
1. When fines and costs are imposed at sentencing or re-imposed pursuant to a modification or termination of probation, the defendant will be provided with a Notice to report to the Bay County Clerk of Court Collections Office to comply with the terms of the program. The Clerk shall establish a monthly payment amount and date on which the defendant shall begin making payments using the criteria set forth in Section 28.246(4), Florida Statutes.
2. The deputy court clerk shall prepare and provide to the defendant a payment agreement, which shall advise the defendant of the following:
 - a. The total amount due;
 - b. The amount of the monthly payments;
 - c. Where payments are to be made;
 - d. Instructions to comply with the Deferred Payment Plan; and
 - e. Explanation that for setting up a payment plan, a one-time service charge of \$25, in lieu of a per month charge can be arranged under subsection 28.24(26)(c), Florida Statutes.
3. The defendant's payment agreement shall not be a condition of probation; however, the following costs assessed per Florida Statute will be monitored by probation officers and are a condition of defendant's probation:
 - a. Rape Crisis Trust Fund (Section 938.05, Florida Statutes)
 - b. Domestic Violence Surcharge (Section 938.08, Florida Statutes)
 - c. First Step, Inc.
4. The Bay County Clerk of Court shall monitor the defendant's compliance with the ordered payment schedule.
5. Any funds collected in this program shall be allocated as provided in Section 27.52, Florida Statutes, and Section 28.246, Florida Statutes.
6. This Administrative Order shall not bar the Bay County Clerk of Court from taking other legal action in any case to collect fines and costs including suspension of the defendant's driver's license; placing a delinquent account in the hands of an attorney or collection agency for collection; and/or pursuing other collection actions that may be or become legal due to statutory changes.

7. This Administrative Order shall not apply to the procedure for the collection of fines and costs previously assessed and currently being collected by the Department of Corrections' probations officers.

DONE AND ORDERED at Panama City, Bay County, Florida this 12 day of February, 2008, effective January 2, 2008, NUNC PRO TUNC.



HENTZ McCLELLAN, CHIEF JUDGE



A CERTIFIED TRUE COPY
HAROLD BAZZEL CLERK
OF THE CIRCUIT COURT
By Nanda Maddox
Deputy Clerk