

IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT

IN AND FOR POLK COUNTY, FLORIDA

**ADMINISTRATIVE ORDER NO. 2-69.1**

**IN RE: FELONY VOP DIVISION PROCEDURES**

WHEREAS, the Felony Division has assigned the responsibilities of handling violation of probation cases to one judge, and

WHEREAS, those responsibilities and duties need to be administratively defined in conjunction with Administrative Order 2-5.5,

IT IS HEREBY ORDERED that the following procedures shall be followed in the assignment of cases within the violation of probation division in Polk County:

1. The Felony Violation of Probation Division Judge (VOP Judge), as assigned by the Chief Judge, shall be assigned all violation of probation or violation of community control cases including misdemeanor cases that are on Department of Corrections' probation or community control unless the Defendant has a new felony charge, in which case, pursuant to Administrative Order 2-5.5, those cases shall be assigned to the original felony section.
2. The VOP Judge is authorized to handle any misdemeanor cases or violation of probation on misdemeanor cases on the same offender assigned to the VOP Judge under paragraph one above as he/she may from time to time deem appropriate in the best interest of judicial economy.
3. All Motions for Early Termination, Travel, Modifications, etc., shall be assigned to the VOP Judge if they have had a previous violation or a pending violation. Otherwise such motions shall be assigned to the original felony division from which they were sentenced.
4. The VOP Judge shall be assigned all felony violation of probation cases and all violation of probation misdemeanor cases being supervised by the Department of Corrections for purposes of First Appearance Hearings, except those that have a new felony charge or a violation of probation or a community control from another circuit or county within the State of Florida. All cases heard before a duty judge on weekends or holidays shall be set for review before the VOP Judge as soon as practicable.
5. The VOP Judge shall also be assigned to preside over the Polk County Drug Court.
6. The VOP Judge shall also be assigned Motions for Belated Appeals, Evidentiary Hearings requested by the Second District Court of Appeals and any other cases or hearings as the Chief Judge may request.
7. The VOP Judge shall also be assigned all Interstate Compact Cases for review pursuant to Administrative Order No. 2-67.1.
8. Commencing November 1, 2006, all extradition cases will be assigned to the VOP Division including any pending cases.

This Order shall have effect upon entry and vacates Administrative Order 2-69.0 entered May 1, 2006.

DONE AND ORDERED on this 19<sup>TH</sup> day of October 2006.

RONALDA A. HERRING

Chief Judge