

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

ADMINISTRATIVE ORDER NO. 2-72.2

IN RE: DUI/DRUG COURT PROGRAM FEES AND
ADDITIONAL COURT COSTS IN DUI CASES

WHEREAS, Administrative Order No. 2-71.0, entered on September 20, 2006, established a DUI/Drug Court in Polk County, Florida, and

WHEREAS, §938.21, Florida Statutes, and §938.23, Florida Statutes, provide that judges may assess, up to the amount of the fine, a cost to be used for alcohol and drug treatment programs, and

WHEREAS, Administrative Order No. 2-72.0, entered on January 11, 2007, first established an additional court cost to be assessed in all DUI cases pursuant to §938.21, Florida Statutes, and 938.23, Florida Statutes, and

WHEREAS, it is necessary to change the title of Administrative Order No. 2-72.2 to reflect that participants in DUI/Drug Court are required to pay treatment fees directly to the DUI/Drug Court program in addition to the additional cost assessed pursuant to §938.21, Florida Statutes, and §938.23, Florida Statutes, and

WHEREAS, all DUI/Drug Court Probationers participating in the DUI/Drug Court program are required to pay monthly treatment fees, and

WHEREAS, in the past, DUI/Drug Court has been able to fund itself based on fees and grant funding, and

WHEREAS, grant funding for DUI/Drug Court ended on September 30, 2009, resulting in the need of funding to cover costs, it is hereby ORDERED that:

1. The title of Administrative Order No. 2-72.2 is changed from “In Re: Additional Court Cost in DUI Cases” to “In Re: DUI/Drug Court Program Fees and Additional Court Costs in DUI Cases”.
2. On all DUI cases here shall be assessed an additional \$80.00 cost pursuant to §938.21, Florida Statutes, and §938.23, Florida Statutes.
3. Pursuant to §938.21, Florida Statutes and §938.23, Florida Statutes, the Clerk of the Court shall collect this cost for deposit into the Polk County Alcohol and Drug Abuse Trust Fund (account number: 00158.930564669.3469012 – DUI Surcharge Fee).

4. All DUI/Drug Court Probationers entering the DUI/Drug Court program on or after August 1, 2010, shall pay monthly treatment fees of \$200.00. All DUI/Drug Court Probationers participating in the DUI/Drug Court program prior to August 1, 2010, shall continue to pay monthly treatment fees of \$180.00. The monthly treatment fees cover the costs of treatment and drug screens. The Clerk of the Court shall collect these fees for deposit into the DUI Court Fees Fund (account number: 00158.930564669.3469011 – DUI Court Fees).
5. Administrative order No. 2-72.1, entered June 3, 2008, is hereby VACATED and SUPERSEDED by this order.
6. This Order shall take effect on August 1, 2010.

DONE AND ORDERED on this 21st day of July 2010.

J. David Langford, Chief Judge