

THE EIGHTH JUDICIAL CIRCUIT OF FLORIDA
ADMINISTRATIVE ORDER NO. 4.08

FELONY FORENSIC CASES

In order to consolidate procedures governing Alachua County Felony Division V and use of docket codes in felony criminal forensic cases,

IT IS ORDERED:

ALACHUA COUNTY, FELONY DIVISION V

1. The felony court division for Alachua County, Felony Division V (five), is assigned felony cases in which defendants have been found incompetent to proceed or found not guilty by reason of insanity.¹
2. Felony Division V is administered by the Administrative Judge of the Family Division. The presiding judge, who shall be designated as the Felony Division V Judge, shall be assigned by the General Assignment of Judges Order.
3. When an order determining that a defendant is incompetent to proceed or is found not guilty by reason of insanity is entered in an Alachua County felony criminal case, the order will also direct the Clerk of Court to transfer the case to the Felony Division V.
4. Copies of orders finding that a defendant is incompetent to proceed or not guilty by reason of insanity entered in regional counties shall be sent to the Felony Division V Judge by the judicial assistant for management and quality control purposes.
5. The Felony Division V Judge is assigned as a back-up judge to hear or decide issues involving the competency of a defendant.

¹ A defendant can be found incompetent to proceed due to either mental illness, *see* definition in §916.106(11), Fla. Stat., or retardation or autism, *see* definitions in §916.106(1), Fla. Stat., (autism) and §916.106(12) (retardation).

6. The Felony Division V Judge shall monitor the cases assigned to Felony Division V and ensure that the cases are in compliance with the relevant rules and statutes, see §§ 916.12, 916.13, 916.15, 916.3012, 916.302, Fla. Stat.; and Fla. R. Crim. Proc. 3.210, 3.217. Hearings and other proceedings in these divisions will be conducted in the Criminal Justice Center of the Alachua County Courthouse.

7. All orders declaring a defendant competent to proceed shall include language that will ensure that the defendant's treatment regimen be continued to maintain the competency of the defendant. The specific language to be included in the order shall be formulated by the Felony Division V Judge.

8. The Felony Division V Judge is designated to create and maintain a list of approved forensic evaluators, §§916.115 and 916.301, Fla. Stat., together with such data regarding the compliance of those evaluators with statutory requirements as may be provided from time to time by the Department of Children and Families.

9. The Felony Division V Judge shall maintain current felony and juvenile "Forensic Forms" for use on a circuit wide basis to ensure uniformity.

10. The Felony Division V Judge shall organize or maintain a committee comprised of appropriate members whose function will be to manage the process of maintaining an acceptable level of knowledge, skill and performance among forensic evaluators, attorneys, judges and service providers working in the field of forensic mental health in the Eighth Judicial Circuit.

FELONY CRIMINAL FORENSIC DOCKET CODES

11. The Court has developed and will maintain current felony criminal forensic docket codes which electronically label forensic orders for management purposes.

12. Clerks of Court in the Eighth Judicial Circuit shall enter the uniform felony criminal forensic docket codes into a court accessible felony criminal forensic electronic database.

13. A complete current list of the felony criminal forensic codes will be made available on the Eighth Judicial Circuit's website at www.circuit8.org.

This administrative order consolidates and supersedes prior Administrative Orders 4.005, entitled "Felony Forensic Docket Codes" dated July 22, 2003, and 4.013, entitled "Management of Felony Cases Involving Forensic Defendants" dated June 3, 2003.

ORDERED ON this 5th day of October, 2012.

A handwritten signature in blue ink, appearing to read "Robert E. Roundtree, Jr.", is written over a horizontal line.

Robert E. Roundtree, Jr., Chief Judge