

**IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA**

ADMINISTRATIVE ORDER: M-2024-51

**ADMINISTRATIVE ORDER CONSOLIDATING FELONY TREATMENT-BASED
DRUG COURT AND FELONY POST-ADJUDICATORY DRUG COURT EXPANSION
PROGRAM IN MARION COUNTY and ESTABLISHING MARION COUNTY ADULT
POST-ADJUDICATORY PRISON DIVERSION DRUG COURT**

AND

RESCINDING ADMINISTRATIVE ORDERS M-2010-14-B and M-2017-15

WHEREAS, Chapter 397.334, Florida Statutes, establishes within the State of Florida “treatment-based courts”; and,

WHEREAS, Administrative Order M-2017-15 which replaced Administrative Order M-2012-34, established the Felony Treatment-Based Drug Court Program in Marion County; and

WHEREAS, Administrative Order M-2010-14-B established the Felony Post-Adjudicatory Drug Court Expansion Program in Marion County; and

WHEREAS, both programs are similar in nature which includes following the Florida’s Best Practices for Adult Drug Court Programs; and

WHEREAS, both programs currently serve defendants/offenders from eligible post-adjudicatory felony cases in Marion County; post-adjudicatory violation of probation cases and eligible post-adjudicatory 3rd degree non-violent felony offenders under Chapter 810, Florida Statutes who would otherwise be incarcerated or any other felony offense that is not a forcible felony as defined in section 776.08, Florida Statutes, will be eligible, including:

1. Offenders with sentencing scores of 60 points or fewer;
2. Offenders with sentencing scores of 60 points or fewer who have violated community control or probation due to a failed or suspect drug screen – if the underlying offense occurred on or after July 1, 2009;

WHEREAS, Chapter 397, Florida Statutes, in its entirety, establishes the provision of substance abuse services within the State of Florida; and

WHEREAS, the Fifth Circuit currently receives funds to provide services for benefit of participants in both Adult Drug Court Programs; and

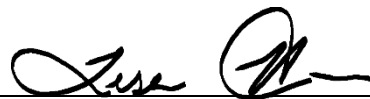
WHEREAS, pursuant to the success of both Adult Drug Court Programs and in the interest of judicial economy and for the efficient administration of justice,

IT IS HEREBY ORDERED that:

1. The Felony Treatment-Based Drug Court Program and the Felony Post-Adjudicatory Drug Court Expansion Program in Marion County shall be consolidated into one Program which shall now be known as **Marion County Adult Post-Adjudicatory Prison Diversion Drug Court**.
2. A Circuit Judge shall be assigned to **Marion County Adult Post-Adjudicatory Prison Diversion Drug Court**.
3. This Order shall be effective immediately upon approval and shall apply to all pending cases currently in the above-referenced programs and any future cases pending before the Circuit Court in and for Marion County, Florida.
4. **Marion County Adult Post-Adjudicatory Prison Diversion Drug Court** shall handle eligible cases from the other Circuit Criminal Division for possible referral to substance use disorder treatment and support.
5. Effective immediately, any Defendant who applies for acceptance into the **Marion County Adult Post-Adjudicatory Prison Diversion Drug Court** shall be required to pay an application fee of \$35.00, unless waived or adjusted by a Circuit Judge presiding over drug court matters in Marion County.
6. Effective January 1, 2025, any Defendant who participates in **Marion County Adult Post-Adjudicatory Prison Diversion Drug Court** shall be required to pay a fee of **\$50.00** per month (or any part thereof), unless waived or adjusted by a Circuit Judge presiding over drug court matters in Marion County.
7. All amounts due and owing under each program prior to January 1, 2025, which have not been paid, shall continue to be due and owing. Further, there shall be no refunds of any assessed fees which have already been paid.

8. The Clerk of Court is authorized to accept any participation fees or funds collected for the **Marion County Adult Post-Adjudicatory Prison Diversion Drug Court** and shall deposit same into Account #000001-34823025.
9. The policies and procedures of the **Marion County Adult Post-Adjudicatory Prison Diversion Drug Court** shall be set forth in the Policy & Procedure Manual and shall include court requirements, eligibility criteria and referral procedures.
10. The **Marion County Adult Post-Adjudicatory Prison Diversion Drug Court** is created and shall be maintained subject to the availability of adequate funding.
11. All hearings conducted pursuant to this administrative order shall be electronically recorded.
12. This Order shall rescind and replace Administrative Order M-2010-14-B titled “Second Amended Administrative Order Establishing the Felony Post-Adjudicatory Drug Court Expansion Program in Marion County,” AND Administrative Order M-2017-15 titled “Administrative Order Establishing the Felony Treatment-Based Drug Court Program in Marion County and Rescinding Administrative Order Number M-2012-34.”

DONE and ORDERED in Chambers at Ocala, Marion County, Florida this 30th day of October 2024.



The Honorable Lisa Herndon
Marion County Administrative Judge