

IN THE CIRCUIT COURT OF THE
NINETEENTH JUDICIAL CIRCUIT
IN AND FOR INDIAN RIVER, MARTIN,
OKEECHOBEE AND ST. LUCIE COUNTIES

A M E N D E D

A D M I N I S T R A T I V E O R D E R 93-09

RE: P R I O R I T I Z I N G R E S T I T U T I O N I N C R I M I N A L C A S E S

WHEREAS Florida Statutes 948.09 (10) states in part; "victim restitution payments authorized under s.948.03(1)(e) take precedence over all other court ordered payments."

WHEREAS, as Chief Judge of the Nineteenth Judicial Circuit and after meeting with State Attorney Bruce Colton, Public Defender, Diamond R. Litty and Probation Administrator, David A. Smith in order to provide guidelines for the prioritization of court ordered payments and pursuant to Rule 2.050, Florida Rules of Judicial Administration it is:

ORDERED AND ADJUDGED:

1. The Circuit Court Judge in sentencing shall prioritize the distribution of collected monies as follows:

a) Victims restitution shall be paid first.

b) Once the victim has been reimbursed, then court costs and fines (which directly benefits the respective county), costs of defense expended by the county (deposition costs, expert witness fees, etcetera), public defender fees, cost of prosecution costs of supervision and drug abuse trust funds shall be distributed proportionately.

c) Cost of Supervision payments for those cases falling under the purview of this Administrative Order shall be waived month to month beginning January 1, 1994 until such time as the Department of Corrections Computer Program will allow suspension of Cost of Supervision payments.

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2. In the event that the victim restitution amount is in excess of \$5,000.00, then upon the Defendant paying the \$5,000.00 in restitution, amounts paid thereafter shall be distributed proportionately to all court ordered obligations stipulated in 1a and 1b.

3. This Administrative Order shall be effective January, 1, 1994.

DONE AND ORDERED this 13th. day of December, 1993 at Fort Pierce, Saint Lucie, County, Florida.



L.B. VOCELLE, CHIEF JUDGE
NINETEENTH JUDICIAL CIRCUIT