

**IN THE COURTS OF THE FIRST JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA**

Administrative Order No. 2013-44

**IN RE: Establishing Military Veterans and
 Servicemembers Court Program**

WHEREAS, there is a recognized need to bring military veteran defendants with service connected behavioral health issues from the jail system into veteran treatment programs without compromising the safety of the public; and

WHEREAS, a centralized Military Veterans and Servicemembers Court program utilizing Department of Veteran Affairs and Veteran Mentor Volunteer resources and support system will permit improved access to resources available outside the scope of State and Local services; and

WHEREAS, it is necessary to employ an efficient case management strategy to implement appropriate programming for this unique population of veterans and servicemembers; it is

ORDERED that pursuant to §394.47891, *Florida Statutes*, and effective with the entry of this order,

1. Each county within the First Judicial Circuit may, and each is granted authority to, develop and implement a Military Veterans and Servicemembers Court Program to provide appropriate case management and services to veterans, as defined in §1.01, *Fla. Stat.*, and to Servicemembers, as defined in §250.01, *Fla. Stat.* Qualified participants are individuals who, either by pre-trial diversion, plea, or verdict are convicted of a criminal offense and who suffer from a military-related mental illness, traumatic brain injury, substance abuse disorder, or psychological issue. Any qualified participant may be sentenced pursuant to Chapter 921, *Fla. Stat.*, in a manner that appropriately addresses the severity of the illness, injury, or issue through services developed in that county and utilizing all available resources including those of the Department of Veteran Affairs and Veteran Mentor Volunteer programs and court programming.
2. Entry by any defendant into any program developed within any county within the First Judicial Circuit must be pursuant to the criteria outlined in §394.47891, *Fla. Stat.*

3. Any Military Veterans and Servicemembers Court Program developed in any county within the First Judicial Circuit must have written policies and procedures. A copy of the policies and procedures for each Military Veterans and Servicemembers Court Program must be forwarded to the Chief Judge for approval and use including any alteration or change to the policies and procedures throughout the duration of the program.
4. Upon execution of a waiver of venue, agreement to plead pursuant to Fla.R.Crim.P. 3.170(b), and agreement to submit to jurisdiction of a Military Veterans and Servicemembers Court Program by a qualified participant, if represented that individual's counsel, and the assistant state attorney handling a qualified criminal case in any county within the First Judicial Circuit which does not have an established Military Veterans and Servicemembers Court Program, the assigned judge may enter an order stating that venue is changed to a specific county in the First Judicial Circuit which operates a Military Veterans and Servicemembers Court Program.
5. The Clerk in the county where a change of venue order has been entered as described in paragraph 4 shall transfer the file to the Clerk in the specified county. The Clerk in the specified county shall assign the case to the division of court which presides over an established Military Veterans and Servicemembers Court Program, and the assigned judges shall have full authority to manage the case to conclusion.

DONE AND ORDERED in Pensacola, Escambia County, Florida this 10TH day of June, 2013.

/S/ TERRY D. TERRELL

TERRY D. TERRELL
CHIEF JUDGE

Copies furnished to:

All Judges, First Judicial Circuit
Honorable William Eddins, State Attorney, First Judicial Circuit
Honorable Bruce Miller, Public Defender, First Judicial Circuit
Robin Wright, Trial Court Administrator
For publication: *Escambia Santa Rosa Bar Association*
For publication: *Okaloosa Bar Association*
For publication: www.FirstJudicialCircuit.org