

**IN THE COURTS OF SANTA ROSA COUNTY
IN AND FOR THE STATE OF FLORIDA**

ADMINISTRATIVE DIRECTIVE SRCAD 1991-01A

IN RE: FCIC/NCIC RECORD CHECKS

ORDER

WHEREAS, it is necessary to the efficient administration for the handling of felony criminal cases in the First Judicial Circuit of Florida in and for Santa Rosa County, Florida, that insofar as is possible, the routine handling of pleas and sentences in felony cases be expedited, and

WHEREAS, the considerations based on sentencing guidelines and the prior record of the defendant must be taken into account not only by the State, but also by defense counsel at the earliest possible date, and

WHEREAS, such information becomes routinely available to the State as early as an arrest and usually not later than the time when defense counsel files a formal discovery demand under the applicable rules of procedure, and

WHEREAS, the provisions of Rule 3.220(f), *Florida Rules of Criminal Procedure*, provide that the Court can order additional discovery to that provided for in other sections of said discovery rules, and

WHEREAS, the Office of the Public Defender is not furnished the prior criminal history record of the defendant at the present time, and

WHEREAS, to provide the criminal history record of the defendant will enable the Office of the Public Defender to expedite the handling of criminal cases and enable that office to make a more intelligent and comprehensive decision with respect to the preparation, plea and/or trial in a given case, and for reasons thereof it is, therefore,

ORDERED AND ADJUDGED: That the Office of the State Attorney of the First Judicial Circuit be and they are hereby authorized to obtain an FCIC/NCIC record check on each defendant arrested for felony charges in Santa Rosa County as soon thereafter as practical, and they are hereby authorized to provide a copy thereof to the Office of the Public Defender when that Office represents the defendant, or to court-appointed or private counsel as a part of the response to discovery when said response is furnished to the attorney representing the defendant pursuant to Notice of Discovery filed by the respective appointed counsel.

To be recorded in Santa Rosa County, Florida.

DONE AND ORDERED in Chambers at Pensacola, Escambia County, Florida this 10th day of May, 1991.

Signed by: Paul Rasmussen, Administrative Judge

Copies to:

Circuit Judges
Public Defender
State Attorney