

**IN THE CIRCUIT COURT FOR THE FIFTH JUDICIAL CIRCUIT IN AND
FOR HERNANDO COUNTY, FLORIDA**

ADMINISTRATIVE ORDER H-2018-25

**ADMINISTRATIVE ORDER
REGARDING THE VETERANS' TREATMENT COURT
DIVISION IN HERNANDO COUNTY AND
RESCINDING ADMINISTRATIVE ORDER H-2016-20**

WHEREAS, the T. Patt Maney Veterans' Treatment Intervention Act was passed by the Florida Legislature as Section 16 of Chapter 2012-159 of the Laws of Florida and signed into law by Florida's Governor to take effect on July 1, 2012; and

WHEREAS, certain Military and Service Member Veteran Defendants ("Veterans") are in need of services and treatment beyond the resources and services available at the county jail; and

WHEREAS, the public safety reduction of recidivism is paramount to the proper administration of justice; and

WHEREAS, a separate criminal division with misdemeanor and felony cases is required to assist in the referral and oversight of certain eligible Veterans for mental health treatment and support toward the goal of preventing crime and further involvement with the criminal justice system; and

WHEREAS, Florida Statute, Section 394.47891 authorizes establishment of a Military Veterans and Service Members Court Program under which veterans and service members who are convicted of a criminal offense and who suffer from a military-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem can be sentenced in accordance with chapter 921 in a manner that appropriately addresses the severity of the mental illness, traumatic brain injury, substance abuse disorder, or psychological problem through services tailored to the individual needs of the participant. Entry into any Military Veterans and Service Members Court Program must be based upon the sentencing court's assessment of the defendant's criminal history, military service, substance abuse treatment needs, mental health treatment needs, amenability to the services of the program, the recommendation of the State Attorney and the victim, if any, and the defendant's agreement to enter the program; and

WHEREAS, Chapter 948 Florida Statutes, establishes the provision of appropriate sentencing schemes for Veterans who are accepted into this treatment Program; and

WHEREAS, the procedures outlined herein are necessary for the efficient administration of justice, it is therefore,

IT IS HEREBY ORDERED that:

1. A Problem-Solving Court is hereby created in Hernando County, as a separate criminal division with misdemeanor and felony cases, which shall be known as "Veterans Treatment Court," to preside over and oversee cases involving veterans with mental illness.

2. Veterans' Treatment Court shall consist of eligible cases from the other Criminal Divisions for possible referral into drug abuse /mental illness treatment and support. The mission statement, eligibility criteria, treatment format and procedures for referral to Veterans ' Court shall be set out in the Policy and Procedures Manual, separate from this Order.

3. Defendants must enter the Veterans' Treatment Court through one of the methods outlined in and pursuant to the terms of the Policy and Procedures Manual approved by the undersigned, separate from this Order.

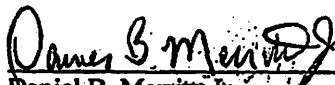
4. Circuit Judge Donald E. Scaglione is hereby assigned to preside over the Hernando County Veterans' Treatment Court. Other judges in Hernando County may be assigned to temporarily preside over the Hernando County Veterans' Treatment Court when necessary. Any county court judge temporarily presiding over the Hernando County Veterans' Treatment Court is hereby appointed to act as a circuit judge of the Fifth Judicial Circuit. Any circuit judge presiding over the Hernando County Veterans' Treatment Court is hereby appointed to act as a county judge of Hernando County.

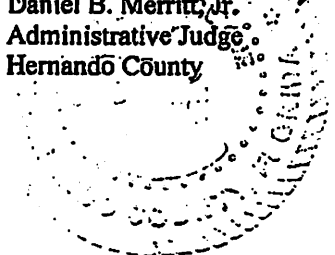
5. If a defendant's participation in the Program is terminated for cause, the defendant shall be terminated from the Veterans' Treatment Court Program and the defendant will be sentenced by the Veterans ' Treatment Court Program Presiding Judge.

6. All hearings conducted pursuant to this Administrative Order shall be recorded electronically or by a court reporter.

7. This Order shall be effective immediately upon approval and shall apply to all pending and future cases before the Court in and for Hernando County.

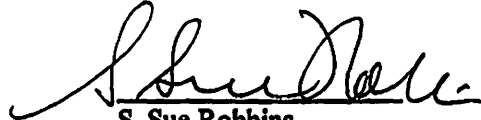
DONE and ORDERED in chambers Brooksville, Hernando County, Florida this 19th day of July 2018.


Daniel B. Merritt, Jr.
Administrative Judge
Hernando County



IT IS FURTHER ORDERED that Administrative Order H-2016-20 is hereby
RESCINDED.

DONE and ORDERED in chambers Ocala, Marion County, Florida this 19 day of
July 2018.

A handwritten signature in black ink, appearing to read 'S. Sue Robbins', written over a horizontal line.

**S. Sue Robbins
Chief Judge
Fifth Judicial Circuit**