

**IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA, IN AND FOR MARION COUNTY**

ADMINISTRATIVE ORDER M-2009-06

**ADMINISTRATIVE ORDER CREATING THE MARION COUNTY MENTAL
HEALTH COURT AND RESCINDING ADMINISTRATIVE ORDER M-2002-20**

WHEREAS, pursuant to Part IV of Chapter 394, Florida Statutes (2008), the Florida Legislature has encouraged the creation of mental health court programs to align policy initiatives in the criminal justice and mental health systems to ensure the most effective use of resources and to coordinate the shared needs of adults who have a mental illness and who are in, or at risk of entering, the criminal justice system; and

WHEREAS, the County Court of the Fifth Judicial Circuit in and for Marion County desires to improve its ability to identify certain mentally ill people with misdemeanor charges and to divert those people from the Marion County Jail to appropriate community based treatment and support services, and

WHEREAS, the creation of a special or alternative court will be beneficial to the administration of justice by having that court handle the misdemeanor cases involving certain mentally ill defendants with an emphasis on treatment and support services to best protect public safety, reduce recidivism and help those mentally ill persons build successful lives; and

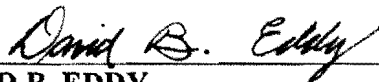
WHEREAS, policies and procedures for the Marion County Mental Health Court have been developed in cooperation with the Marion County Clerk's Office, the Office of the State Attorney, the Office of the Public Defender, The Centers, Inc., the Marion County Sheriff's Office, Marion County Court Administration, the Marion County affiliate of the National Alliance on Mental Illness, the Ocala/Marion County Community Council Against Substance Abuse and others; it is thereupon,

ORDERED AND ADJUDGED that:

- 1) An alternative court is hereby established in Marion County to be known as the "Marion County Mental Health Court" which court will take jurisdiction over the misdemeanor cases of certain people with mental illness from the regular criminal dockets of the Marion County Court.
- 2) The policies and procedures of the Marion County Mental Health Court shall be set forth in a manual separate from this order and can include a mission statement, court requirements, eligibility criteria and referral procedures.
- 3) A County Judge shall be assigned to regularly preside over the Marion County Mental Health Court.

- 4) A defendant's case will be transferred back to one of the regular criminal dockets of the Marion County Court if a defendant is terminated from the Marion County Mental Health Court for any reason other than graduation.
- 5) All hearings conducted by the Marion County Mental Health Court shall be recorded electronically or by a court reporter.
- 6) Defendants participating in the Marion County Mental Health Court will be required to pay a monthly fee of \$25.00 for each month they are a participant in the Marion County Mental Health Court unless waived or adjusted by the judge presiding over the Marion County Mental Health Court and there will be a no refund policy for any funds paid by, or on behalf of, any defendant participating in the Marion County Mental Health Court.
- 7) The Clerk of the Court is authorized to accept any participation fee or other funds collected incidental to a defendant's participation in the Marion County Mental Health Court.
- 8) This order shall be effective upon entry, however, the Marion County Mental Health Court is created and shall be maintained subject to the availability of adequate funding for the operation of this alternative court.
- 9) This order rescinds Administrative Order M-2002-20.

DONE AND ORDERED in chambers, in Ocala, Marion County, Florida, this 5th day of March, 2009.



DAVID B. EDDY
Marion County Administrative Judge