

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

ADMINISTRATIVE ORDER: M-2018-09

**ADMINISTRATIVE ORDER REGARDING MONIES PAID TO THE
MARION COUNTY GENERAL FUND FEES COURT INNOVATIONS ACCOUNT
IN LIEU OF COMMUNITY SERVICE**

WHEREAS, the Chief Judge of the Fifth Judicial Circuit, by and through the Administrative Judge in and for Marion County, is responsible for the efficient and proper administration of justice and to ensure that statutorily-authorized fines and penalties are properly assessed and collected;

WHEREAS, section 316.193 of the Florida Statutes, entitled “Driving under the influence; penalties,” provides, in pertinent part, that “[t]he court may order a defendant to pay a fine of \$10 for each hour of public service or community work otherwise required only if the court finds that the residence or location of the defendant at the time public service or community work is required or the defendant’s employment obligations would create an undue hardship for the defendant.”;

WHEREAS, all fines and penalties imposed pursuant to various sections of the Florida Statutes, including sections 316.193 and 775.083, unless otherwise directed by statute, are to be placed into the Fine and Forfeiture Fund established by the Clerk of the Court pursuant to section 142.01; and

WHEREAS, between approximately May 15, 2016 and February 2018, monies received from County Court defendants who requested and were permitted to buy out community service hours, were directed by Court Order to be paid into the Marion County “General Fund Fees Court Innovations” account; and

WHEREAS, since February 2018 all Marion County judges have ceased ordering funds received from purchased community service hours to be paid in the Marion County “General Fund Fees Court Innovations” account.

In accordance with Article V, section 2, of the Florida Constitution, rule 2.215 of the Florida Rules of Judicial Administration, and sections 142.01, 316.193, 775.083, and 939.185 of the Florida Statutes, it is therefore:

ORDERED AND ADJUDGED that, effective immediately, all monies paid into the Marion County “General Fund Fees Court Innovations” account for the purpose of buying out

community service hours shall be transferred from the Marion County “General Fund Fees Court Innovations” account to the Clerk of Court’s Fine and Forfeiture Fund. All future funds paid into the Marion County “General Fund Fees Court Innovations” account pursuant to any previous Court Order shall be identified by defendant name, case number and amount paid and thereafter transferred from the said account to the Clerk’s Fine and Forfeiture Fund in a manner and upon a schedule established by the Marion County Clerk of Court and Comptroller.

DONE AND ORDERED in Chambers at Ocala, Marion County, Florida, on this 21 day of March 2018.



ANTHONY M. TATTI
ADMINISTRATIVE JUDGE
MARION COUNTY