

IN THE CIRCUIT COURT OF THE
NINETEENTH JUDICIAL CIRCUIT
IN AND FOR INDIAN RIVER,
MARTIN, OKEECHOBEE AND
ST. LUCIE COUNTIES, FLORIDA

AMENDMENT TO ADMINISTRATIVE ORDER 93-09

RE: PRIORITIZING RESTITUTION IN CRIMINAL CASES

WHEREAS, the Florida Legislature has amended Section 27.52 (1)(d)(2) to require the first \$40.00 of any court assessed fees or costs that are paid by an indigent defendant be paid to the Indigent Criminal Defense Trust Fund as payment for the application fee for the Public Defender and

WHEREAS, as the Chief Judge of the Nineteenth Judicial Circuit in order to comply with the directives of the Florida Legislature and pursuant to Rule 2.050, Florida Rules of Judicial Administration, it is therefore **ORDERED**:

1. That section 1(b) of Administrative Order 93-09 is hereby amended. In all cases where the defendant has been declared indigent and the Office of the Public Defender or a conflict attorney has been appointed, once the victim has been reimbursed, then the first \$40.00 of any court assessed fees or costs that shall be paid by the indigent defendant through the Clerk of Court to the Indigent Criminal Defense Trust Fund. Thereafter the court costs and fines (which directly benefits the respective county), costs of defense expended by the county (deposition costs, expert witness fees, etcetera), public defender fees, costs of prosecution, costs of supervision and drug abuse trust funds, shall be distributed proportionately. In all such cases where the defendant has not been declared indigent, once the victim has been reimbursed, then the court costs and fines (which directly benefits the respective county), costs of defense expended by the county (deposition costs, expert witness fees, etcetera), public defender fees, costs of prosecution, costs of supervision and drug abuse trust funds, shall be distributed proportionately.

2. That all remaining sections of Administrative Order 93-09 shall remain in full force and affect.

DONE AND ORDERED in quadruplicate at Vero Beach, Indian River County, Florida, this 18 day of June, 1997.


PAUL B. KANAREK
Chief Judge