

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

ADMINISTRATIVE ORDER NO. 4.206-7/22*

IN RE: PRETRIAL RELEASE PROGRAM

_____ :

The establishment of procedures for pretrial release promotes the efficient and uniform administration of justice. Pretrial release programs provide the court with verified background information on defendants held in jail prior to their First Appearance Court hearing.

NOW, THEREFORE, pursuant to the authority conferred by Florida Rule of Judicial Administration 2.215, it is **ORDERED** as follows:

1. This Order is to govern the administrative procedures needed to implement the laws of Florida and the Florida Rules of Criminal Procedure relating to pretrial release.
2. The Justice Services Department of Palm Beach County will administer and supervise the Pretrial Release Program in the Fifteenth Judicial Circuit ("Palm Beach County Pretrial Release Program").
3. The Palm Beach County Pretrial Release Program qualifies as the designated organization referred to in Florida Rule of Criminal Procedure 3.131(b)(1)(D).
4. Any person who a judge deems eligible for pretrial release may be released into the Palm Beach County Pretrial Release Program after first appearance provided that the Palm Beach County Pretrial Release Program certifies to the judge that it has investigated or otherwise verified:
 - a. The circumstances of the accused person's family, employment, financial resources, character, mental condition, and length of residence in the community;
 - b. The accused person's record of convictions, of appearances at court proceedings, or flight to avoid prosecution, or failure to appear at court proceedings; and
 - c. Other facts necessary to assist the court in its determination of the indigence of the accused person and whether she or he should be released under the supervision of the Pretrial Release Program.
5. Palm Beach County Pretrial Release Program will follow the judge's instruction as to whether the defendant is to report by telephone or "in person". **In order to facilitate coordination between the Circuit's Pretrial Release Program and court rulings on the conditions of pretrial release, the Court may impose pretrial release conditions using pre-determined levels of release, in accordance with the Schedule attached as Exhibit "A".**

6. Unless the fee is waived by the Court, defendants placed in the Palm Beach County Pretrial Release Program shall pay an administrative fee to Palm Beach County in order to participate in the program.
7. Palm Beach County Pretrial Release Program will submit a sworn affidavit informing the Court when a defendant fails to comply with any or all conditions of the pretrial release. The Defendant's failure to comply with any of the pretrial conditions may result in the immediate disqualification of the accused from participating in the pretrial release program or other lawful sanction deemed appropriate by the Court.
8. If a person released under this program violates any condition of release or is arrested for a crime for which probable cause has been found by a judge, Palm Beach County Pretrial Release Program shall apply to the First Appearance judge (if charges have not been filed) or the judge assigned to try the defendant's criminal case (if charges have been filed) to have his/her release revoked and have a warrant issued for his/her arrest.
9. If any pretrial conditions of release have changed, such as change of address or change of employment, Pretrial Services shall file a Notice of Change of Pretrial Condition ("Notice") with the First Appearance judge (if charges have not been filed) or the judge assigned to try the defendant's criminal case (if charges have been filed) and provide a form Order on the Notice of Change of Pretrial Conditions ("Order") as set forth in the Notice and Order attached as Exhibit "B".
10. Pretrial Services shall provide a quarterly report to the Administrative Judges of Circuit and County Criminal as to the number of referrals, number of defendants accepted into the program, the number of warrants filed for breach of pretrial release conditions, and bond amounts for defendants placed on SOR with an accompanying bond.

DONE and **SIGNED** in Chambers, at West Palm Beach, Palm Beach County, Florida this 8th day of July, 2022.



Glenn Kelley, Chief Judge

*supersedes admin. Order 4.206-1/15

EXHIBIT A

Schedule of Pretrial Release Levels

Release Own Recognizance (ROR) — No active supervision needed.

Supervised Own Recognizance (SOR) —

SOR Level I Standard Conditions of Supervision + weekly reporting by phone + court date reminders.

SOR Level II Standard Conditions of Supervision* + in person once a month reporting to SOR office at courthouse locations + court date reminders, + special conditions as needed.

SOR Level III Standard Conditions of Supervision* + in person every other week reporting to SOR office at courthouse locations + court date reminders + special conditions as needed.

SOR Level IV Standard Conditions of Supervision* + in person weekly reporting to SOR office at courthouse locations + court date reminders + special conditions as needed.

Standard Conditions- Must appear for court appearances, as required by the Court; **MUST NOT VIOLATE ANY City, County, State or Federal Law**; must notify Pretrial Services before leaving Palm Beach, Broward, or Martin County area; must report in person at a frequency based on level of supervision.

Per Court Imposed Conditions —May include any of the following: Monetary Bond, Electronic, Monitoring by PBSO, or any other condition deemed reasonable necessary to assure appearance for Court and to reduce the risk of recidivism.

EXHIBIT B

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY FLORIDA

CASE NO.: _____

Division: _____

STATE OF FLORIDA

vs.

Defendant

/

PRETRIAL SERVICES PROGRAM'S NOTICE OF CHANGE OF PRETRIAL CONDITIONS

The Pretrial Services Program of Palm Beach County ("PTS") files this Notice of Change of Pretrial Conditions.

PTS hereby notifies the court of the following changes in the Defendant's circumstances:

- Defendant's residence address has changed
- Defendant's work status has changed
- Defendant is in a treatment facility
- Defendant is a full time student
- Other _____

Under penalties of perjury, I declare that I have read the foregoing Notice of Change of Pretrial Conditions and the facts contained therein are true and correct.

By:

Signature: _____

Printed name: _____

Title: _____ Telephone Number: _____

Date: _____

Copy provided to:

State Attorney's Office

Defense Counsel _____ (insert name and address)

Palm Beach County SOR: PretrialCounselors@pbcgov.org

IN THE CIRCUIT/COUNTY COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY FLORIDA

CASE NO.: _____
Division: _____

STATE OF FLORIDA

vs.

DEFENDANT
_____ /

ORDER MODIFYING SUPERVISED CONDITIONS OF RELEASE

THIS CAUSE having come before the Court on Pretrial Services' Notice of Change of Pretrial Conditions, and the Court having reviewed the Notice and being otherwise duly advised in the premises hereby ORDERS as follows:

- 1. The Defendant will have no contact with the victim either directly or indirectly.
- 2. Victim contact permitted with _____. **This condition in no way alters or preempts any contact provision in any other order in any other case.**
- 3. The Defendant will stay away from the following persons and/or location(s):_____.
- 4. The Defendant will abide by a curfew of _____.
- 5. The Defendant will not consume or possess any alcohol, drugs or narcotics unless prescribed by a licensed physician.
- 6. The Defendant will not knowingly be on the premises of any commercial or private establishment whose primary purpose is the sale or consumption of alcoholic beverages.
- 7. The Defendant will enter outpatient drug treatment.
- 8. The Defendant will enter and successfully complete, at his/her own expense, the following treatment(s)/program(s):_____
- 9. The Defendant will undergo random standard alcohol and drug testing, at his/her own expense.
- 10. The Defendant will not possess, carry, nor own any weapons or firearms.
- 11. The Defendant will report to SOR by telephone _____ per week.

- 12. Other: _____

DONE AND ORDERED in Chambers/Open Court in Palm Beach County, Florida this _____ day of _____, 20_____

Circuit/County Court Judge

Copies provided to:

State Attorney's Office - Division _____

Defense Counsel _____ (insert name)

Palm Beach County SOR: PretrialCounselors@pbcgov.org