

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

ADMINISTRATIVE ORDER NO. 4.202-12/2022\*

IN RE: SCHEDULE OF BONDS AND PROCEDURES  
RELATING TO PRE-FIRST APPEARANCE RELEASE

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The Fifteenth Judicial Circuit has established a system for the release of persons accused of crimes on bond prior to the first appearance hearing. It is necessary to establish a uniform schedule to designate those offenses eligible for bond release prior to first appearance and the amount of such bond,

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

**I. CRIMES NOT ELIGIBLE FOR BOND PRIOR TO FIRST APPEARANCE**

The following offenses are crimes of violence and persons charged with these offenses shall not be eligible for release on bond prior to a first appearance hearing, unless otherwise specified on an active warrant. In the event the specific statutory subsection governing the charged offense is not identified in the Statute column, below, all subsections within the identified statute apply.

<b><u>STATUTE</u></b>	<b><u>DESCRIPTION</u></b>
<b>39.205(1)</b>	<b>Failure to Report Child Abuse, Abandonment, or Neglect</b>
<b>39.205(2)</b>	<b>Failure to Report Child Abuse, Abandonment, or Neglect</b>
316.027(2)(c)	Leave Scene of Accident/Death
316.193(3)(c)3	DUI Manslaughter
316.193(3)(c)(2)	DUI Serious Bodily Injury
322.34(6)	Driving While License Canceled, Suspended or Revoked Causing Death or Serious Bodily Injury

741.28(1)	Domestic Violence**1
741.29(6)	Violation of a condition of Pre-trial Release- Domestic Violence
741.31	Domestic Violence, Violation of Injunction
775.21(6)(j)	Sexual Predators Act/Fail to Notify/Residence
782.04	Murder <b>(all subsections included)</b>
782.07	Manslaughter <b>(all subsections included)</b>
782.071	Vehicular Homicide <b>(all subsections included)</b>
782.072	Vessel Homicide <b>(all subsections included)</b>
782.09	Killing of Unborn Child by Injury to Mother
782.11	Unnecessary Killing to Prevent Unlawful Act
784.021	<b>Aggravated Assault</b> <b>(all subsections included)</b>
784.041(1)	<b>Felony Battery</b>
<b>784.041(2)</b>	<b>Domestic Battery by Strangulation</b>
784.045	<b>Aggravated Battery</b> <b>(all subsections included)</b>

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1 \*\*741.28 Domestic violence; definitions [in part].

- (1) "Domestic Violence" means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, or any criminal offense resulting in physical injury or death of one family or household member by another who is or was residing in the same single dwelling unit.
- (2) "Family or household member" means spouses, former spouses, persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as if a family, and persons who have a child in common regardless of whether they have been married or have resided together at any time.

784.046(13)	Dating Violence <sup>2</sup>
784.046(15)	Violation of a Condition of Pre-trial Release- Dating Violence
784.048	Stalking <b>(all subsections included)</b>
<b>784.049</b>	<b>Sexual Cyberharassment</b>
784.0495(1)	Mob Intimidation
<b>784.07</b>	<b>Assault or Battery on Law Enforcement, Firefighter, Emergency Care Provider, Public Transit, or Other Specified Persons</b>
784.08(2)(c)	Battery on a Person 65 or Older
784.08(2)(b)	<b>Aggravated Assault on Person 65 or Older</b>
787.01	Kidnapping <b>(all subsections included)</b>
787.02	False Imprisonment <b>(all subsections included)</b>
<b>787.03</b>	<b>Interference with Custody</b>
<b>787.04</b>	<b>Removal or Concealment of Minor Contrary to State Agency or Court Order (all subsections included)</b>
790.07	<b>Weapons while Engaged in Criminal Offense (all subsections included)</b>
790.115(1)	Weapon, Firearm/School Property/Exhibit

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2 “‘Dating Violence’ means violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on the consideration of the following factors: (1) A dating relationship must have existed within the past 6 months; (2) the nature of the relationship must have been characterized by the expectation of affection or sexual involvement between the parties; and (3) the frequency and type of interaction between the persons involved in the relationship must have included that the persons have been involved over time and on a continuous basis during the course of the relationship. The term does not include violence in a casual acquaintanceship or violence between individuals who only have engaged in ordinary fraternization in a business or social context.” § 784.046(1)(d), Fla. Stat. (2018).

790.115(2)(c)1	Firearm/School Property/Possession
790.115(2)(d)	Firearm/School Property/Discharge
790.115(2)(d)	Weapon, Firearm/School Property/Discharge
790.15(2)	Firearm/Discharge From a Vehicle
790.161(3)	<b>Destructive Device causing Bodily Harm</b>
790.161(4)	<b>Destructive Device causing Death</b>
790.19	Deadly Missile/Shoot, Throw
790.23	Firearm/Possession by Felon
790.221	<b>Possession of Short-Barrel Shotgun, Rifle, Machine Gun</b>
<b>790.401(11)(b)</b>	<b>Violation of Risk Protection Order</b>
794.011	Sexual Battery <b>(all subsections included)</b>
794.023	Sexual Battery/Multiple Perpetrators
800.04	Lewd and Lascivious Assault on Child <b>(all subsections included)</b>
806.01(1)	Arson, 1st Degree
806.031(2)	Arson, Great Bodily Harm
810.02(2)(b)	<b>Armed Burglary</b>
810.02(2)(a)	<b>Burglary With Assault or Battery</b>
810.02(2)(a)	<b>Armed Burglary With Assault or Battery</b>
810.02(3)	<b>Burglary of Occupied Dwelling, Structure, or Conveyance</b>

810.02(3)	<b>Burglary of Unoccupied Dwelling</b>
810.02(3)	Burglary of Occupied <b>Dwelling</b> , Structure, <b>or</b> Conveyance With Mask
810.02(4)(b)	Burglary During a Riot or Aggravated Riot
812.014(2)(b)	Theft During a Riot or Aggravated Riot
812.014(2)(c)	Theft During a Riot or Aggravated Riot
812.13	<b>Robbery (all subsections included)</b>
812.133	<b>Carjacking (all subsections included)</b>
812.135	Robbery/Home Invasion
825.102(1)	<b>Abuse of Elderly Person or Disabled Adult</b>
825.102(2)	<b>Aggravated Abuse of Elderly Person or Disabled Adult</b>
827.03	<b>Child Abuse, Aggravated Child Abuse and Neglect of a Child (all subsections included)</b>
<b>827.04(3)</b>	<b>Contributing to Delinquency/ Dependency of Child- Impregnate Child Under 16</b>
827.071	Sexual Performance by a Child
<b>827.10</b>	<b>Unlawful Desertion of a Child</b>
836.05	Threats/Extortion
836.10(2)	Written Threats to Kill, Do Bodily Injury, or Conduct a Mass Shooting or an Act of Terrorism
<b>836.12</b>	<b>Threats (all subsections included)</b>

<b>843.21</b>	<b>Depriving Crime Victim of Medical Care (all subsections included)</b>
847.011	Prohibition of Acts in Connection w/ Obscene/Lewd etc. materials when depicting minor or repeat offender
847.0135	Computer Pornography/Prohibited Comp Use /Travel to Meet Minor <b>(all subsections included)</b>
847.0138	Transmission of Material Harmful to Minors /Electronic Device/Equipment
<b>847.0137</b>	<b>Transmission of Child Pornography (all subsections included)</b>
870.01(2)	Riot
870.01(3)	Aggravated Rioting
870.01(4)	Inciting a Riot
870.01(5)	Aggravated Inciting a Riot
870.02(1)	Unlawful Assembly
893.135	Drug Trafficking, in general
914.22	Tampering with a Witness, Victim, or Informant
914.23	Retaliate Against Witness/Bodily Injury
<b>918.12</b>	<b>Tampering with Juror</b>
943.0435	Sexual Offender/Failure to Register/Notify
944.40	Escape

## II. BOND SCHEDULE FOR CRIMES NOT LISTED ABOVE

Persons arrested for crimes other than those listed above shall be eligible for bond release prior to first appearance according to the following schedule and provisions:

### A. **FELONIES:**

#### 1. OFFENSES AND BOND AMOUNT:

<u>OFFENSE</u>	<u>BOND</u>
<u>FIRST-DEGREE FELONIES</u>	
Palm Beach County Resident	\$15,000.00
Florida Resident, Not Palm Beach County	\$20,000.00
Out-of-State Resident	\$25,000.00
<u>SECOND-DEGREE FELONIES</u>	
Palm Beach County Resident	\$ 5,000.00
Florida Resident, Not Palm Beach County	\$ 7,500.00
Out-of-State Resident	\$10,000.00
<u>THIRD-DEGREE FELONIES</u>	
Palm Beach County Resident	\$ 3,000.00
Florida Resident, Not Palm Beach County	\$ 4,500.00
Out-of-State Resident	\$ 5,000.00

#### 2. PROVISIONS RELATING TO FELONY BONDS

- a. The amount of bond is increased by \$10,000.00 in each category when the individual is arrested outside the State of Florida.
- b. If a person is currently on bond or on personal recognizance release for a felony, a first-degree misdemeanor or the crime of driving while impaired, the arrestee shall not be eligible for a bond under this schedule. Rather, the arrestee shall be held and brought before a judge at the next first appearance hearing. If a person is currently on bond for a second-degree misdemeanor, the bond specified in this order or in administrative order 10.001-1/95 shall be doubled. In the event the person is on a personal recognizance release, the bond shall be set at \$250.00 per charge.
- c. Effective October 1, 2006 a separate and specific bond shall be set for each charge or offense.
- d. A separate and specific bond shall be set for each charge or offense.

**B. MISDEMEANORS/TRAFFIC CRIMES/VIOLATIONS OF MUNICIPAL AND COUNTY ORDINANCES:**

1. OFFENSES AND BOND AMOUNT

LOITERING IN RELATION TO PROSTITUTION,  
PROSTITUTION, ATTEMPTING TO HIRE OR HIRING A  
PROSTITUTE OR ANY OTHER VIOLATION OF  
§796.07 FLA. STAT.

Palm Beach County Permanent Resident	\$ 250.00
Adjoining County Permanent Resident (Broward, Okeechobee, Hendry or Martin Counties)	\$ 250.00
Florida Resident, Not Palm Beach County or Adjoining County	\$ 500.00
Out-of-State Resident	\$ 500.00

REFUSAL TO SIGN NOTICE TO APPEAR, TRAFFIC CITATION

Palm Beach County Permanent Resident	O.R.
Adjoining County Permanent Resident (Broward, Okeechobee, Hendry or Martin Counties)	O.R.
Florida Resident, Not Palm Beach County or Adjoining County	O.R.
Out-of-State Resident	O.R.

HAS AN OUTSTANDING FTA ON A CRIMINAL CHARGE

Palm Beach County Permanent Resident	\$250.00
Adjoining County Permanent Resident (Broward, Okeechobee, Hendry or Martin Counties)	\$250.00
Florida Resident, Not Palm Beach County or Adjoining County	\$500.00
Out-of-State Resident	\$500.00

FIRST DEGREE MISDEMEANORS OTHER THAN THOSE LISTED ABOVE  
(OR EQUIVALENT ORDINANCE VIOLATION); DUI, UBA, OR OFFENSE  
CARRYING A MINIMUM MANDATORY JAIL SENTENCE

Palm Beach County Permanent Resident	O.R.
Adjoining County Permanent Resident (Broward, Okeechobee, Hendry or Martin Counties)	O.R.
Florida Resident, Not Palm Beach County or Adjoining County	O.R.
Out-of-State Resident	O.R.



SECOND DEGREE MISDEMEANORS OTHER THAN THOSE LISTED ABOVE  
(OR EQUIVALENT ORDINANCE VIOLATION); RECKLESS DRIVING

Palm Beach County Permanent Resident	O.R.
Adjoining County Permanent Resident (Broward, Okeechobee, Hendry or Martin Counties)	O.R.
Florida Resident, Not Palm Beach County or Adjoining County	O.R.
Out-of-State Resident	O.R.

TRAFFIC CRIME OF NO REGISTRATION

Palm Beach County Permanent Resident	O.R.
Adjoining County Permanent Resident (Broward, Okeechobee, Hendry or Martin Counties)	O.R.
Florida Resident, Not Palm Beach County or Adjoining County	O.R.
Out-of-State Resident	O.R.

2. **PROVISIONS RELATING TO BONDS FOR MISDEMEANORS, TRAFFIC CRIMES AND VIOLATIONS OF MUNICIPAL AND COUNTY ORDINANCES:**

- a. The above bond schedule shall be utilized by the booking desk of the Palm Beach County Jail.
- b. A permanent resident of Palm Beach, Broward, Okeechobee, Hendry or Martin County is defined as a person who can provide proof of a current permanent address in one of these counties. A post office box alone will not suffice.
- c. In all cases where a defendant is arrested for misdemeanor assault or battery upon a spouse, ex-spouse, boyfriend, girlfriend, ex-boyfriend or ex-girlfriend, no bond shall be available prior to the first appearance hearing.
- d. Defendants with Existing Bonds: If a person is currently on bond or is on personal recognizance release for a felony, a first-degree misdemeanor, second-degree misdemeanor or the crime of driving while impaired, the arrestee shall not be eligible for a bond under this schedule. Rather, the arrestee shall be held and brought before a judge at the next first-appearance hearing as set forth above.
- e. Pursuant to Section 903.046 (d), Florida Statutes (2007), any defendant who failed to appear on the day of any required court proceeding in the case at issue and who was later arrested shall not be eligible for a recognizance bond or for any form of bond which does not require a monetary undertaking or commitment equal to or greater than \$2,000.00 or twice the value of the monetary commitment or undertaking of the original bond, whichever is greater. Notwithstanding anything in this paragraph, the court has discretion in determining conditions of release if

the defendant proves circumstances beyond his or her control for the failure to appear.

- f. Effective October 1, 2006 a separate and specific bond shall be set for each charge or offense.

### **III. FIRST APPEARANCE**

When an accused is brought to a first appearance hearing, all proceedings are governed by Crim. Rule 3.131 and the bonds for pre-first appearance release under this administrative order shall cease to be effective.

**DONE** and **SIGNED** in Chambers at West Palm Beach, Palm Beach County, Florida, this 6<sup>th</sup> day of December 2022.



THE  
15<sup>TH</sup> JUDICIAL CIRCUIT  
OF FLORIDA  
ADMINISTRATIVE OFFICE OF THE COURT

*Glenn D. Kelley*

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Glenn D. Kelley, Chief Judge

\*supersedes admin. order no. 4.202-5/2021