

IN THE CIRCUIT COURT OF FLORIDA, SEVENTH JUDICIAL CIRCUIT
IN AND FOR VOLUSIA COUNTY

RE: PROCESSING OF ARREST, COMPLAINT AND NOTICE TO APPEAR PAPERWORK (ADULT)

REF: R-2003-018
(Rescinds O-98-120)

WHEREAS, it has come to the attention of the undersigned that the prompt and efficient administration of justice in the Seventh Judicial Circuit, Volusia County, requires the issuance of an Administrative Order regarding the delivery and processing of paperwork related to arrests, complaints and Notices to Appear in adult cases, and

WHEREAS, the undersigned has conferred with judges, the State Attorney and the Clerk of the Circuit Court in Volusia County regarding this matter;

NOW THEREFORE, I, ROBERT K. ROUSE, JR., Chief Judge of the Seventh Judicial Circuit, hereby order as follows:

1. All paperwork related to **arrests**, including related traffic citations, in adult cases in Volusia County shall be delivered to the Volusia County Branch Jail by the arresting agency. The paperwork shall then be forwarded promptly to the Clerk of the Circuit Court's office.
2. All paperwork related to **complaints** in adult cases in Volusia County shall be delivered promptly to either the State Attorney's office or the appropriate municipal prosecutor's office by the arresting agency.
3. All paperwork related to **Notices to Appear issued by arresting agencies**, including related traffic citations, in adult cases in Volusia County shall be delivered promptly to the Clerk of the Circuit Court's office. The Clerk's Office shall then promptly forward relevant copies to the State Attorney's office or the appropriate municipal prosecutor's office. **Notices to Appear issued by the Booking Unit at the Branch Jail** shall be processed pursuant to paragraph #1.
4. The State Attorney's office, or the appropriate municipal prosecutor's office, shall review all **complaint** paperwork upon receipt and shall file the originals of said paperwork with the Clerk of the Circuit Court's office when they elect to file:
 - a) an information
 - b) a complaint affidavit, accompanied by a Notice of Intent to Prosecute
 - c) a no-information
 - d) a request for warrant
 - e) a Deferred Prosecution Agreement
 - f) a Pretrial Intervention Order.
5. The Clerk of the Circuit Court shall not set complaint affidavits issued by arresting agencies for arraignment until the State Attorney or municipal prosecutor has made a filing decision pursuant to paragraph #4 above. If a warrant is issued, an arraignment shall not be set until the warrant is served.
6. The assignment of case numbers and the assignment of cases to judicial divisions shall be the sole responsibility of the Clerk of the Circuit Court.

IT IS FURTHER ORDERED that this Order does not apply to paperwork related to delinquent acts by juveniles. Paperwork related to delinquent acts by juveniles shall be processed pursuant to § 985.21, Florida Statutes, or other relevant provisions as required by law.

IT IS FURTHER ORDERED that Administrative Order O-98-120 is hereby rescinded.

TO BE RECORDED in Volusia County, Florida.

DONE AND ORDERED in DeLand, Volusia County, Florida, this 29th day of January, 2003.



ROBERT K. ROUSE, JR.
CHIEF JUDGE

cc: Circuit and County Judges, Volusia County
Clerk of Court, Volusia County
State Attorney
Public Defender
Court Administration
Director, Volusia County Corrections
Law Enforcement Agencies, Volusia County
Municipal Prosecutors