

IN THE CIRCUIT COURT OF THE
EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR BREVARD COUNTY
FLORIDA

ADMINISTRATIVE ORDER NO.:
16-01-B
SUPERSEDES 11-12-B

**IN RE: CRIMINAL – ASSIGNMENT OF CASES ASSOCIATED WITH THE JIMMY
RYCE INVOLUNTARY CIVIL COMMITMENT ACT**

Whereas, proceedings conducted pursuant to the Jimmy Ryce Involuntary Civil Commitment of Sexually Violent Predators Act, §394.10 - 394.931, Fla. Stat. (1999) (hereinafter referred to as “the Act”), are recognized to be civil in nature, governed by the Florida Rules of Civil Procedure and Florida Rules of Evidence applicable to civil cases.

Whereas, the civil nature of said proceedings is evidenced by the Florida Legislature’s express intent to create a civil commitment procedure for the long term care and treatment of sexually violent predators, referenced in §394.10, Fla. Stat.; and

Whereas, establishment of a fair and orderly process for the assignment of all cases related to the Act is necessary in order to promote the proper distribution of cases among court divisions, clear directives for the Clerk of Court, and the efficient use of judicial resources;

It is Ordered:

1. Each petition initially filed by the Office of the State Attorney seeking commitment of a person pursuant to the Act shall be assigned a civil case number bearing case category abbreviation “MH” for “Mental Health”.
2. No filing fee shall be required.
3. Cases opened by initial petitions shall be assigned to the circuit criminal division alphabetically by the first letter of the defendant’s last name in accordance with the Criminal Caseload Assignment of Cases in Felony Criminal Department of the Circuit Court of Brevard County, Florida.
4. A petition which is re-filed pursuant to §394.917, Fla. Stat., and any petition for release after commitment, shall bear the same case number as the initial petition, and the re-opened case shall remain in the previously assigned division.

5. Pursuant to §394.921, Fla. Stat., all psychological or psychiatric reports, drug and alcohol reports, treatment records, medical records, or victim impact statements which are submitted to the Court or admitted into evidence during any proceedings related to the Act shall be part of the record but shall be sealed, and may be opened only pursuant to a court order.

Done and Ordered this 11th day of January, 2016.

JOHN D. GALLUZZO
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CHIEF JUDGE

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