

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

ADMINISTRATIVE ORDER NO.  
95-25-B

**IN RE: DRUG COURT - FELONY SUBSTANCE ABUSE PRE-TRIAL  
INTERVENTION**

WHEREAS, the Florida Legislature has enacted Section 948.08(6)(a), Florida Statutes (1993), enabling the Chief Judge of the Eighteenth Judicial Circuit of Florida to approve a Pre-Trial Substance Abuse Education and Intervention Program; and

WHEREAS, Brevard County Court Alternatives has obtained funding and established a program to provide drug treatment through its program known as "Drug Court"; and

WHEREAS, the Department of Corrections has agreed to coordinate the screening and supervision of individuals placed in the "Drug Court" Program; and

WHEREAS, the proper implementation of a Pre-Trial Substance Abuse Education and Intervention Program authorized by Section 948.08(6)(a), Florida Statutes, would provide a valuable alternative to prosecution in appropriate drug cases;

NOW, THEREFORE, It is hereby ordered and adjudged;

1. That the drug education and treatment program administered and supervised by Brevard County Court Alternatives known as "Drug Court" is approved as the Substance Abuse Pre-Trial Intervention Program for Brevard County, pursuant to Section 948.08(6)(a), Florida Statutes;
2. That referrals to the program shall be submitted to the Department of Corrections in the same manner as currently submitted in Pre-Trial Intervention cases;
3. That the Department of Corrections shall screen the case focusing on the eligibility requirement of Section 948.08(6)(a), Florida Statutes, and shall report its findings to the court, the state, and defense;

4. That defendants charged with the drug offenses who are eligible under 948.08(6)(a), Florida Statutes, but are also charged with accompanying non-drug felony and misdemeanor offenses, must also meet the requirements of Section 948.08(2), Florida Statutes, including consent of the victim, the State Attorney, and the Judge, before entry into the Substance Abuse Pre-Trial Intervention Program;
5. That upon determination by the Department of Corrections that the defendant meets the requirements of the Statutes and this Administrative Order, it shall provide the Court with a proposed order setting out the normal conditions of the pre-trial intervention, with the special condition that the defendant shall successfully complete the court approved Substance Abuse and Intervention Program provided by Brevard County Court Alternatives known as "Drug Court";
6. That upon receipt of the report and proposed order from the Department of Corrections the court or either party may schedule a time for the defendant to appear before the court and the court sign its order placing the defendant in the substance abuse intervention program. The State shall notify the court, in writing, prior to the date of signing the order if it is requesting a preadmission hearing as provided in Section 948.08(6)(a), Florida Statutes;
7. That the Department of Corrections shall notify the court, state, and defense of any violations of the conditions of the court order placing the defendant in substance abuse intervention. The notification shall also provide a recommendation as to whether or not the court should remove the defendant from the Intervention Program;
8. That Brevard County Court Alternatives or the Department of Corrections shall immediately advise the court if for any reason either becomes unable to provide the services contemplated by this administrative order.

DONE AND ORDERED this 30TH day of \_\_\_\_\_ JUNE \_\_\_\_\_,  
1995.

\_\_\_\_\_  
JERE E. LOBER  
— JERE E. LOBER  
CHIEF JUDGE

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