

IN THE CIRCUIT COURT OF THE 16TH
JUDICIAL CIRCUIT OF THE STATE OF
FLORIDA IN AND FOR MONROE
COUNTY

ADMINISTRATIVE ORDER 7.002
AMENDED

ORDER AUTHORIZING NOTICES TO
APPEAR IN JUVENILE CASES AND
ESTABLISHING PROCEDURES FOR
ISSUANCE OF NOTICES TO APPEAR

WHEREAS, there are a significant number of juveniles arrested for committing criminal offenses and released to the custody of their parents or responsible adults, who fail to appear for their initial hearing before the Court because of inability to obtain service of a summons upon their adult or responsible adult; and

WHEREAS, the cost of serving the summons for the initial hearing and then re-serving those individuals who failed to appear because of the lack of notice is exceedingly high; and

WHEREAS, the attempts to serve summons often delay the initial hearing in a juvenile case; and

WHEREAS, Florida Rules of Juvenile Procedure 8.045 authorizes the use of Notices to Appear in juvenile delinquency cases; and

WHEREAS, such Notices to appear containing a date certain for the initial court hearing, will provide a consistent method of notifying the juvenile and their parents or responsible adult of such court hearing; and

WHEREAS, the Monroe County Sheriff's Department, in coordination with the arresting officer, has the ability to provide the parent or responsible adult and the arrested juvenile the Notice to Appear which will indicate the date they are to appear for their initial hearing; it is hereby,

ORDERED

When a juvenile is taken into custody for a violation of law by a law enforcement officer or if an authorized agent of the Department of Juvenile Justice takes custody of said juvenile, the juvenile shall be taken to the Monroe County Detention Facility for initial processing.

If a decision is made to release the juvenile to the custody of his/her parent or other responsible adult, the Monroe County Detention Facility shall provide said parent or responsible adult, and the juvenile with a Notice to Appear. (A copy of this form is attached hereto as Attachment "A"). The Notice to Appear contains the date of the initial court hearing. The Notice to Appear shall serve as a directive from the Court to produce

the juvenile on the indicated date and time before the Court, unless otherwise directed not to appear by the Office of the State Attorney.

Six copies of the Juvenile Notice to Appear shall be necessary for distribution. One copy (canary) shall be furnished to the child, and one copy (pink) shall be delivered to the person to whom the child is released. In order to secure the child's release, the child and the person to whom the child is released, shall give their written promise that the child will appear as directed in the notice by signing the Juvenile Notice to Appear. One copy (gold) is to be retained by the Monroe County Detention Facility. The office of the State Attorney shall retrieve the original (white) from the Sheriff's Department on a daily basis. The State Attorney shall make two copies: one to be retained for their records, and one for the Department of Juvenile Justice. The Department of Juvenile Justice shall pick up their copy from the State Attorney on a daily basis. The Clerk will pick up the original (white) from the State Attorney, and it shall be retained in the Court's file.

FURTHER, IT IS ORDERED, when a juvenile or the parent or responsible adult signs a written Notice to Appear and fails to respond to the notice, the Court may issue an order to take the juvenile into custody and the delay resulting from such failure to appear shall be deemed attributable to said child.

Administrative Order 7.001, and all its attachments, are hereby RESCINDED.

DONE AND ORDERED at Key West, Monroe County, Florida, this, 11 day of July, 1997.

SANDRA TAYLOR
CHIEF JUDGE

JUVENILE NOTICE TO APPEAR

DATE: _____ AGENCY: _____

CASE NO.: _____

PARENT, ADULT RELATIVE, LEGAL GUARDIAN: _____

I am the _____ of _____ and
(relationship to child) (child's name)
promise to ensure that the child appears on _____ at _____ at Plantation Key-88820 Overseas Highway
(date) (time) Marathon-3117 Overseas Highway
Key West-500 Whitehead Street
to appear in court. I also promise to notify the office of the State Attorney at Plantation Key 852-7170
Marathon 289-2593
Key West 292-3400
and the clerk of court at Plantation Key 852-7145 of any changes in the child's address.
Marathon 289-6025
Key West 292-3569

Signature of Parent/Adult Relative/Legal Guardian

(address)

(telephone number)

(date)

(address and telephone number of child, if different)

I, _____, understand that I have been charged with committing a
(child's name)
law violation on _____ / _____ and that I am being released at this
(date) (offense(s))/statute(s)
released at this time to the custody of _____
(parent, adult, relative, or legal guardian's name)

I promise to appear on _____ at _____ at Plantation Key – 88820 Overseas Hwy.
Marathon – 3117 Overseas Hwy.
Key West – 500 Whitehead St.
to appear in court and to appear as required for any additional conferences or appearances scheduled by DJJ
or the court. I understand that my failure to appear shall result in a custody order being issued and that I
will be picked up and taken to detention.

I further understand that I am to appear on _____ at _____ at Plantation Key – 88005 Overseas Hwy.
(date) (time) Marathon – 5170 Overseas Hwy.
Key West – 646 United St.
for an intake appointment with the Department of Juvenile Justice.

Child's Signature

Date: _____
Arresting officer: _____

Releasing Officer or DJJ Counselor Authorizing Release

DJJ intake telephone number: Plantation Key 853-3570 Marathon 289-3726 Key West 292-6737

ATTACH TO ARREST AFFIDAVIT

Copies: White-Clerk of Court Canary-Child Pink-Parent or Guardian Gold-Monroe County Detention Facility

