



**ADMINISTRATIVE OFFICE OF THE COURTS
INTER-OFFICE**

MEMO 2014-29

TO: Honorable Carolyn Timmann
Honorable Sharon Robertson
Honorable Joseph E. Smith
Honorable J.R. Smith

FROM: Thomas A. Genung, Trial Court Administrator

DATE: May 22, 2014

RE: **AMENDED Administrative Order 2013-08A**
AMENDED VETERANS' TREATMENT COURT – CIRCUIT COURT

Attached please find an original **AMENDED Administrative Order 2013-08A** for filing with the Court.

If you have any questions regarding the above, please do not hesitate to contact me.

TAG/js
Attachment

cc w/attach: All Judges in the Nineteenth Judicial Circuit
All Magistrates and Hearing Officers in the Nineteenth Judicial Circuit
All Staff Attorneys in the Nineteenth Judicial Circuit
Honorable Bruce Colton, State Attorney's Office
Honorable Diamond Litty, Public Defender's Office
All County Attorneys in the Nineteenth Judicial Circuit
All Local Law Libraries
All Local Bar Presidents
IT

**IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
IN AND FOR INDIAN RIVER, MARTIN, OKEECHOBEE
AND ST. LUCIE COUNTIES**

**RE: AMENDED VETERANS' TREATMENT COURT – CIRCUIT COURT
AMENDED ADMINISTRATIVE ORDER: 2013-08A**

WHEREAS section 394.47891, Florida Statutes, provides authority for the establishment of military and service members court programs; Amended Administrative Order 2013-08A replaces Administrative Order Veterans' Treatment Court – Felony Division 2013-08 and

WHEREAS, the purpose of Veterans' Treatment Court is to reduce recidivism by emphasizing treatment and rehabilitation as an alternative to incarceration, while also requiring offender accountability and increasing public safety;


THEREFORE, pursuant to the authority vested in me as Chief Judge of the Nineteenth Judicial Circuit of Florida under Rule 2.215, Rules of Judicial Administration, it is hereby ORDERED as follows:

1. A Veterans' Treatment Court shall be operational within the Nineteenth Judicial Circuit Criminal Felony Division to hear cases involving defendants who are identified as a veteran, as defined in §1.01 Fla. Stat., or service member, as defined in §250.01 Fla. Stat., who suffers from a military service-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem who are eligible for services through Veterans Administration and who have been charged with a felony other than a felony listed in 948.06(8)(c) Florida Statute. Court approval will be considered upon motion of either party or the court's own motion. Veterans' Treatment Court may also hear cases in which a defendant is charged with a felony violation of probation with the consent of the Circuit judge of the criminal division to which the case is assigned.
2. Referrals to the program may be made by any court, Department of Corrections, law enforcement, State Attorney, defense attorney, Veteran organization, mental health or substance abuse providers, or any other interested party. Admittance requires verification by the Veterans Administration that the defendant is entitled to receive services.
3. Upon confirmation from the Veterans Administration that the defendant is entitled to receive veteran services for treatment, evaluation, or placement related to a behavioral health issue, the Court shall enter an order transferring the case to Veterans' Treatment

Court and directing the clerk to place the case or cases on the Veterans' Treatment Court docket.

4. There shall be three types of cases within Veterans Treatment Court:
 - a. Pretrial Diversion: A defendant is eligible for a pretrial intervention program if he/she meets the requirements of §948.08(7)(a) Fla. Stat. Once the defendant has been deemed eligible for Veterans Administration services, he/she shall enter a plea of guilty or no contest and the sentencing shall be set off. The defendant and Veterans Treatment Court Judge shall sign the Veterans' Treatment Court agreement and the defendant shall be released on his/her own recognizance with the condition that he/she complies with the agreement. Upon successful completion of the Veteran's Treatment Court the plea will be withdrawn and the charges shall be dismissed.
 - b. Post-Adjudication: If the defendant is not eligible for pretrial diversion, he/she may be ordered by the Circuit Criminal Judge to complete Veterans' Treatment Court as a special condition of probation pursuant to §948.21 Fla. Stat.
 - c. Condition of ROR on pending Violation of Probation: If a defendant has a pending violation of probation, he/she may be released on his/her own recognizance by any judge with the condition that he/she participates in Veterans' Treatment Court. An admission shall be entered, and upon completion of the program, the admission will be withdrawn and the violation of probation shall be dismissed.
5. Defendants accepted into the program will attend court hearings as ordered by the Veterans' Treatment Court Judge. The defendant shall participate in ongoing assessments, treatment and discharge planning.
6. The Defendant shall participate in Veterans' Treatment Court until successful completion of discharge planning, with the minimum being one year, up to the statutory maximum.

DONE AND ORDERED in Chambers at Stuart, Martin County, Florida on this 22nd day of
May, 2014.



Steven J. Levin, Chief Judge
Nineteenth Judicial Circuit