

**IN THE CIRCUIT COURT OF THE THIRD JUDICIAL CIRCUIT IN
AND FOR COLUMBIA, DIXIE, HAMILTON, LAFAYETTE, MADISON,
SUWANNEE AND TAYLOR COUNTIES, FLORIDA**

ADMINISTRATIVE ORDER # 2023-001

**RE: RECIPROCAL GRANT OF AUTHORITY BY JUDICIARY OF
THE THIRD JUDICIAL CIRCUIT FOR REVOCATION
OF PRETRIAL RELEASE AT FIRST APPEARANCE**

WHEREAS, section 907.041(1), Florida Statutes (2022), sets forth the legislative intent of pretrial detention and release "that the primary consideration be the protection of the community from risk of physical harm to persons".

WHEREAS, section 903.0471, Florida Statutes (2022), allows the revocation of pretrial release, providing, "Notwithstanding s. 907.041, a court may, on its own motion, revoke pretrial release and order pretrial detention if the court finds probable cause to believe that the defendant committed a new crime while on pretrial release".

WHEREAS, Florida Rule of Criminal Procedure 3.131(d)(l) identifies when a judicial officer may set or modify conditions of release, providing:

No judge or a court of equal or inferior jurisdiction may modify or set a condition of release, unless the judge:

- (A) imposed the conditions of bail or set the amount of bond required;
- (B) is the chief judge of the circuit in which the defendant is to be tried;
- (C) has been assigned to preside over the criminal trial of the defendant; or
- (D) is the first appearance judge and was authorized by the judge initially setting or denying bail to modify or set conditions of release.

WHEREAS, the Court must always be mindful of balancing multiple interests, which may include protecting a defendant's due process and constitutional rights, protecting the community from the risk of physical harm, and assuring the integrity of the judicial process.

WHEREAS, pursuant to Florida Rule of Criminal Procedure 3.131(d)(l)(D), all Judges of the Third Judicial Circuit have been consulted and unanimously agree to grant to their judicial colleagues presiding over First Appearance the authority to revoke pretrial release under the authority of section 903.0471 in any earlier case in which any other Judge of the Third Judicial Circuit may have previously granted pretrial release.

NOW THEREFORE, it is ORDERED as follows:

1. This Administrative Order is intended to memorialize the reciprocal grant of authority by the Judges of the Third Judicial Circuit.
2. Based on the reciprocal grant of authority by the Judges of the Third Judicial Circuit, as confirmed by the acknowledgements attached hereto, any Judge of the Third Judicial Circuit presiding over a First Appearance hearing may, as permitted by section 903.0471, Florida Statutes (2022), revoke pretrial release granted by another Judge of the Third Judicial Circuit in an earlier case upon making a finding of probable cause to believe

that the defendant committed a new crime while at liberty on that pretrial release.

3. The reciprocal authority granted herein does not mandate any particular action on the part of the Judge presiding over First Appearance. Rather, the express intent of this Administrative Order is the granting of authority that is permissive in nature and that allows the Judge presiding over First Appearance to use sound discretion in determining whether to revoke pretrial release in the earlier case.
4. The reciprocal authority granted herein is to either revoke or not revoke pretrial release. It also maintains the judges' discretion to make any other modifications to the term of pretrial release imposed by another Judge to specially address public safety concerns, jail population issues and declared emergencies.
5. The reciprocal authority granted herein is only applicable among the Judges of the Third Judicial Circuit, as demonstrated by the acknowledgements attached hereto. It shall have no application outside of the Third Judicial Circuit. This Administrative Order does not act as a grant of authority to Judges outside of the Third Judicial Circuit, nor does it act as an acquisition of authority from Judges outside of the Third Judicial Circuit.
6. This Administrative Order is not intended to prohibit the parties from filing motions for pretrial detention or pretrial release as may be appropriate or authorized by the Florida Rules of Criminal Procedure or by statute.
7. To the extent that this Administrative Order may conflict with law, statute, or rule, the law, statute, or rule shall prevail.
8. This Administrative Order shall be effective immediately.

DONE AND ORDERED in Chambers, in Columbia County, Florida, this 18th day of August 2023.




Melissa Gates Olin
Chief Judge

THIRD JUDICIAL CIRCUIT
COLUMBIA COUNTY, FLORIDA


IN RE: RECIPROCAL GRANT OF
AUTHORITY BY JUDICIARY OF THE
THIRD JUDICIAL CIRCUIT FOR
REVOCATION OF PRETRIAL
RELEASE AT FIRST APPEARANCE

ACKNOWLEDGEMENTS


As a Judge in the Third Judicial Circuit, I hereby acknowledge the provisions of Third Judicial Circuit Administrative Order# 2023-001 and, in accordance with Florida Rule of Criminal Procedure 3.131(d)(1)(D), authorize any First Appearance Judge of the Third Judicial Circuit to revoke pretrial release where that Judge has probable cause to believe that a defendant has committed a new crime while at liberty on pretrial release in any earlier case in which I may have previously granted pretrial release.



Melissa Gates Olin
Circuit Judge



Sara J. Carter
Columbia County Judge




Wesley R. Douglas
Circuit Judge



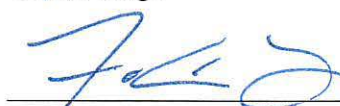
Jennifer Johnson
Dixie County Judge




David W. Fina
Circuit Judge




Jamie L. Tyndal
Hamilton County Judge



Frederick L. Koberlein
Circuit Judge



Darren K. Jackson
Lafayette County Judge



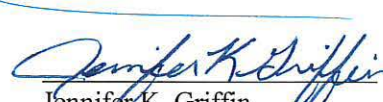
Leandra G. Johnson
Circuit Judge



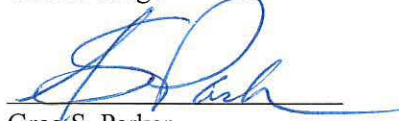
E. Bailey Browning III
Madison County Judge




Mark E. Feagle
Circuit Judge



Jennifer K. Griffin
Suwannee County Judge



Greg S. Parker
Circuit Judge



Bill Blue
Taylor County Judge