

**IN THE TWELTH JUDICIAL CIRCUIT COURT  
FOR DESOTO, MANATEE AND SARASOTA COUNTIES, FLORIDA**

**ADMINISTRATIVE ORDER: 2020-19.3**

**IN RE:            CREATION OF THE PROBLEM-SOLVING  
                     COURT AND CRIMINAL ADMINISTRATIVE  
                     DIVISION “P”**

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**WHEREAS**, the Supreme Court of Florida has defined problem-solving courts as a form of differentiated case management [that] address the root causes of justice system involvement through specialized dockets, multidisciplinary teams, and a non-adversarial approach. Offering evidence-based treatment, judicial supervision, and accountability, problem-solving courts provide individualized interventions for participants, thereby reducing recidivism and promoting confidence and satisfaction with the justice system process<sup>1</sup>; and

**WHEREAS**, the Twelfth Judicial Circuit has been a leader in the State of Florida for the creation and implementation of problem-solving courts, which were previously referred to as “treatment courts” or “specialty courts”; and

**WHEREAS**, as of the date of this Administrative Order, the Twelfth Circuit has the following problem solving courts in its counties, with the expectation that more may be added in the future and/or the names may be modified: Drug Court (inclusive of Veteran’s Court, Opiate Court, and Health Care Court tracks), DUI Court, TYLA Court, Health Care Court, Comprehensive Treatment Court, Community Care Court, DeSoto Case Management Court<sup>2</sup>; and

**WHEREAS**, these problem-solving courts have proven effective in rehabilitating their participants and reducing recidivism, among other numerous positive outcomes; and

**WHEREAS**, it is necessary to ensure compliance with the evidence-based practices and the problem-solving court standards promulgated by the Supreme Court of Florida; and

**WHEREAS**, the Florida Supreme Court is expected to require certification of problem-solving courts, which will be a condition precedent to future funding opportunities; and

**WHEREAS**, the judiciary must maintain an open dialogue with the community and partners of the various problem-solving courts in order for the participants of these programs to achieve maximum success; and

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<sup>1</sup> See AOSC18-32.

<sup>2</sup> Early Childhood Court is specifically excluded from Division P. Due to its unique nature and staffing needs, this court shall remain assigned to the juvenile division judge.



**WHEREAS**, presiding problem-solving court judges must engage in continuous education in the administration, science, treatment methods, governing legal authority, available resources and funding related to problem solving courts; and

**WHEREAS**, ensuring ongoing funding for problem-solving courts continues to be a time-consuming task due to the lack of available funding resources, as well as the complex processes related to existing funding resources; and

**WHEREAS**, problem-solving courts are staffed by court employees that are state-funded, county-funded, and staffed with contractual community partners; and

**WHEREAS**, the numerous problem-solving courts have historically been staffed by multiple judges assigned to other full time divisions or senior judges, and it has become necessary to create a new Problem-Solving Courts Division within the circuit to promote consistency, efficiency, and oversight; and

**WHEREAS**, there is also a need for the multiple criminal divisions within the 12<sup>th</sup> Judicial Circuit to have uniform, consistent, administrative processes and oversight as they relate to criminal matters and problem-solving courts within the circuit.

**NOW, THEREFORE**, in accordance with Article V, section 7, Florida Constitution, Rule of Judicial Administration 2.215, and section 43.26, Florida Statutes, **IT IS ORDERED**:

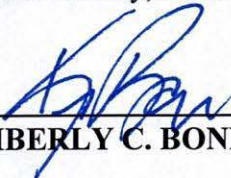
1. The Problem-Solving Court and Criminal Administrative Division "P" is hereby created, and all current 12<sup>th</sup> Judicial Circuit Problem-Solving Courts listed above fall under Problem-Solving Court Division P.
2. The clerks of court in Desoto, Manatee and Sarasota County are directed to create a new Division "P" for this purpose. No later than January 4, 2021, all of the above-listed problem-solving court cases shall be reassigned to Division P.
3. The process for transferring or referring cases to and from Division P will be set forth in separate policies and procedures.
4. The Problem-Solving Court and Criminal Administrative Division P is a separate division and full-time assignment for one circuit judge.
5. The Division P judge is the administrative judge for all problem-solving courts, and all felony divisions in this circuit. Nothing in this order precludes the appointment of additional administrative judges. The Division P judge may, subject to the approval of the Chief Judge and as set forth in the annual judicial assignment order, assign another judge to fulfill the duties of administrative felony judge.
6. As administrative felony judge, the Division P judge, or his or her designee as set forth in paragraph 5, shall meet regularly with the criminal judges within the circuit and



implement processes to promote consistency and efficiency within the circuit. Nothing in this order shall be construed so as to affect an individual judge's discretion and authority to manage his or her own cases and dockets.

7. The Problem-Solving Court Division judge may preside over problem-solving courts in this circuit and shall have administrative oversight over all problem-solving courts. In the interest of judicial economy and consistency for participants, the Division P Judge, subject to the approval of the Chief Judge and as set forth in the annual judicial assignment order, may assign other judges to preside over specific problem-solving courts.
8. The Division P judge is responsible for educating the community about problem-solving courts.
9. The Division P judge, in coordination with the Court Administrator and the assigned presiding judge, if applicable, shall be the primary point of contact with community partners and funding sources.
10. The Division P judge, in coordination with the Court Administrator and the assigned presiding judge, if applicable, shall monitor the existing funding sources and requirements associated with the funding, and will undertake efforts to obtain new funding sources when appropriate.
11. Judges shall consult with the Division P judge prior to undertaking any efforts to institute additional problem-solving courts or obtain funding for such courts. Any problem-solving court implemented after the date of this Administrative Order shall fall within Division P.
12. Court Administration senior managers and problem-solving court managers shall regularly update the Division P judge on relevant budgetary, funding, contractual, and/or personnel issues pertaining to these courts, and the Problem Solving Court Division judge shall remain informed of the overall administrative status of these programs.
13. The Division P judge shall meet regularly with the criminal division judges, State Attorney, Public Defender, Office of Regional Counsel, private criminal defense bar, and other justice stakeholders, as necessary and in all three counties, and shall implement such circuit-wide procedures and initiatives as deemed necessary to improve the administration of and the efficiency of the court.
14. The Division P judge is responsible for each of the foregoing and shall function as the supervisor in these tasks. However, he or she may delegate certain tasks to Court Administration, other judges or other people or entities as s/he deems appropriate.
15. This order is effective January 4, 2021. However, clerks of court and problem-solving court staff may immediately modify their policies and procedures in order to comply with this order.

**DONE** and **ORDERED** in Sarasota, Sarasota County, Florida, this 4 day of September, 2020.

  
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**KIMBERLY C. BONNER, CHIEF JUDGE**

**CC:**

All Judges of the Twelfth Judicial Circuit  
Kim Miller, Trial Court Administrator  
All Problem-Solving Court Managers  
Office of the State Attorney  
Office of the Public Defender  
Sarasota and Manatee Chapters of the Florida Association of Criminal Defense Attorneys  
Manatee County Bar Association  
Sarasota County Bar Association  
Coastal Behavioral Health Inc.  
Kimberly Hirsch, Sarasota County Criminal Justice Police Coordinator  
Centerstone of Florida  
First Step of Sarasota