

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

ADMINISTRATIVE ORDER 2.009

IN RE:

SENTENCING GUIDELINES/
LOCAL PROCEDURES

_____:

WHEREAS, Rule 3.701 FRCrP establishes sentencing guidelines for applicable offenses; and

WHEREAS, there is a desire on the part of the judiciary of the Sixteenth Circuit to reduce court delays; and

WHEREAS, to assure compliance with Rule 3.701(d)(1) FRCrP, and

WHEREAS, it is in the interests of continuity, uniformity, and swiftness that the following local supplemental procedures are adopted;

IT IS THEREFORE ORDERED that:

1. Sentencing guidelines scoresheets will be routinely prepared by the Department of Corrections, Probation and Parole Services in all cases where a presentence investigation is ordered.

2. In all cases where plea discussions between the State Attorney and defense counsel result in identification of cases for speedy resolution and fast-tracking in the system, the state attorney's office will prepare scoresheets and present them to defense counsel for review as to accuracy at least seven (7) working days prior to the sentencing date.

3. Within three working days of receipt of the prepared scoresheets from the State Attorney, defense counsel shall deliver to the State Attorney the approval as to the accuracy or otherwise expressly define alleged inaccuracies.

4. Upon receipt of the challenges of accuracy, the State Attorney shall attempt to correct or sustain the scoresheet so that challenges are removed.

5. In all other cases, scoresheets will be prepared by the Department of Corrections, Probation and Parole Services.

6. In those cases where Probation and Parole Services is

directed by the judge to prepare scoresheets, Probation and Parole Services shall present prepared scoresheets to the State Attorney and defense counsel for review as to accuracy at least seven (7) working days prior to the sentencing date.

7. Within three working days of receipt of the prepared scoresheets from Probation and Parole, the State Attorney and defense counsel shall deliver to Probation and Parole their approval as to accuracy or otherwise expressly define alleged inaccuracies.

8. Upon receipt of the challenges of accuracy, Probation and Parole shall attempt to correct or sustain the scoresheet so that challenges are removed.

9. All judges are directed to allow sufficient time in their orders for sentencing dates so that the procedures required herein may be adhered to.

DONE AND ORDERED, at Plantation Key, Monroe County, Florida, this the 13 day of December, 1994.

J. Jefferson Overby
Chief Judge