

IN THE CIRCUIT COURT OF THE SEVENTEENTH  
JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA

*Administrative Order No. 2022-19-Crim (Amendment 1)*<sup>1</sup>

**UNIFORM BOND SCHEDULE**

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- (a) Pursuant to Article V, section 2(d) of the Florida Constitution and section 43.26, Florida Statutes, the chief judge of each judicial circuit is charged with the authority and power to do everything necessary to promote the prompt and efficient administration of justice.
- (b) Florida Rule of General Practice and Judicial Administration 2.215(b)(3) states the chief judge “shall, considering available resources, ensure the efficient and proper administration of all courts within [this] circuit.”
- (c) To balance the space limitations of the Broward County Jail and the need to protect the public, it is necessary to establish a convenience bond schedule to allow for the release of individuals arrested for certain crimes prior to a First Appearance hearing.
- (d) When determining bond or other pretrial release conditions, all judges shall consider the dictates of Florida Rule of Criminal Procedure 3.131 and public safety.
- (e) In accordance with the authority vested in the Chief Judge by Article V, section 2(d) of the Florida Constitution, section 43.26, Florida Statutes, and Florida Rule of General Practice and Judicial Administration 2.215, it is hereby **ORDERED, effective May 2, 2022, at 12:01am:**

**1. General**

The following bond schedule is established so that persons arrested for certain criminal offenses may be released on a bond prior to the person’s First Appearance hearing. This schedule is not intended to bind any judge conducting First Appearance hearings or bond hearings. Rather, any judge determining bond and/or conditions of release should consider the criteria set forth in section 903.046, Florida Statutes, and Florida Rule of Criminal Procedure 3.131.

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<sup>1</sup> Amended solely as to paragraph (5)(c)

## **2. First Appearance Hearing Required**

Attachment “A” includes crimes of violence or involve public welfare, and persons charged with these offenses shall NOT be eligible for release on bond prior to a First Appearance hearing. The judge presiding at the First Appearance hearing will determine the appropriate amount of bond, if any. In addition to Attachment “A” the following exclusions apply:

- a. Any person charged with an offense classified as a “dangerous crime” listed in section 907.041(4)(a), Florida Statutes.
- b. In all cases where an individual is arrested for a misdemeanor or felony offense defined as “domestic violence” pursuant to section 741.28, Florida Statutes or “dating violence” pursuant to section 784.046, Florida Statutes.
- c. Persons arrested for a weapon or firearm offense under chapter 790, Florida Statutes.
- d. Persons arrested for any drug trafficking or manufacturing offense under section 893.135, Florida Statutes.
- e. In all cases where an individual is arrested for violating a rule adopted pursuant to section 381.00315, Florida Statutes, any isolation or quarantine, or any requirement adopted by the Florida Department of Health pursuant to a declared public health emergency.
- f. If an arrested person otherwise eligible for release prior to First Appearance pursuant to this Administrative Order is currently on bond or on personal recognizance for a felony or misdemeanor, and the jail learns of such fact at any time prior to the First Appearance hearing that such arrestee would have attended but for this Administrative Order, the arrestee shall not be eligible for bond prior to the First Appearance hearing.
- g. Persons arrested on a warrant for violation of probation, community control, pre-trial release, parole, or held pursuant to section 948.06, Florida Statutes, shall be taken before the appropriate judge as set forth in Administrative Order 2021-70-Crim (Amended), or held as specified in the warrant.

### **3. Bond Schedule**

- a. Except where a bond is previously set on a warrant, including out-of-county bonds, violation of probation, or capias arrest, including a no-bond hold, persons arrested for crimes other than those listed in Attachment “A” shall be eligible for bond release prior to First Appearance according to the following schedule and provisions:

<b>OFFENSE</b>	<b>BOND AMOUNT</b>
First Degree Felonies	\$15,000
Second Degree Felonies	\$7,500
Third Degree Felonies	Release on Recognizance
Any other crime not specified herein	Release on Recognizance

- b. Pursuant to section 903.046(2)(d), Florida Statutes, when a capias is issued for any defendant who failed to appear on the day of any required court proceeding, and the defendant is later arrested on such capias, such defendant shall not be eligible for a recognizance bond on such capias arrest or for any form of bond which does not require a monetary undertaking or commitment equal to or greater than \$2,000 or twice the value of the monetary commitment or undertaking of the original bond, whichever is greater. However, the court retains discretion in determining conditions of release.

### **4. Change of Charge(s)**

Whenever the State Attorney’s Office changes the arrested charge when an Information is filed:

- a. If the bond on the arrested charge was set at the standard convenience bond for that charge, then the Clerk of the Court shall set the bond on the capias for the filed charge at the standard convenience bond for that charge.
- b. If the bond on the arrested charge was specially set at First Appearance or on an arrest warrant, then the Clerk of the Court shall set the bond on the capias for the filed charge at either the standard convenience bond for the filed charge, or the specially set bond for the arrested charge, whichever is higher.

- c. If the defendant is still in custody when the Information is filed, the defendant shall be brought before the First Appearance judge within 24 hours of service of the change of charge capias to address the new charge(s).
- d. If the defendant is not in custody when the Information is filed, bond on the filed charge shall be reviewed at the “Arraignment and Bond Status-Mandatory Appearance Hearing.”

## **5. General Provisions**

- a. When an accused is brought to a First Appearance hearing, all proceedings are governed by Florida Rule of Criminal Procedure 3.131.
- b. The Clerk of the Court shall notify any person who is released on their own recognizance under this Administrative Order or otherwise of their court date. The booking officer shall provide information to any arrestee who is released on their own recognizance as to how they can obtain their next court date. Prior to release, the arrestee will acknowledge in writing that he or she:
  - i. will have no contact with the alleged victim(s), if any, and comply with any no-contact order;
  - ii. will not possess a weapon or firearm of any kind (if released on a weapons or firearms charge);
  - iii. will refrain from any future criminal activity of any kind;
  - iv. will appear for court upon notification at the address that he or she has provided to the Broward Sheriff’s Office prior to release; and
  - v. acknowledge that a violation of any of the above-listed conditions of release may result in revocation of the pre-trial release conditions and result in re-arrest.
- c. Nothing in this Administrative Order precludes the booking officer from holding an arrestee over on all charges for a First Appearance hearing based on good cause shown, i.e., extensive criminal history, when at least one charged offense is already scheduled for First Appearance, or the accused poses a public safety threat if released prior to a First Appearance hearing.

- d. At the time of release, the Broward Sheriff's Office will obtain the arrestee's current address, telephone number, and email address (if available).
6. This Administrative Order supersedes and vacates Administrative Order 2022-11-Crim (Amendment 2).

**DONE AND ORDERED** in Chambers, Fort Lauderdale, Broward County, Florida, this 2nd day of September, 2022.

/s/ Jack Tuter  
Jack Tuter, Chief Judge