

**IN THE COURTS OF THE FIRST JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA**

**ADMINISTRATIVE ORDER NUMBER 2023-39
IN RE: PRETRIAL DETENTION HEARINGS**

O R D E R

WHEREAS, Florida Rule of Criminal Procedure 3.132 permits the filing of a motion for pretrial detention at first appearance or at any time prior to trial, and

WHEREAS, a judicial officer who presides over a defendant's first appearance might not, in some cases, be the same judicial officer who presides over a subsequent pretrial detention hearing, and

WHEREAS, section 903.02, Florida Statutes, states that "[n]o judge of a court of equal or inferior jurisdiction may remove a condition of bail or reduce the amount of bond required, unless such 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 designee of the chief judge and a judge has not yet been assigned to the criminal trial," and

WHEREAS, section 43.26(2)(e), Florida Statutes, grants the Chief Judge the power to "do everything necessary to promote the prompt and efficient administration of justice in the courts over which he or she is chief judge," and

WHEREAS, the Chief Judge has broad authority "to assign cases to a judge or judges for the preparation of opinions, orders, or judgments" and "assign any judge to temporary service for which the judge is qualified in any court in the same circuit" pursuant to Florida Rule of General Practice and Judicial Administration 2.215(b)(4);

NOW, THEREFORE, pursuant to 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(b), it is

ORDERED that any judge who presides over any pretrial detention hearing in the First Judicial Circuit does so under the authority and direction of the Chief Judge.

DONE AND ORDERED in Pensacola, Escambia County, Florida, this 1st day of January, 2024.