

THE ELEVENTH JUDICIAL CIRCUIT
MIAMI-DADE COUNTY, FLORIDA

CASE NO. 25-1
(Court Administration)

ADMINISTRATIVE ORDER
NO. 24-17 A1
(Amending AO No. 24-17)

IN RE: AMENDMENT TO THE ESTABLISHMENT
OF THE DRIVER'S LICENSE ASSISTANCE
COURT (DLAC) IN THE COUNTY CRIMINAL
DIVISION

WHEREAS, pursuant to Administrative Order No. 24-17, the court established the Driver's License Assistance Court (DLAC) designed to be a non-adversarial "one stop shop" to assist self-represented residents who would otherwise be eligible to obtain a driver's license within the state but for their inability to pay; and

WHEREAS, based on the continued evaluation of DLAC's policies and procedures, the court deems it necessary to make certain amendments to Administrative Order No. 24-17 to ensure the proper and efficient administration of justice.

NOW, THEREFORE, pursuant to the authority vested in me as Chief Judge of the Eleventh Judicial Circuit of Florida, under Article V, § 2(d), of the Florida Constitution, and Fla. R. Gen. Prac. & Jud. Admin. 2.215, it is hereby **ORDERED** that Administrative Order No. 24-17 is **AMENDED** to read as follows:

1. **GENERAL PROVISIONS**

- A) **Establishment:** The Driver's License Assistance Court ("DLAC") is hereby established as a compliance court within the County Criminal Division of the Eleventh Judicial Circuit of Florida. DLAC is designed to be a non-adversarial "one stop shop" to assist self-represented residents who would otherwise be eligible to obtain a driver's license within the state but for their inability to pay. DLAC will address simpler situations that do not qualify for, benefit, or require enrollment into the Drive Legal Program. The establishment and continued evaluation of DLAC is subject to policies and procedures, and to any program manuals as approved by the Administrative Judge and/or the Chief Judge.
- B) **Presiding:** A Judge or a Civil Traffic Hearing Officer ("CTHO") will have authority to preside over all cases that are eligible for DLAC, based upon the below established criteria, and are set in DLAC. The County Criminal Administrative Judge and the Associate Administrative Judge(s) will be responsible for the oversight of the entire DLAC program.

- C) **Access:** DLAC will operate as a hybrid courtroom offering both in-person and remote access utilizing video conferencing software to provide Defendants without a Driver's License greater access to the court.
- D) **DLAC Eligibility Criteria:** Defendants with up to two separate incidents with (2) outstanding Criminal Traffic DWLS charges, up to two (2) separate incidents with outstanding Criminal Traffic NVDL charges, and/or up to three (3) separate incidents with open moving violations with license suspensions due to:
1. Failure to appear
 2. Failure to appear on summons
 3. Failure to pay traffic fine
 4. Failure to pay court financial obligation
 5. Financial responsibility
- E) **Screening Process:** Until an automated electronic routing system is established, the Clerk's Office will report all DWLS and NVDL citations, issued by all law enforcement agencies in Miami-Dade County, to the Drive Legal program. Drive Legal Program case managers will screen this report for eligibility, following the eligibility criteria set forth within this Administrative Order and Administrative Order No. 20-14 and will determine whether to set eligible defendants on a DLAC Calendar or to set defendants for a Drive Legal diversion calendar, accordingly. If it is determined that a case does not meet the eligibility criteria set forth in either Administrative Order, such case(s) will be set through the regular court process.
- During the screening process program case managers will determine if the Defendant has more than one open case. All open and eligible cases that qualify for and are set in DLAC may result in dismissals, adjudications, traffic school requirements, or court orders requiring the Defendant to participate in the Drive Legal Program.
- F) **Exclusions:** Defendants that fall within any of the below exclusions will not be eligible for DLAC and therefore will be routed through the regular court process.

1. DWLS charges coupled with a criminal traffic misdemeanor or felony; DWLS charges coupled with any infraction in which death or personal injury is alleged; and infractions in which death or personal injury is alleged.
2. Driver's license suspended for any of the following statutory reasons:
 - A. § 322.264 (Habitual Traffic Offender with only unadjudicated Criminal cases and companions)
 - B. § 322.28 (DUI Driver's License Revocation)
 - C. § 322.26 (including all sub-sections) Mandatory revocation of license by department
 - D. § 322.2615 (DUI Administrative Suspensions)
 - E. § 322.32(3) (Felony DWLS)
 - F. § 316.027(3) (Accidents Involving Death or Personal Injury)
 - G. § 322.22 (Licensed canceled by DHSMV due to Fraud or Dishonored Check).
 - H. § 847 (Obscenity - Including all subsections.)

- I. § 409.2563(4) (Suspension for not appearing for Genetic Testing)
- J. § 61 (Dissolution of Marriage; Support; Timesharing – Child Support)
- K. § 893 (Drug Abuse Prevention and Control)
- L. § 322.03 (3rd Offense of No Valid Driver's License)

- 3. In general, non-US Citizens with no legal status and with unadjudicated criminal DWLS or NVDL cases.

2. DISPOSITION OF CASES

Compliance guidelines will be developed for CTHO by the Administrative Office of the Courts and the Administrative Judge overseeing DLAC to ensure that all cases are dealt with appropriately. CTHO will regularly attend supervision meetings to review their performance and ensure that cases are being handled in accordance with the requirements detailed in this Administrative Order.

All Defendants will have their cases removed from collections. Any assessed fees may be reduced or waived. Any D6 suspensions pertaining to any of the cases set in DLAC will be set aside to allow the defendant an opportunity to comply with the court ordered requirements to ultimately achieve driver's license reinstatement.

If a Defendant appears with an improperly cited DWLS the Judge/CTHO will have the authority to reclassify this to an NVDL.

When the Defendant obtains a valid license, then the Judge/CTHO can dismiss, withhold, or withhold SES some or all non-moving violations. If a non-moving violation requires proof of compliance, the Judge/CTHO may check proof of compliance with a photo, receipt or by placing the defendant under oath.

Judge/CTHOs are granted authority to dismiss, withhold, withhold SES, assign traffic school to some or all of a Defendant's open moving violations. Judge/CTHO will consider factors such as the Defendant obtaining a valid license, the nature of the moving violation, the Defendant's driving history, whether the case has an accident or damages, the number of moving violations in the past five years, and the Defendant's indigency or work status when disposing outstanding citations.

Judge/CTHO shall not amend or change a disposition on closed cases but may address outstanding fines, fees, or traffic school requirements for all cases necessary to reinstate a driver's license.

Judge/CTHO are granted authority to waive, suspend, or reduce court costs on misdemeanors (excluding domestic violence), and non-violent felonies. Judge/CTHO will consider factors such as the Defendant obtaining a valid license, the nature of the misdemeanor or felony, the Defendant's indigency or work status, and repayment of restitution. Under no circumstance will a Judge/CTHO adjust restitution amounts.

If a Defendant is unable to pay their outstanding balance, they will be offered a seamless enrollment into a payment plan with the Clerk of Court. The CTHO will have the authority to adjust stay dates.

The Judge/CTHO will assist and direct all Defendants who are eligible for a driver's license reinstatement to the Department of Highway Safety and Motor Vehicles ("FLHSMV"). Judge/CTHO provide actionable information, guidance, and follow-up to ensure successful completion of any additional requirements to ensure the Defendant is able to obtain a driver's license reinstatement.

A defendant shall be given 90 days to obtain a valid driver's license if they do not appear with a valid driver's license prior to their initial hearing. The Judge/CTHO has the discretion to give the defendant a reset date as many times as necessary, within the 90 day period.

Upon the Defendant obtaining a valid driver's license or completing pre-trial diversion, any remaining open cases in DLAC shall be closed with a dismissal.

3. NON-COMPLIANCE

In the event a defendant does not obtain their driver's license within the prescribed timeframe, or fails to appear at the DLAC calendar, or fails to revalidate their driver's license, a Judge/CTHO has the discretion to:

Civil Traffic Infractions

- a) Reset in DLAC; or
- b) Set the case for trial in regular infraction court.

Criminal Traffic Citations

- a) Reset in DLAC; or
- b) Amend to civil citation if substantial compliance; or
- c) Set the case for Arraignment in the assigned criminal division.

4. INTERAGENCY AGREEMENT

All procedures set forth herein were agreed to by the Miami-Dade County State Attorney's Office, the Miami-Dade Public Defender's Office, the Miami-Dade County Clerk of the Court and Comptroller, the Miami-Dade County Mayor's Office, the Miami-Dade County Association of Chiefs of Police and the Eleventh Judicial Circuit of Florida, and incorporated in the Memorandum of Understanding for Miami-Dade County Driver's Civil Citation Program, effective August 27, 2024.

This Administrative Order will be effective immediately upon signing. Except as amended herein, Administrative Order No. 24-17 remains in effect, until further order of the court. To the extent that any portion of this Administrative Order may be construed as conflicting with any law, statute, or rule, the law, statute, or rule shall prevail.

DONE AND ORDERED, in Chambers at Miami-Dade County, Florida, this 27th day of June 2025.

**NUSHIN G. SAYFIE, CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA**