

THE ELEVENTH JUDICIAL CIRCUIT
MIAMI-DADE COUNTY, FLORIDA

CASE NO. 26-1
(Court Administration)

ADMINISTRATIVE ORDER
NO. 26-16
(Rescinding AO No. 26-14)

IN RE: CREATION OF SECTIONS CENT J AND
M010 ("INCOMPETENT TO PROCEED SECTION")
IN THE COUNTY CRIMINAL DIVISION OF THE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA

WHEREAS, the Circuit and County Courts in Miami-Dade County are organized into divisions for more efficient case and records management; and

WHEREAS, caseloads in each division are identified by numbered sections to facilitate the exchange of caseloads when changes of division assignment occur; and

WHEREAS, Administrative Order No. 21-07 established the Jail Diversion Program for the Eleventh Judicial Circuit to divert eligible misdemeanors and felony defendants with SMI from the criminal justice system into appropriate treatment environments without sacrificing community protection and safety for all citizens; and

WHEREAS, the Jail Diversion Program only accepts participants based on eligible medical and legal criteria as set forth in AO No. 21-07, which does not include competency; and

WHEREAS, the nature and volume of incompetent to proceed ("ITP") cases filed in the County Criminal Division of this Court warrant the creation of another section designated to handle County Criminal Traffic and Misdemeanor cases where competency is raised.

NOW, THEREFORE pursuant to the authority vested in me as Chief Judge of the Eleventh Judicial Circuit of Florida, under Rule 2.215 of the Florida Rules of General Practice and Judicial Administration, it is hereby **ORDERED** that:

- (1) **Establishment.** Sections CENT J and M010 are hereby created and dedicated as the Incompetent to Proceed Section, within the County Criminal Division of this Court. Section M010 will be used to handle any misdemeanor case where competency is raised, while CENT J will be used to handle any criminal traffic case where competency is raised.
- (2) **Eligibility Criteria.** To be transferred into the ITP Section, the defendant's competency must first be at issue. If competency is raised, the presiding judge should order the transfer of the case to Sections CENT J/ M010 for evaluation.
- (3) **Monitoring.** The ITP Section Judge will be responsible for appointing the doctor and ordering the evaluation to determine whether the defendant is competent.

- a. If the defendant is adjudicated competent, the case will be transferred back to the original blind-filed section.
- b. If the defendant is adjudicated incompetent, the case will remain in Sections CENT J/ M010 to be tracked and monitored accordingly.
- c. If competency is restored, the case will be transferred back to the original blind-filing section following the determination that the defendant is competent.

This Administrative Order shall become effective immediately upon signing. Administrative Order No. 26-14 is hereby rescinded and held for naught.

DONE AND ORDERED in Chambers at Miami-Dade County, Florida, this 22nd day of May 2026.

**ARIANA FAJARDO ORSHAN, CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA**