

THE ELEVENTH JUDICIAL CIRCUIT
MIAMI-DADE COUNTY, FLORIDA

CASE NO. 22-01
(Court Administration)

ADMINISTRATIVE ORDER
NO. 22-10

IN RE: ESTABLISHMENT OF
ADDITIONAL RULE FOR THE
ISSUANCE OF NOTICES TO
APPEAR /

WHEREAS, Rule 3.125, Florida Rules of Criminal Procedure, sets forth rules pertaining to the procedure and authority to issue Notices to Appear; and

WHEREAS, Rule 3.125(j), Florida Rules of Criminal Procedure, requires the Chief Judge of each Circuit to establish rules and regulations of procedure governing the exercise of authority to issue Notices to Appear in addition to Rule 3.125; and

WHEREAS, under Rule 3.125(c), if an arresting officer does not issue a notice to appear because of one of the exceptions listed in subdivision (b) of the Rule and takes the accused to police headquarters, the booking officer may issue the notice to appear if the requirements set forth in subdivision (c) of the Rule are met; and

WHEREAS, it has come to the Court's attention that due to Miami-Dade County's large population and size, it is not always feasible for an arresting officer to take the accused to police headquarters, and therefore, the accused are being taken to other booking locations; and

WHEREAS, in light of the above, the Court has determined that an additional rule regarding the exercise of authority to issue Notices to Appear will assist the various Courts, Clerk, law enforcements agencies and the State Attorney's Office within the Eleventh Judicial Circuit with the Notice to Appear system.

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 the following additional rule shall govern the use of Notices to Appear:

- Miami-Dade County Corrections Officers are hereby authorized to issue Notices to Appear in lieu of booking a subject into custody if the requirements set forth in

subsection (c) of Rule 3.125 are met. This authorization will apply regardless of whether the arresting officer takes the accused to be booked at police headquarters or another booking location.

This Administrative Order shall become effective immediately upon execution and shall remain in effect until further order of the Court.

DONE AND ORDERED in Chambers at Miami-Dade County, Florida, this 8th day of June 2022.

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