

IN THE CIRCUIT COURT OF THE 16<sup>TH</sup>  
JUDICIAL CIRCUIT OF THE STATE OF  
FLORIDA, IN AND FOR MONROE COUNTY

ADMINISTRATIVE ORDER: 2.065

IN RE:

VEHICLE IMMOBILIZATION  
\_\_\_\_\_:

**WHEREAS**, Florida Statute 316.193(6)(d) requires the Court to order the immobilization/impoundment of the vehicle which was driven by, or in the actual physical control of, the person convicted of violating the provisions of Florida Statutes 316.193; and

**WHEREAS**, to ensure that immobilization entities operating in Monroe County and the Sixteenth Judicial Circuit are in compliance with all statutory requirements; and

**WHEREAS**, the Chief Judge is responsible for the administrative supervision of the courts within the Sixteenth Judicial Circuit, as provided in Rule 2.215, Florida Rules of Judicial Administration;

**IT IS THEREFORE ORDERED THAT:**

A Vehicle Immobilization/Impoundment Program is hereby established in the Sixteenth Judicial Circuit under the direction of the Chief Judge and Court Administration as follows:

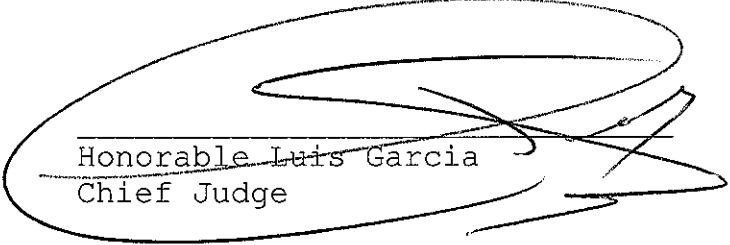
1. Court Administration will maintain a list of the names and numbers of all immobilization agencies that meet the requirements of Florida Statute 316.193(13) and that will provide all of the essential services associated with the immobilization/impoundment of vehicles pursuant to Florida Statute 316.193(6)(d) and in accordance with the directives of the Court.
2. Companies seeking to have their names placed on Court Administration's list must submit a letter, which includes the following:
  - i. Proof that all requirements of Florida Statute 316.193(13) have been fulfilled;

ii. A fee schedule for 10, 30 and 90 day immobilizations.

3. Once the letter and documents have been reviewed and it is confirmed that the requirements of Florida Statute 316.193(13) have been met and the Chief Judge approves the immobilization agency's fee schedule, the name of the immobilization agency will be added to the Court's Order of Impoundment or Immobilization, hereby attached. Companies who fail to comply with the statutory requirements or who, in the Chief Judge's discretion, are engaging in practices which compromise the integrity of the court, may be removed from the circuit's approved list of immobilization agencies, and removed from the Court's Order of Impoundment or Immobilization.
4. Once approved, companies have an ongoing obligation to inform Court Administration in writing of any new employees, agents or independent contractors working on the company's behalf who will be immobilizing vehicles in the Sixteenth Judicial Circuit, as well as any other changes affecting their status as a qualified immobilization agency.
  - i. After a qualifying immobilization agency hires a new employee or retains a new independent contractor, it shall immediately submit proof that the person has no disqualifying criminal history.
  - ii. No new employee, agent or independent contractors will be permitted to immobilize vehicles in the Sixteenth Judicial Circuit unless, and until, the company has received written approval from Court Administration.
5. An approved list of Immobilization Agencies for the Sixteenth Judicial Circuit shall be established by the Chief Judge each year. Immobilization agencies must provide written notice to the Chief Judge of their intent to renew their active status on the circuit's immobilization list, which includes providing an updated fee schedule, if applicable. Any changes in the fee schedule must be approved by the Chief Judge prior to being imposed.

6. Immobilization agencies on the list maintained by the 16<sup>th</sup> Judicial Circuit shall comply with all rules and statutes pertaining to vehicle immobilization and will be expected to keep up to date with any new provisions within said rules and statutes.

**DONE AND ORDERED** in Chambers at Plantation Key, Monroe County, Florida, on this 25<sup>th</sup> day of September, 2009.



Honorable Luis Garcia  
Chief Judge

IN THE COUNTY COURT OF THE 16TH JUDICIAL CIRCUIT  
OF THE STATE OF FLORIDA IN AND FOR MONROE COUNTY

STATE OF FLORIDA,

**Plaintiff,**

v.

CASE NO. \_\_\_\_\_

\_\_\_\_\_  
**Defendant(s).**  
\_\_\_\_\_ /

ORDER OF IMPOUNDMENT OR IMMOBILIZATION  
(SUPPLEMENTAL JUDGMENT AND SENTENCE)

THIS CAUSE came before the court on \_\_\_\_\_, and the Defendant having been convicted of the offense of \_\_\_\_\_ and the court being otherwise fully advised in the premises and pursuant to §316.193(6)(d) Fla. Stat., it is therefore:

ORDERED and ADJUDGED pursuant to the aforesaid statute the automobile driven by the Defendant at the time of this arrest or any one vehicle registered in the Defendant's name at the time of the impoundment (see citation attached as Exhibit A) is ordered impounded or immobilized. It is defendant's responsibility to contact one of the approved immobilization agencies attached hereto as Exhibit B for impoundment or immobilization of said vehicle.

Written confirmation to the Clerk and Court Administration evidencing compliance with this order must be submitted by the immobilization agency.

It is further ordered that the period of impoundment or immobilization shall be for \_\_\_\_\_ days.

DONE AND ORDERED in open court, Plantation Key/Marathon/Key West, Monroe County, Florida this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
COUNTY JUDGE

cc: State Attorney's Office  
Defendant or Defense Attorney  
Court Options  
Court Administration

**EXHIBIT "B"**

**LIST OF APPROVED IMMOBILIZATION AGENCIES AND TELEPHONE NUMBERS**