

**IN THE THIRTEENTH JUDICIAL CIRCUIT
HILLSBOROUGH COUNTY, FLORIDA**

**ADMINISTRATIVE ORDER S-2008-160
(Supersedes Administrative Order S-2007-085)**

UNIFORM BAIL BOND SCHEDULE

The uniform bail bond schedule has traditionally listed certain criminal offenses for which a person arrested is ineligible for release pending the first appearance hearing. Recent legislation requires any defendant charged with a violation of Chapter 874 (Gang Enforcement and Prevention), Florida Statutes, or alleged to be subject to enhanced punishment under Chapter 874, to be ineligible for release on bail or surety bond until first appearance. § 903.046(2)(1), Fla. Stat. (2008). It is necessary for the proper administration of justice to update the uniform bail bond schedule so that persons arrested for gang related criminal offenses are not released on a bail bond pending a first appearance hearing.

By the power vested in me under Florida Rule of Judicial Administration 2.215(b)(2), it is therefore **ORDERED**:

1. General

The following bail bond schedule is established so that persons arrested for certain criminal offenses may be released on a bail bond prior to the person's first appearance hearing. This schedule is not intended to bind any judge conducting first appearance hearings or bail bond hearings. When determining bail, judges should consider the criteria set out in section 903.046, Florida Statutes, and Florida Rule of Criminal Procedure 3.131.

2. First Appearance Hearing Required

Anyone arrested who is determined to be on felony probation or felony community control and anyone arrested for any of the criminal offenses listed below will not be released on a bail bond pending the arrested person's first appearance. The judge presiding at the first appearance hearing will determine the appropriate amount of bail bond, if any.

- Capital Felony
- Life Felony
- First Degree Felony Punishable by Life
- Attempt/Solicitation/Conspiracy to Commit First Degree Murder
- Carjacking
- Sexual Battery
- Escape
- Attempt/Solicitation/Conspiracy to Commit Second Degree Murder
- DUI Manslaughter
- Retaliating Against a Witness (§ 914.23, Fla. Stat.)
- Failure of Defendant on Bail to Appear (§ 843.15, Fla. Stat.)
- Domestic Violence (§ 741.2901(3), Fla. Stat.)
- Violation of Domestic Violence Injunction (§ 741.30(9)(b), Fla. Stat.)
- Violation of Repeat Violence Injunction when the alleged violation involves repeat violence (§ 784.046(9)(b), Fla. Stat.)

- Violation of Pretrial Release when original arrest was for domestic violence (§ 741.29(6), Fla. Stat.)
- Trafficking Offenses
- Arson
- Aggravated Child Abuse
- Gang-Related Offenses (Ch. 874, Fla. Stat.)

3. Warrants

Bail for persons arrested on a violation of probation warrant or a failure to appear warrant will be set in the amount provided for in the warrant itself. If the violation of probation warrant or failure to appear warrant is silent as to a bail bond amount, then there will be no bond, pending the arrested person's next appearance before the judge assigned to handle the violation of probation or failure to appear matter. Bail for arrest warrants will be set in the amount provided for in the warrant itself. If the arrest warrant is silent as to a bail bond amount, then the bail will be set in accordance with the provisions of this administrative order.

4. Schedule

Except as provided in sections 2 and 3 of this administrative order, any person arrested for a criminal offense may be released on a bail bond in an amount based on the designated classification and degree of the offense. Persons arrested for the following classifications and degrees of criminal offenses may be released on a bail bond in the corresponding amount:

First Degree Felony	\$15,000
Second Degree Felony	\$ 7,500
Third Degree Felony	\$ 2,000
First Degree Misdemeanor & non-felony DUI	\$ 500
Second Degree Misdemeanor	\$ 250
City or County Ordinance Violation	\$ 250

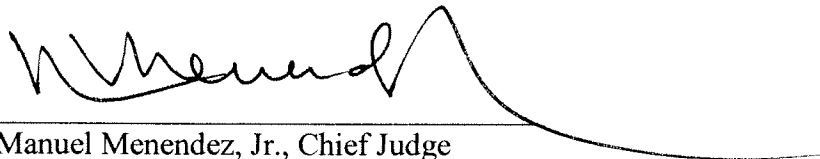
5. Previous Administrative Order Superseded

This administrative order supersedes Administrative Order S-2007-085 (*Uniform Bail Bond Schedule*).

6. Effective Date

This administrative order is effective immediately.

It is ORDERED in Tampa, Hillsborough County, Florida, on this 17th day of November, 2008.



 Manuel Menendez, Jr., Chief Judge

Original to: Pat Frank, Clerk of the Court
 Copy to: All Judges
 Mark A. Ober, State Attorney
 Julianne Holt, Public Defender
 David Gee, Sheriff