

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

ADMINISTRATIVE ORDER: 2.065/13-1

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, Florida Statute 316.193(13) sets forth the requirements for those vendors who wish to perform immobilization and impoundment services in a judicial circuit, including providing the Clerk of Court an affidavit attesting compliance with the requirements; and

WHEREAS, Florida Statute 316.193(6)(d) further requires the Order of Impoundment or Immobilization to include the name and telephone number of the approved immobilization agencies in the Circuit; 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 as follows:

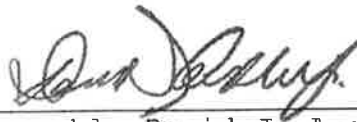
1. The Clerk of Court will maintain a list of the names and numbers of all immobilization agencies that meet the requirements of Florida Statute 316.193(13) and who provide all of the essential services associated with the immobilization/impoundment of vehicles pursuant to Florida Statute 316.193(6)(d) and in accordance with the directives of the Court.

2. Companies seeking to have their names placed on the list must provide to the Clerk of Court a signed affidavit attesting that all requirements of Florida Statute 316.193(13) have been fulfilled.
3. Once approved, companies have an ongoing obligation to inform the Clerk of Court 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 meets the criteria as outlined in Florida Statute 316.193(13)
 - 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 approval from the Clerk of Court.
4. Once the affidavit has been reviewed and it is confirmed that the requirements of Florida Statute 316.193(13) have been met, 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.
5. Immobilization agencies must provide written notice to the Clerk of Court if they wish to be removed from the approved agency list.
6. Immobilization agencies must provide written notice to the Chief Judge regarding any proposed changes in the fee schedule. Any changes in the fee schedule must be approved by the Chief Judge prior to being imposed.

7. Immobilization agencies on the list maintained by the Clerk of Court 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.

Administrative Order 2.065, *Vehicle Immobilization*, dated September 25, 2009, is amended in its entirety and rescinded upon execution of this order.

DONE AND ORDERED in Chambers at Key West, Monroe County, Florida, on this 21 day of March, 2013.



Honorable David J. Audlin, Jr.
Chief Judge

**IN THE CIRCUIT/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:

ORDER 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 ____ .

CIRCUIT/COUNTY JUDGE

CC: State Attorney's Office
Defendant or Defense Attorney
Court Options/DOC
Court Administration

ORDER OF IMPOUNDMENT/IMMOBILIZATION
EXHIBIT "B"

A ALL COUNTY IMMOBILIZATION
311 SE Tenth Court
Ft. Lauderdale, FL 33316
800-864-1515

ARNOLD'S TOWING
5540 Third Avenue
Key West, FL 33040
305-296-3832

JAMSON RECOVERY AGENCY
819 Peacock Plaza, Suite 560
Key West, FL 33040
305-296-0777