

**IN THE CIRCUIT COURT, SIXTH JUDICIAL CIRCUIT
IN AND FOR PASCO AND PINELLAS COUNTIES, FLORIDA**

ADMINISTRATIVE ORDER NO. 2010-076 PA/PI-CIR

RE: VEHICLE IMMOBILIZATION

In order to comply with section 316.193(6)(d), Florida Statutes, and

In order to ensure that immobilization entities operating in the Sixth Judicial Circuit are in compliance with sections 316.193(6)(d) and 316.193(13), Florida Statutes, and all other statutory requirements, and

In accordance with Article V, section 2(d), Florida Constitution, Rule of Judicial Administration 2.215, and section 43.26, Florida Statutes,

IT IS ORDERED:

1. Any agency that requests to provide immobilization of vehicle services within the Sixth Judicial Circuit and that qualifies under the requirements of Florida Statute 316.193(6)(d) as amended September 1, 2010, must submit a completed and notarized *Affidavit and Request for Listing of Business as a Provider of Court Ordered Vehicle Immobilization Services in the Sixth Judicial Circuit* ("Affidavit," See Attachment A) to the Clerk of Circuit Court ("Clerk") in the county in which it wishes to provide immobilization services. An agency wishing to provide services in both counties must submit a separate Affidavit to the Clerk in each county.

2. The Clerk will compile and maintain a list of names and telephone numbers of all immobilization agencies that have filed an approved Affidavit. The list will be made available by posting in the public access areas of the courthouses and by posting on the Clerks' websites. The Clerk will provide a paper copy of the list upon request.

3. The Clerk will amend immobilization orders to include instructions on how to access an immobilization agency list under paragraph 2.

4. Each listed agency must notify the Clerk in writing of any change to the agency involving matters contained in the Affidavit within ten days of becoming aware of the change.

5. All previously submitted affidavits pending on the date of this administrative order must be resubmitted to the Clerk on the approved form in order for an agency to be placed on the immobilization list.

6. Agencies must be in compliance with the statutory provisions that took effect on September 1, 2010 in order to be eligible for inclusion on the immobilization list maintained by the Clerk.

DONE AND ORDERED in Chambers at Clearwater, Pinellas County, Florida, this
_____ day of November 2010.

ORIGINAL SIGNED November 9, 2010
BY J. THOMAS MCGRADY, CHIEF JUDGE

cc: All Judges
The Honorable Bernie McCabe, State Attorney
The Honorable Bob Dillinger, Public Defender
The Honorable Paula S. O'Neil, Clerk of the Circuit Court, Pasco County
The Honorable Ken Burke, Clerk of the Circuit Court, Pinellas County
The Honorable Bob White, Sheriff, Pasco County
The Honorable Jim Coats, Sheriff, Pinellas County
John Hendry, Regional Counsel
Gay Inskeep, Trial Courts Administrator
Suzanne M. Mucklow, Executive Director, Pinellas County Clerk's Office
Lillian Simon, Acting Director of Administrative Services for Pasco County
Bar Associations, Pasco and Pinellas Counties
Law Libraries, Pasco and Pinellas Counties

**AFFIDAVIT AND REQUEST FOR LISTING OF BUSINESS
AS A PROVIDER OF COURT ORDERED VEHICLE IMMOBILIZATION SERVICES
IN THE SIXTH JUDICIAL CIRCUIT**

**I hereby request that my business (the name of which is listed below) be listed as a provider
of Vehicle Immobilization Services with the Sixth Judicial Circuit Court in
_____ County.**

Business (name): _____

Address: _____

Phone: _____

E-Mail address: _____

Fax No: _____

Contact phone number: (_____)_____

I, _____, being first duly sworn on oath according to law, deposes and says that:

I am the owner or duly authorized representative of _____, and do hereby attest that that the business qualifies for and meets all of the requirements related to Section 316.193(13), Florida Statutes, which became effective on September 1, 2010.

1. That the business has verifiable experience in immobilizing vehicles for The Department of Corrections Probation Offices in the State of Florida, and documents relating to the immobilizations.

2. That the business will maintain accurate and complete records of all payments for all vehicle immobilizations, copies of all documents pertaining to the court's order of immobilization, and any other documents relevant to each immobilization for a period of at least 3 years.

3. That the business will only employ and assign persons that meet all of the requirements established in Section 316.193(13) subparagraph (a)(2) a, b, c, d, e, Florida Statutes, to immobilize vehicles.

4. That the business will conduct a state criminal history check through the Florida Department of Law Enforcement to ensure that any person the business hires to immobilize a vehicle meets all of the requirements in Section 316.193(13), subparagraph (a)(2)d, Florida Statutes.

5. That the business will update my immobilization agency's policies and procedures in accordance with amendments to relevant Florida Statutes and rules.

6. That the business will maintain my agency records pursuant to section 316.193(13)(a)1.c., Florida Statutes.

7. That I am duly authorized to make the above representations on behalf of the business, and to obligate the business to these commitments.

8. In the event of any change in any of the matters contained herein, I acknowledge that I and the business have an affirmative obligation to notify the Court of such change, by written notice filed with the Clerk of the Circuit Court within 10 days of becoming aware of the change.

WHEREFORE, the parties hereunto set their hands and seals this day and this year set forth immediately beneath their respective signatures.

Affiant, _____, being first duly sworn on oath according to law, deposes and says that he/she prepared and signed the foregoing Affidavit indicating that the matters stated herein are true.

Notarized signature of _____ acknowledging that he/she has voluntarily submitted the Affidavit to whom she has determined to be the appropriate judicial officials of _____, _____ and that all the information stated in this affidavit is accurate and true.

Name
Title
Address
Address

STATE OF FLORIDA

COUNTY OF _____

SWORN TO AND SUBSCRIBED before me this _____ day of _____, by _____ who is personally known to me and voluntarily executed the foregoing Affidavit and request to be entered on the _____ County, Sixth Judicial Circuit, Florida Vehicle Immobilization Provider List.

Name of Notary
Notary Public, State of Florida

[Stamp]