

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

ADMINISTRATIVE ORDER NO. 10.410-08/20*

IN RE: CONDITIONAL PLEAS OF NO CONTEST IN CIVIL TRAFFIC CASES

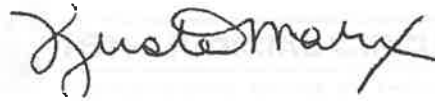
The Florida Rules of Traffic Court allow civil traffic infraction defendants to enter written pleas of no contest and also allow judges and civil traffic hearing officers to withhold adjudication of guilt on a civil traffic infraction when not otherwise prohibited by statute or rule of procedure. The Court has determined that considerable time and expense can be saved by creating a process for civil traffic infraction defendants to seek a withhold of adjudication (no points) via a plea of no contest without the necessity of attending a hearing.

NOW THEREFORE, pursuant to the authority conferred by Florida Rule of Judicial Administration 2.215, it is **ORDERED** as follows:

1. Any Defendant with a pending civil traffic infraction that does not arise out of a traffic crash and does not require a mandatory hearing under section 318.19, Florida Statutes, may enter a written “Conditional Plea of No Contest And Waiver of Appearance” (hereinafter “Conditional Plea”) wherein Defendant requests a withhold of adjudication of guilt resulting in “no points” on their driving record. A form Conditional Plea is attached as Exhibit A.
2. In cases where Defendant did not elect to contest the infraction, Conditional Pleas must be filed through the Clerk & Comptroller’s Office within 30 days of the infraction or the Defendant will be subject to late fees. **Cases which have been referred to a collection agency are not eligible.** If Defendant elected to contest the infraction within 30 days of the infraction, the Conditional Plea must be filed through the Clerk & Comptroller’s Office no later than 10 days before the scheduled pre-trial hearing.
3. The presiding Judge or Civil Traffic Infraction Hearing Officer may, in the exercise of his or her discretion, accept or reject the Conditional Plea.
4. If the Court accepts the Conditional Plea, a disposition order will be entered by the Court and returned to the Defendant without further hearing. Defendant must satisfy the penalty imposed by the Court within the time provided in the disposition order.

5. If the Court rejects the Conditional Plea, the matter may be reset for a civil traffic pretrial conference. The rejected Conditional Plea will not be considered as evidence of guilt related to the civil traffic infraction at any subsequent proceeding.

DONE and **SIGNED** in Chambers at West Palm Beach, Palm Beach County, Florida, this 19th day of August, 2020.

A handwritten signature in black ink that reads "Krista Marx". The signature is written in a cursive style with a large initial "K" and a long, sweeping underline.

Krista Marx
Chief Judge

*Supersedes Admin. Order 10.410 entered on 7/31/20

Attachment A

IN THE COUNTY COURT IN AND FOR
PALM BEACH COUNTY, FLORIDA

STATE OF FLORIDA,

CASE NO.: _____

v.

_____,

Defendant.

CONDITIONAL PLEA OF NO CONTEST AND WAIVER OF APPEARANCE

Under penalty of perjury, I swear or affirm as follows:

1. My name, address, and telephone number are:

2. Email address: _____

3. Traffic Citation Number(s): _____

4. I am the defendant in the above-referenced case and I have been charged with the following violation(s): (List the charges as you understand them to be)

5. In the past two years, I have been adjudicated guilty of or have had adjudication withheld for the following civil or criminal traffic violations (please provide the date, location, and nature of each violation): _____

6. I am entering a **Conditional Plea of No Contest** to the citation(s) I have listed in Paragraph 3, above. I am entering this plea on the understanding that, if accepted, the Court will withhold the adjudication of guilt on the above listed citation(s) so that I will have no "points" on my record from this citation(s). By entering this plea, I understand that I am not admitting or denying that the infraction was committed, but do not contest the charges. I also understand that if the Court accepts my plea, I am waiving my personal appearance in this matter and I will be obligated to comply with the resolution the Court has imposed (which will require payment of the civil penalty and may require attendance at traffic school) within the time frame provided by the Court or my driver's license may be suspended. I understand that by making this request, I am waiving my right to a speedy trial and further understand that if the Court declines to accept my Conditional Plea of No Contest, this matter may be set on a regularly scheduled civil traffic infraction docket.

7. If the Court rejects my Conditional Plea of No Contest, I wish to (check one):

Pay the civil penalty within 30 days from the date of the Court's ruling;

Pay the school civil penalty within 30 days of the Court's ruling and complete defensive driving school within 60 days of the Court's ruling. I certify that I am eligible to elect to attend the defensive driving school; or

Request a court date.

Signature of Defendant: _____

Sworn to (or affirmed) and subscribed before me, the undersigned authority, on _____ day of _____, 20____.

Personally known _____ Produced identification _____
Type of ID produced _____

Notary Public, Deputy Clerk, or other authority

NAME: _____

Commission No. _____

My Commission Expires: _____

If Affiant/Defendant is under the age of 18, a parent or guardian must sign this plea:

Signature Parent or Legal Guardian

Sworn to (or affirmed) and subscribed before me, the undersigned authority, on _____ day of _____, 20____.

Personally known _____ Produced identification _____
Type of ID produced _____

Notary Public, Deputy Clerk, or other authority

NAME: _____

Commission No. _____

My Commission Expires: _____

You may submit your completed Conditional Plea to the Clerk & Comptroller's Office by dropping it off at or mailing it to any Clerk & Comptroller's Office location, or by scanning and emailing it to ConditionalPlea@mypalmbeachclerk.com. For Clerk and Comptroller's Office locations, visit <https://www.mypalmbeachclerk.com/resources/contact-us/locations>
