

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

ADMINISTRATIVE ORDER NO.: 4.907-6/15

IN RE: DESTRUCTION OF EVIDENCE
BY LAW ENFORCEMENT:

_____ :

Florida Statute 893.12(a) requires the Court to order the destruction of all substances controlled by Chapter 893 and all listed chemicals, which substances or chemicals are handled, delivered, possessed, or distributed contrary to any provisions stated in the Chapter, and all such controlled substances or listed chemicals the lawful possession of which is not established or the title to which cannot be ascertained, are declared to be contraband, are subject to seizure and confiscation by any person whose duty it is to enforce the provisions of the Chapter. Additionally, Florida Statute 893.12(a) authorizes the court to order such controlled substances or listed chemicals forfeited and destroyed. Florida Statute 379.338 permits the forfeiture and disposal of illegally taken wildlife, freshwater fish and saltwater fish upon court order.

Pursuant to the authority conferred by Florida Rule of Judicial Administration 2.215, it is hereby **ORDERED** that the following procedures are established for the destruction and/or forfeiture pursuant to Florida Statute 893.12 and 379.338:

1. A request for an order permitting the destruction of suspected controlled substance or a request for forfeiture of wildlife, freshwater fish or saltwater fish ("Request") shall be forwarded to Court Administration/Criminal Case Manager by electronic mail at

CAD-criminalcasemanager@pbcgov.org

as follows:

- a. For pending cases, the request must be signed by both counsel for the law enforcement agency and the State Attorney's Office.
 - b. For closed cases, the request must be signed by either counsel for the law enforcement agency or the State Attorney's Office.
2. The request shall comply with the applicable statutory requirements for judicial review.

3. The Criminal Case Manager will forward the request to the Administrative Judge assigned to the Circuit Criminal Division for his/her review no earlier than the sixteenth (16th) day after the Request is received.
4. The Administrative Judge assigned to the Circuit Criminal Division will review the request and enter any applicable order.
5. The Criminal Case Manager will forward the original order to the Clerk's Office to be recorded in the official records for Palm Beach County, Florida.
6. The criminal case manager will email a copy of the order to the attorneys who made the Request. A copy will be maintained by Court Administration.

DONE and **SIGNED** in Chambers at West Palm Beach, Palm Beach County, Florida, this 22 day of June, 2015.



Jeffrey Colbath
Chief Judge