



ADMINISTRATIVE OFFICE OF THE COURTS
INTER-OFFICE

MEMO 2015-38

TO: Honorable Carolyn Timmann
Honorable Sharon Robertson
Honorable Joseph E. Smith
Honorable J.R. Smith

FROM: Thomas A. Genung, Trial Court Administrator

DATE: September 18, 2015

RE: **Administrative Order 2015-09**
RE: BATTERERS' INTERVENTION PROGRAMS FOR THE
NINETEENTH JUDICIAL CIRCUIT

Attached please find an original **Administrative Order 2015-09** for filing with the Court.

If you have any questions regarding the above, please do not hesitate to contact me.

TAG/js
Attachment

cc w/attach: All Judges in the Nineteenth Judicial Circuit
All Magistrates and Hearing Officers in the Nineteenth Judicial Circuit
All Staff Attorneys in the Nineteenth Judicial Circuit
Honorable Bruce Colton, State Attorney's Office
Honorable Diamond Litty, Public Defender's Office
All County Attorneys in the Nineteenth Judicial Circuit
All Local Law Libraries
All Local Bar Presidents
IT

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT IN AND FOR
INDIAN RIVER COUNTY, MARTIN COUNTY, OKEECHOBEE COUNTY, AND SAINT
LUCIE COUNTY, FLORIDA

ADMINISTRATIVE ORDER NO.: 2015 – 09

**RE: BATTERERS' INTERVENTION PROGRAMS FOR THE NINETEENTH JUDICIAL
CIRCUIT**

WHEREAS, section 741.325, Florida Statutes, establishes the requirements batterers' intervention programs must meet in order to be included on the circuit court's list of batterers' intervention programs, pursuant to section 741.30(6)(a)5, Florida Statutes;

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

In order to be included on the 19th Judicial Circuit's list of batterers' intervention programs, such program must provide, to the Administrative Offices of the Court at 250 NW Country Club Dr., Ste. 217, Port St. Lucie, Florida 34986, the following:

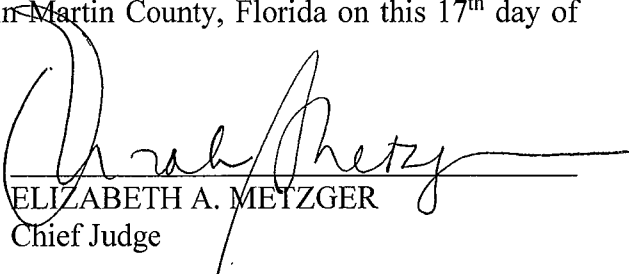
1. the program schedule;
2. program content;
3. fee schedule, including sliding scale or reduced fee options;
4. locations where programs are offered;
5. contact information;
6. the program model, and if it is other than the Duluth Model, proof that the model is accepted by the domestic violence prevention community as an effective model; and
7. a completed "Affidavit to be Placed on the Batterers' Intervention Program Provider List in the 19th Circuit" (Attachment A).

All batterers' intervention programs currently on the 19th Judicial Circuit list of batterers' intervention programs shall have 30 days from the date of this order to submit the required information identified above to remain on the list.

Any changes to the information provided by a batterers' intervention program in 1. – 7. above, must be provided to the Administrative Offices of the Court immediately.

This administrative order supersedes Administrative Order 2015 – 01 and Amended Administrative Order 2015 – 01.

DONE and ORDERED in quadruplicate in Martin County, Florida on this 17th day of September, 2015.


ELIZABETH A. METZGER
Chief Judge

AFFIDAVIT TO BE PLACED ON THE BATTERERS' INTERVENTION PROGRAM
PROVIDER LIST IN THE 19th JUDICIAL CIRCUIT

I, _____ [Authorized Representative's name], being duly sworn, hereby certify, swear and/or affirm that the following information is true and correct:

1. I am over 18 years of age, am *sui juris*, and am otherwise competent to make this affidavit.
2. I make this affidavit based upon my personal knowledge.
3. I am the _____ [Title or Position through which affiant is authorized] of _____ . [Legal Name of Batterers' Intervention Program provider] (BIP Provider).
4. I have the authority to act on behalf of and to bind the BIP Provider.
5. The BIP Provider provides a batterer's intervention program course for individuals who have been ordered to attend a batterer's intervention program by the court.
6. I am aware that pursuant to s. 741.30(6)(a)5, Florida Statutes, when the court orders the respondent to participate in a batterers' intervention program, the court, or any entity designated by the court, must provide the respondent with a list of batterers' intervention programs from which the respondent must choose a program in which to participate. I am submitting this affidavit in order to have the BIP Provider placed on the list of eligible programs in the 19th Judicial Circuit (Court).
7. The BIP Provider program meets each of the following requirements:
 - (a) The primary purpose of the program is victim safety and the safety of children, if present.
 - (b) The batterer is held accountable for acts of domestic violence.
 - (c) The program is at least 29 weeks in length and includes 24 weekly sessions, plus appropriate intake, assessment, and orientation programming.
 - (d) The program content is based on the below-listed psychoeducational model that addresses tactics of power and control by one person over another.
Model Name or Description: _____
 - (e) The program is funded by a user fee in the amount of _____ paid by the batterers who attend the program, which allows them to take responsibility for their acts of violence. An exception is made for local, state, or federal programs that fund batterers' intervention programs in whole or in part.

8. The BIP Provider currently and will continue to satisfy all criteria for to be included on the list of batterer intervention programs, and that the BIP Provider should be included on the Court's list of providers.
9. I understand that the BIP Provider is responsible for continuously meeting the statutory requirements for batterer intervention programs.
10. The Court may audit the BIP Provider's program as necessary to ensure compliance with the Florida statutes. I understand that such audit may include a survey of participants of the BIP Provider's program. The BIP Provider will fully cooperate with any efforts to conduct such audit.
11. I understand that it is my responsibility to **IMMEDIATELY** notify the court if the BIP Provider no longer meets any of the statutory requirements. This notification must be sent to the Administrative Offices of the Court at 250 NW Country Club Drive, Ste. 217, Port St. Lucie, FL 34986 at which time the BIP Provider's name will be immediately removed from the court's list of providers.
12. I further understand that failure to notify the court when the BIP Provider is no longer in compliance with the statute may constitute fraud for which I and/or the BIP Provider may be subject to liability.
13. I understand that if I no longer am employed by or represent the BIP Provider I or the BIP Provider must contact the courts immediately and the BIP Provider must issue an affidavit by the new legal representative of the BIP Provider in order to remain on the list of eligible providers.

I DECLARE UNDER PENALTY OF PERJURY, under the laws of the State of Florida, that the statements and facts indicated in this Affidavit are true and correct.

(name) _____ (date) _____

Printed Name: _____

Address: _____

City, State, Zip: _____

E-mail Address(es): _____

STATE OF FLORIDA
 COUNTY OF _____

Sworn to or affirmed and signed before me on by

 NOTARY PUBLIC or DEPUTY CLERK

[Print, type, or stamp commissioned name of notary or deputy clerk]

Personally known

Produced identification

Type of identification produced _____