

IN THE CIRCUIT COURT OF THE  
EIGHTEENTH JUDICIAL CIRCUIT  
IN AND FOR SEMINOLE COUNTY  
FLORIDA

**ADMINISTRATIVE ORDER NO.:**  
**19-08-S**  
**SUPERSEDES 17-22-S**

**IN RE: JUVENILES - SEXTING BY MINORS—SECTION 847.0141, FLORIDA STATUTES**

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**WHEREAS**, Florida Statute provides elements defining when a minor commits the offense of sexting in violation of section 847.0141(1);

**WHEREAS**, a minor for purposes of section 847.0141, Florida Statutes, is defined in section 847.001(8), Florida Statutes, as a person under the age of eighteen years;

**WHEREAS**, the Sheriff of Seminole County has established a Sexting and Cyber-Safety Awareness Program to address civil and criminal sexting violations pursuant to section 847.0141, Florida Statutes;

**WHEREAS**, the Seminole County Sheriff's Office Sexting and Cyber-Safety Awareness Program is administered by the Seminole County Sheriff's Office Prosecution Alternatives for Youth (PAY) Program;

**WHEREAS**, the Seminole County Sheriff's Office has also agreed to oversee Community Work Service performed pursuant to Sexting case violations including non-criminal civil citation cases;

**WHEREAS**, pursuant to Article V, section 2(d) of the Florida Constitution and section 43.26, Florida Statutes, the chief judge of each judicial circuit is charged with the authority and the power to do everything necessary to promote the prompt and efficient administration of justice; and

**WHEREAS**, pursuant to the chief judge's constitutional and statutory responsibility for administrative supervision of the courts within the circuit and to create and maintain an organization capable of effecting the efficient, prompt, and proper administration of justice for the citizens of this State, the chief judge is required to exercise direction, see Fla. R. Jud. Admin. 2.215(b)(2), (b)(3);

**NOW, THEREFORE**, I, Tonya Rainwater, in order to facilitate the efficient operation of the administration of justice, and pursuant to the authority vested in me as Chief Judge of the Eighteenth Judicial Circuit of Florida, Seminole County, under Florida Rule of Judicial Administration 2.215, hereby order the following, effective immediately, and to continue until further order:

1. First-time violations of section 847.0141, Florida Statutes, are designated as non-criminal violations that are to be heard by the Circuit Judges assigned to hear juvenile delinquency matters. *See* § 985.0301(1)(b), Fla. Stat. (2015).
2. First-time violators must sign and accept a citation indicating a promise to appear before the Juvenile Court. (*ATTACHMENT 1*)
3. Pursuant to section 847.0141(3)(a)1., Florida Statutes, the citation must contain all of the following:
  - a. The date and time of issuance.
  - b. The name and address of the minor to whom the citation is issued.
  - c. A thumbprint of the minor to whom the citation is issued.
  - d. Identification of the noncriminal violation and the time it was committed.
  - e. The facts constituting reasonable cause.
  - f. The specific section of law violated.
  - g. The name and authority of the citing officer.
  - h. The procedures that the minor must follow to contest the citation, perform the required community service, pay the civil penalty, or participate in a cyber- safety program.
4. The Civil Sexting Citation must also contain a statement that the first-time violator is required to appear in court for a hearing, set a court date for not less than 45 days from the date of the offense nor more than 60 days from the date of offense and any instructions for handling of the citation in lieu of appearance at said court hearing.
5. The Civil Sexting Citation shall also advise the first-time violator that in lieu of appearing in Court, pursuant to section 847.0141(3)(a), Florida Statutes, first-time violators may complete the Sexting and Cyber-Safety Awareness Program administered through the PAY Program. The first-time violator must satisfy attendance completion and provide proof of such to the Clerk of Court—Juvenile Division within 30 days after receipt of the citation. Upon proof of completion presented to the clerk, the clerk will cancel the hearing date and will mail notice of the cancellation of the hearing to the first-time violator. Furthermore, the Clerk may terminate the case upon receipt of proof of completion of the Sexting and Cyber-Safety Awareness Program.
6. The Civil Sexting Citation shall further advise that failure to provide proof of completion of the Sexting and Cyber-Safety Awareness Program within 30 days after receipt of the citation will require the first-time violator's appearance in Court on the scheduled arraignment date.
7. A minor who completes the Sexting and Cyber-Safety Awareness Education Program shall be issued a certificate of completion containing the minor's name, citation or case number and the date of completion.
8. All Civil Sexting Citations shall be filed with the Clerk of the Court Juvenile Division and copies provided to the minor and the Seminole County PAY Program Administrator.
9. Second and subsequent violations of section 847.0141, Florida Statutes, are criminal violations and will be processed as any other delinquent act or violation of law.

10. The Civil Sexting Citation attached to this Administrative Order is recognized as the Civil Sexting Citation for use in Seminole County and is incorporated herein as part of this Order.  
DONE AND ORDERED this 9th day of January, 2019.

TONYA RAINWATER  
TONYA RAINWATER  
CHIEF JUDGE

Distribution:

All Circuit and County Court Judges (Seminole County)  
Court Administration (Brevard and Seminole Counties)  
Clerk of Court (Seminole County)  
Public Defender (Seminole County)  
State Attorney (Seminole County)  
Sheriff (Seminole County)  
Bar Association (Seminole County)  
Law Library (Seminole County)  
Seminole County PAY Program  
Altamonte Springs Police Department  
Casselberry Police Department  
Longwood Police Department  
Oviedo Police Department  
Sanford Police Department  
Winter Springs Police Department

ATTACHMENT 1

**SEMINOLE COUNTY SEXTING CITATION**

<b>SEMINOLE COUNTY SEXTING CITATION</b>									
<b>Incident #:</b>	<b>Date/Time Citation Issued:</b>								
<b>Name:</b> <b>DOB:</b>	<b>Offense:</b> Non-Criminal First Offense Sexting in violation of Florida Statute 847.0141(1) and (3)(a)								
<b>Address:</b> <b>Phone:</b>	<b>Date/Time Committed:</b>								
<b>Facts Supporting Reasonable Cause:</b> (more detailed summary in CAFÉ Offense Report if needed- note CAFÉ #)									
<b>HEARING DATE:</b> Date: _____ Time: <u>9:00 am</u>									
<b>Place for Hearing:</b> Juvenile Justice Center, 190 Eslinger Way, Sanford, FL 32773									
<p>1. This is a non-criminal civil citation for violation of Florida Statute 847.0141 Sexting- First Offense. Florida Statute requires that you sign this citation and that the citation contain your thumbprint. You must appear before the Juvenile Court of the Eighteenth Judicial Circuit on the date, time and location indicated above if you wish to contest this citation or if you fail to provide proof of compliance in lieu of court appearance as described in paragraph 2 below within 30 days of receipt of the citation.</p> <p>2. In lieu of your court appearance, you may participate in a Sexting and Cyber-Safety Education Program administered by the Seminole County Sheriff's Office, PAY Program. You may contact the PAY Program Administrator's Office at (407) 665-5360 to schedule an attendance date. Upon completion, you will receive a Certificate of Completion. The proof of completion certificate will be provided to you and must be presented to the Clerk of Court Eighteenth Judicial Circuit, Sanford - Juvenile Division located at the Juvenile Justice Center 190 Eslinger Way, Sanford, and Florida 32773. Completion of the Program and presentation of said Certificate of Completion must both occur within 30 days of issuance of this citation.</p> <p>3. If you choose to contest the citation or do not show compliance to the Clerk of Court within 30 days as instructed in paragraph 2 you must appear for the hearing date as indicated above. If the Court finds you committed the non-criminal violation, you may be ordered to perform 8 hours of community service and pay a \$60.00 civil penalty and court costs and also complete a cyber-safety education course. If you fail to comply with the citation sanctions imposed by the Court, after a court finding of violation, you may be subject to an order to show cause for contempt of court. In addition to the citation sanctions imposed, you may also be subject to the imposition of additional age appropriate penalties, to include penalties, which may affect your driver's license or driving privileges. A second or subsequent violation of F.S. 847.0141 is a criminal offense.</p>									
<b>Juvenile's Thumbprints</b>									
<b>Parent/Guardian Notified (Check One)</b>									
	<input type="checkbox"/> Yes <input type="checkbox"/> No								
	_____ <b>Time</b>								
	_____ <b>Name</b>								
	_____ <b>Relationship</b>								
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 80%;"></td><td style="width: 20%; text-align: center;"><b>1.Face to Face</b></td></tr> <tr><td style="width: 80%;"></td><td style="width: 20%; text-align: center;"><b>2.Telephone</b></td></tr> <tr><td style="width: 80%;"></td><td style="width: 20%; text-align: center;"><b>3.Unable to Contact</b></td></tr> <tr><td style="width: 80%;"></td><td style="width: 20%; text-align: center;"><b>4.Message left with whom:</b></td></tr> </table>		<b>1.Face to Face</b>		<b>2.Telephone</b>		<b>3.Unable to Contact</b>		<b>4.Message left with whom:</b>
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	<b>2.Telephone</b>								
	<b>3.Unable to Contact</b>								
	<b>4.Message left with whom:</b>								
<b>Left</b>	<b>Right</b>								
<b>Juvenile's Signature:</b>									
<b>Deputy/Officer Name (Printed):</b>	<b>AGENCY &amp; ID#:</b>								
<b>Deputy/Officer Signature:</b>									

Original: Clerk

Copy: Juvenile

Scanned Copy: Pay Program and CAFE