Supreme Court of Florida

No. AOSC20-18

IN RE: COVID-19 EMERGENCY PROCEDURES IN RELATION TO VISITATION FOR CHILDREN UNDER THE PROTECTIVE SUPERVISION OF THE DEPARTMENT OF CHILDREN AND FAMILIES

ADMINISTRATIVE ORDER

WHEREAS the Florida State Courts System continues to monitor and take measures to address the effects on court operations of the Coronavirus Disease 2019 (COVID-19), a severe acute respiratory illness that can spread among humans through respiratory transmission; and

WHEREAS the World Health Organization has declared the outbreak of COVID-19 a pandemic, the Governor of Florida has declared a state of emergency exists, and the Surgeon General and State Health Officer has declared a public health emergency exists; and

WHEREAS among the purposes of chapter 39, Florida Statutes, Proceedings Relating to Children, are providing for the care, safety, and protection of children in an environment that fosters healthy social, emotional, intellectual,

and physical development and promoting the health and well-being of all children under the State's care; and

WHEREAS parent-child visitation, sibling visitation, and visitation between children and other family members as well as non-relatives is highly valued but must be balanced with the health, safety, and well-being of these individuals and others in the community; and

WHEREAS alternatives to in-person visitation are necessary to protect the health, safety, and well-being of these children, their families, their caregivers, and others in the community during this state of emergency and public health emergency;

NOW THEREFORE, pursuant to the authority conferred upon me by article V, section 2(b), of the Florida Constitution and Florida Rules of Judicial Administration 2.205(a)(2)(B)(iv) and 2.205(a)(2)(B)(v),

IT IS ORDERED that:

1. Requirements for in-person visitation pursuant to circuit court orders entered under chapter 39, Florida Statutes, are suspended through Friday, April 17, 2020, or as provided by subsequent order of the Chief Justice. This order does not affect in-person visitations when all parties and the caregiver agree that the visitation can take place in a manner that does not pose a health threat.

2. In lieu of in-person visitation, visitation shall be conducted through electronic means with video communication as the preferred means although telephonic contact is permitted if video communication is not feasible.

3. The suspension of in-person visitation applies to parent-child visitation, sibling visitation, and visitation between children and other family members and non-relatives.

4. Subsequent to the entry of this order, if a party seeks to reinstate in-person visitation prior to Friday, April 17, 2020, such reinstatement shall be determined on a case-by-case basis by the circuit court with jurisdiction over that party's case. Reinstatement of in-person visitation may be ordered if the court determines that it will not jeopardize the health, safety, and well-being of all children and adults (including caregivers) who will be affected by the in-person visitation.

5. Nothing in this administrative order overrides existing circuit administrative orders to the extent that those orders are not in conflict with this order. Circuits may enter additional administrative orders addressing visitation and contact pursuant to chapter 39, Florida Statutes, to the extent that they are not in conflict with this order.

These provisions are effective upon signing of this administrative order.

DONE AND ORDERED at Tallahassee, Florida, on March 27, 2020.

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Chief Justice Charles T. Canady

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ATTEST:

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John A. Tomasino, Clerk of Court

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