Supreme Court of Florida

No. AOSC20-15

IN RE: COVID-19 ESSENTIAL AND CRITICAL TRIAL COURT PROCEEDINGS

ADMINISTRATIVE ORDER

WHEREAS the World Health Organization has declared the outbreak of the Coronavirus Disease 2019 (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 the Florida State Courts System must continue to take steps to mitigate the effects of COVID-19 on the courts, court participants, and the general public; and

WHEREAS *In re COVID-19 Emergency Procedures in the Florida State Courts*, Fla. Admin. Order No. AOSC20-13 (March 13, 2020), suspended grand jury proceedings, jury selection proceedings, and criminal and civil jury trials during the period of Monday, March 16, 2020, through Friday, March 27, 2020, or as provided by subsequent order; and

WHEREAS, it is the intent of this order to require each circuit and county court in the State of Florida to fulfill its responsibility to conduct essential proceedings and proceedings critical to the state of emergency or the public health emergency, while suspending other proceedings as necessary to mitigate the effects of such operations on COVID-19 exposure; and

WHEREAS, it is the intent of this order to direct the chief judge of each circuit court to cancel or postpone court proceedings other than essential proceedings and proceedings critical to the state of emergency and public health emergency, unless the chief judge determines that other proceedings or events can be effectively conducted remotely without the necessity of in-person court appearances;

NOW THEREFORE, pursuant to the administrative 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. All circuit and county courts shall continue to perform essential court proceedings, including but not limited to: first appearance; criminal arraignments as necessary; hearings on motions to set or modify monetary bail for individuals who are in custody; juvenile dependency shelter hearings; juvenile delinquency detention hearings; hearings on petitions for temporary injunctions relating to

safety of an individual; hearings on petitions for risk protection orders; hearings on petitions for the appointment of an emergency temporary guardian; hearings to determine whether an individual should be involuntarily committed under the Baker Act or the Marchman Act; and hearings on petitions for extraordinary writs as necessary to protect constitutional rights.

2. In addition to essential proceedings, all circuit and county courts shall perform, as necessary and applicable, critical proceedings related to the state of emergency or the public health emergency, including but not limited to proceedings related to: violation of quarantine or isolation; violation of orders to limit travel; violation of orders to close public or private buildings; and enforcement of curfew orders.

3. In conducting essential proceedings and proceedings critical to the state of emergency or the public health emergency, circuit and county courts shall employ all methods practicable to minimize risk of COVID-19 exposure to individuals involved in the proceedings or the general public.

4. Nothing in this order limits the ability of the chief judge, consistent with the chief judge's authority and responsibilities under article V, section 2(d) of the Florida Constitution and Rule of Judicial Administration 2.215, to determine that additional proceedings, other than those suspended by Administrative Order No. AOSC20-13, are essential or are critical to the state of emergency or the public

health emergency. However, no proceedings or other court events other than essential proceedings and proceedings critical to the state of emergency or the public health emergency shall be conducted through in-person hearings until such time as the public health emergency is resolved, or as provided by subsequent order.

5. Each chief judge shall review cases and court events and the communications technology resources available to the circuit, each county, and each judge. The chief judge shall issue directives to the judges of the respective circuit and county courts to reschedule, postpone, or cancel all non-essential and non-critical court proceedings and events unless the chief judge determines that such other specific proceedings or events can be effectively conducted remotely using telephonic or other electronic means available in the subject jurisdiction without the necessity of in-person court appearances.

6. This order shall take effect immediately and extends until the close of business on Friday, March 27, 2020, or as provided by subsequent order. The provisions of Administrative Order No. AOSC20-13 remain in force. Additional orders extending or modifying these measures will be issued as warranted by changing circumstances during the public health emergency.

DONE AND ORDERED at Tallahassee, Florida, on March 17, 2020.

AOSC20-15 3/17/2020

Chief Justice Charles T. Canady

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ATTEST:

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John A. Tomasino, Clerk of Court

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