IN THE COURTS OF THE FIRST JUDICIAL CIRCUIT

ADMINISTRATIVE ORDER NO. 2020-08

RE: COVID-19 ESSENTIAL AND CRITICAL TRIAL COURT PROCEEDINGS

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 have 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 the health, safety, and well-being of courthouse visitors, court employees, and judicial officers are of paramount concern for the State Courts System; and

WHEREAS, by the Order of the Supreme Court of Florida, AOSC20-15, the chief judges of the circuit courts are directed to continue to perform mission critical functions, while continuing to mitigate the effects of court operations on COVID-19 exposure;

NOW THEREFORE; it is

ORDERED:

1. The Continuity of Operations Plan (COOP) for the First Judicial Circuit is hereby activated. For a period of 30 days, or upon further order of the undersigned, court proceedings will be limited to those deemed "mission critical" as defined below:

    a) First Appearances
    b) Criminal and Juvenile Delinquency Arraignments – (Appearances for out-of-custody clients may be waived by counsel).
    c) Bond hearings
    d) Juvenile detention hearings
    e) Juvenile Dependency/Shelter Hearings
    f) Chapter 39 injunctions

g) Petitions for Judicial Waiver of Parental Notice under section 390.01114(4), Fla. Stat.
h) Petitions for Emergency Incapacity Petitions and Appointment of Emergency Temporary Guardian
i) Petitions for Dating Violence, Domestic Violence, Repeat Violence, Sexual Violence or Stalking Injunctions
j) Petitions for Risk Protection Orders
k) Proceedings Involving Requests for "Do Not Resuscitate" Orders
l) Vulnerable Adult Petitions
m) Issuance of search or arrest warrants or authorizations for wiretaps
n) Baker Act and Marchman Act proceedings
o) Adult Protective Services Act proceedings
p) Family Law and Dependency cases in which the imminent safety of children is at issue
q) Extraordinary Writs as necessary to protect constitutional rights
r) Proceedings related to the state of emergency or public health emergency, including but not limited to violation of quarantine or isolation orders, violations of orders to limit travel, violation of orders to close public or private buildings; seizure of bodily fluids, and enforcement of curfew orders
s) In-custody change of pleas which will result in a release from incarceration
t) Proceedings involving violations and sanctions for Drug Court, Veteran's Court, and Mental Health Court participants
u) 48-hour hearings for those arrested for failure to pay child support
v) Any other emergency proceedings or hearings as authorized by the Chief Judge.

2. Where possible, proceedings in mission critical matters shall be accomplished using electronic means for some or all of the participants, and/or by using social distancing methods. Mission critical matters that require one or more participants to appear in person shall be conducted in a courtroom to the extent possible.

3. All grand jury proceedings, jury selection proceedings, and criminal and civil jury trial are suspended until April 20, 2020, or until further order of the undersigned.

4. Entry to court facilities in which mission critical hearings are conducted will be limited to the media, attorneys, litigants, witnesses, essential personnel necessary to conduct the critical missions of the court (as defined above) and any court partner or independent agency and their employees who are physically located in the building.

5. Local Sheriff's deputies and contract security personnel are hereby granted the authority to screen and eject persons from court facilities and from courtrooms in accordance with this order and with the provisions of AO2020-07.

6. Any person, regardless of status, who is exhibiting symptoms consistent with COVID-19 infection; or any person who has traveled internationally or has been in contact with another person who is suffering from the effects of the COVID-19 virus, is prohibited from entering any court facility.

7. The administrative judge of each county within the First Judicial Circuit is directed to immediately formulate a plan as to how and by whom the above-listed mission critical functions will be executed within their respective counties for the next 30 days, and shall submit same to the Chief Judge for consideration forthwith.

8. All hearings in family, child support, county civil, circuit civil, probate, civil traffic, or any other proceeding not deemed mission critical under this order shall be rescheduled, postponed, or cancelled unless such proceedings can be effectively conducted remotely using telephonic or other electronic means, at the discretion of the presiding judge and in accordance with AOSC20-16. In-person appearances for non-mission critical hearings as described above shall not be permitted.

DONE AND ORDERED in Pensacola, Escambia County, Florida this 19th day of March, 2020.

JOHN L. MILLER
CHIEF JUDGE

Copies of AO2020-07 furnished to:

All Judges, First Judicial Circuit
All Clerks, First Judicial Circuit
William Eddins, State Attorney, First Judicial Circuit
Bruce Miller, Public Defender, First Judicial Circuit
Robin Wright, Trial Court Administrator
Elizabeth Miller, Child Welfare Legal Services
Bryan Carter, Guardian Ad Litem
Mark Jones, President of Family First Network
Paul Wallis, Chief Probation Officer for Florida Department of Juvenile Justice
Justice Administrative Commission
Candice Brower, Office of Criminal Conflict Counsel
Craig Waters, Director of Public Information, Florida Supreme Court
For Broadcast by: Escambia-Santa Rosa Bar Association
For Broadcast by: Okaloosa County Bar Association
For Broadcast by: Walton County Bar Association
For Posting at www.FirstJudicialCircuit.org