

ADMINISTRATIVE ORDER
NO. 2020-06-07

IN THE CIRCUIT COURT OF THE
NINTH JUDICIAL CIRCUIT, IN AND
FOR ORANGE AND OSCEOLA
COUNTIES, FLORIDA

AMENDED TEMPORARY ORDER GOVERNING TRIAL COURT PROCEEDINGS

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 considering available resources, 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); and

WHEREAS, in response to the public health emergency caused by the outbreak of the Coronavirus Disease 2019 (COVID-19), the Florida Supreme Court and the Ninth Judicial Circuit have taken significant measures to limit and modify court operations so as to ensure the safe administration of justice¹; and

WHEREAS, 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; and

WHEREAS, during the duration of the Emergency Procedures in the Florida State Court, as set forth by the Florida Supreme Court, the Chief Judge of each judicial circuit is authorized to establish temporary procedures for the use, to the maximum extent feasible, of communication

¹ *See*, Fla. Admin. Order No. AOSC20-13 (Fla. March 13, 2020); Fla. Admin. Order No. AOSC20-15, (Fla. March 17, 2020); Fla. Admin. Order No. AOSC20-23 (Fla. April 6, 2020); Fla. Admin. Order No. AOSC20-23, Amendment 1 (Fla. May 4, 2020); Fla. Admin. Order No. AOSC20-23, Amendment 2 (Fla. May 21, 2020); Fla. Admin. Order No. AOSC20-32 (Fla. May 21, 2020); Fla. Admin. Order No. AOSC20-23, Amendment 3 (Fla. June 8, 2020); Fla. Admin. Order No. AOSC20-23, Amendment 4 (Fla. June 16, 2020); Fla. Admin. Order No. AOSC20-32, Amendment 1 (Fla. June 16, 2020); Fla. Admin. Order No. AOSC20-23, Amendment 5 (Fla. July 2, 2020); Fla. Admin. Order No. AOSC20-32, Amendment 2 (Fla. June 16, 2020); Fla. Admin. Order No. AOSC20-23, Amendment 6 (Fla. August 12, 2020); Fla. Admin. Order No. AOSC20-32, Amendment 3 (Fla. August 12, 2020); Fla. Admin. Order No. AOSC20-23, Amendment 7 (Fla. October 2, 2020); Fla. Admin. Order No. AOSC20-32, Amendment 4 (Fla. October 15, 2020); Fla. Admin. Order No. AOSC20-23, Amendment 8 (Fla. November 23, 2020); Fla. Admin. Order No. AOSC20-32, Amendment 5 (Fla. November 23, 2020); Fla. Admin. Order No. AOSC20-32, Amendment 6 (Fla. December 21, 2020) (all available at <https://www.floridasupremecourt.org/Emergency>).

equipment for the conducting of proceedings by remote electronic means, as are necessary in their respective circuits due to the public health emergency; and

WHEREAS, it is the intent of the judicial branch to transition to optimal operations in a manner that protects the public's health and safety during each of the anticipated phases of the pandemic; and

WHEREAS, due to the number of new daily cases and positivity rates in both Orange and Osceola Counties now decreasing significantly, the temporary modification to operations put in place on January 11, 2021 may now be lifted as detailed below and the Circuit will return to normal Phase 2 operations;

In accordance with the authority vested in the Chief Judge by Article V, section 2(d) of the Florida Constitution, sections 40.001, 43.26, and 905.01, Florida Statutes, Florida Rule of Judicial Administration 2.215, and to promote public safety, the following adjustments to operations are hereby **ORDERED, effective immediately** unless otherwise provided herein:

(1) **Effective Monday, February 15, 2021**, consistent with Florida Supreme Court Administrative Order No(s). AOSC20-23, AOSC20-32, and amendments thereto, and the Ninth Judicial Circuit Court Transitional Operation Plan, the Circuit will be returning to normal Phase 2 operations for in-person hearings – limited in-person contact is authorized for certain purposes with strict observance of the safety protocols in place – (1) masks required at all times in all public spaces of the courthouse, including courtrooms, (2) social distancing at all times of at least 6 feet, (3) handwashing/hand sanitizer, and (4) frequent cleaning of surface touch points.

Jury trials will resume **Monday, February 15, 2021**. Jurors will be called to appear beginning on February 15, 2021. Individuals with questions as to jury service may contact Orange County Jury Services at 407-836-2206 or Osceola County Jury Services at 407-742-2423, depending upon county of residence.

Pursuant to Amendment 4 to AOSC20-32, paragraph 5, the Ninth Judicial Circuit Court Phase 2 Operational Plan is posted on the Circuit's website, except for those portions of the plan determined to be confidential or otherwise exempt from public access pursuant to Florida Rule of Judicial Administration 2.420.

(2) Public access to court facilities shall remain limited to counsel for the parties and the litigants involved in an in-person court proceeding, and visitors to the offices of the clerk of court. Only persons essential to any proceeding will be allowed in the courtroom: Judge, clerks, parties, attorneys, victims, witnesses, court reporters, court interpreters and other persons whose presence is essential. No other persons will be allowed to enter court facilities via the public entrances or attend court proceedings, except as may be permitted by the Presiding Judge or the Chief Judge. Media may continue to access court facilities consistent with existing administrative orders. In conducting proceedings, the Ninth Judicial Circuit Court shall employ all methods practicable to minimize risk of COVID-19 exposure to anyone involved in the proceedings. Any in-person proceeding must be conducted consistent with the Circuit's Operational Plan.