

ADMINISTRATIVE ORDER  
NO. 2020-20

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

**ORDER GOVERNING EMERGENCY MEASURES FOR  
ENTRANCE TO ALL NINTH CIRCUIT COURT FACILITIES TO  
PROTECT PUBLIC HEALTH AND SAFETY DUE TO COVID-19**

**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**, the Centers for Disease Control and the Florida Department of Health have advised people to take precautions in light of the Coronavirus Disease 2019 (COVID-19) outbreak, and specifically noting the best way to prevent illness is to avoid exposure to the virus through such measures as small gatherings and social distancing; and

**WHEREAS**, because of the COVID-19 outbreak, Governor Ron DeSantis declared a State of Emergency on March 1, 2020, the World Health Organization declared a global pandemic on March 11, 2020, Orange County declared a Local State of Emergency on March 13, 2020, and Osceola County declared a Local State of Emergency on March 16, 2020; and

**WHEREAS**, on March 13, 2020, Chief Justice Charles T. Canady issued Administrative Order No. AOSC20-13, In Re: COVID-19 Emergency Procedures in the Florida State Courts, requiring Chief Judges to continue ongoing planning and authorizing the use of mitigating measures to address the effects of COVID-19; and

**WHEREAS**, on May 21, 2020, Chief Justice Charles T. Canady issued Amendment 2 to Administrative Order No. AOSC20-23, providing that 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 following anticipated phases of the pandemic:

- a) Phase 1 – in-person contact is inadvisable, court facilities are effectively closed to the public, and in-person proceedings are rare;
- b) Phase 2 – limited in-person contact is authorized for certain purposes and/or requires use of protective measures;

c) Phase 3 – in-person contact is more broadly authorized and protective measures are relaxed; and

d) Phase 4 – COVID-19 no longer presents a significant risk to public health and safety; and

**WHEREAS**, on May 21, 2020, Chief Justice Charles T. Canady issued Administrative Order No. AOSC20-32, providing that all “[c]ourt reopening protocols and practices shall be guided by Centers for Disease Control and Prevention recommendations” with guidance from the Florida Department of Health, county health departments, and local medical professionals and that each court shall develop an operational plan to include the safety requirements identified in the Court Operations Subgroup Report issued May 14, 2020. Those safety requirements include the wearing of masks in court facilities, and temperature checks, among other safety measures.

**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, the general public, Judges and court employees; and therefore,

In accordance with the authority vested in the Chief Judge by Article V, section 2(d) of the Florida Constitution, section 43.26, Florida Statutes, and Florida Rule of Judicial Administration 2.215, and to promote public safety, it is hereby **ORDERED, effective June 1, 2020** that:

1. To effect the continuation of all court operations and proceedings in a manner that protects the health and safety of all, the Court will adhere to the protocols and practices issued by the Florida Supreme Court as the Court transitions through each of the anticipated phases of the pandemic.

2. This Order applies to everyone entering any court facility<sup>1</sup> in the Ninth Judicial Circuit including litigants, lawyers, witnesses, visitors to a court facility, court staff, clerks, deputies, security personnel, and Judges.

3. Everyone entering a court facility shall wear a face mask, covering their nose and mouth, with no exceptions. The face mask, covering both the nose and mouth, shall be worn while in all common/public areas of the court facility including all public or private stairwells and public restrooms. A face mask is defined as a paper or other material surgical type of mask or a cloth covering meant to cover both the nose and mouth, and no other part of the face, which creates a physical barrier for the mouth and nose of the wearer. Clear face shields may also be worn but must be in combination with a face mask.

4. Masks shall be worn in all public areas of the court facility, including courtrooms or hearing rooms, unless the Judge or Judicial officer authorizes its removal.

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<sup>1</sup> Court facility includes all of the main courthouses, branch courthouses, jail courtrooms, Osceola County Courthouse and Orange County Courthouse, and Building A offices of the court reporters and other court employees, and the deposition rooms.

5. Before entering any court facility all persons shall undergo a health screening (as set forth below in paragraph 6) and a required temperature check. Judges, Clerks, Clerks' employees, Sheriff's Deputies, the State Attorney, Assistant State Attorneys, the Public Defender, Assistant Public Defenders, and private security staff may be checked for symptoms and temperature consistent with their respective court, agency, or company policies, which policies are subject to approval of the Chief Judge and which shall be at least as stringent as the screening policies set forth in this Order for those entering a court facility. Any person who presents symptoms, or has a temperature of 100.4 or over, or who indicate "yes" to any of the questions contained herein, is prohibited from entering any court facility.

6. Health Screening and Temperature Checks:

Health Screening: Signs containing the following questions will be displayed at all court facility entrances. If a person answers "yes" to any question, that person shall not be permitted to enter the facility.

1. Do you have any of the following symptoms (excluding those due to a known medical reason):

Cough

Shortness of breath or difficulty breathing

Chills

Muscle pain

Sore throat

New loss of taste or smell

2. Are you currently awaiting the results of a test to determine if you have COVID-19?

3. Are you under instructions to self-isolate or quarantine due to COVID-19?

4. In the last fourteen days, have you had close contact with someone with a COVID-19 diagnosis or who is awaiting test results for COVID-19?

5. In the last fourteen days, have you travelled to an area with a notably high concentration of COVID-19 cases?

Temperature Checks: All persons will be checked for their body temperature using an infrared or other non-contact temperature device before entrance to a court facility. Any person who registers a body temperature of 100.4 degrees or greater shall not be permitted to enter the court facility.

7. The security personnel or any person performing the health/temperature checks shall attempt to obtain and record the following information from a person who is not permitted to enter the court facility by virtue of the health screening and/or temperature check: (a) name of the individual, (b) the individual's reason for visiting the court facility,

(c) case number and judge (if known and applicable), and (d) the individual's contact information, including a telephone number and email address. In the event an individual refuses to undergo a health screening or temperature check, or refuses to wear a mask for entrance to the court facility, the security personnel or other person performing the health/temperature checks shall attempt to obtain and record the same information described above. Once the information is obtained, the information shall be provided to the appropriate Judge, Judicial Officer, Clerk, or other court facility occupant so that alternate arrangements can be made for the person, such as a remote appearance, rescheduling a hearing, or other measures as necessary.

8. Prior to being transported from the jail or juvenile facilities to a court facility, all inmates or detainees shall be screened. Those inmates or detainees with a fever of 100.4 or greater or who answer "yes" to any of the questions listed in paragraph (6) shall not be transported to any court facility. The fact that an inmate or detainee will not be transported because of ineligibility under the health screening and/or temperature check shall be timely communicated to the appropriate Judge or Judicial Officer, so that alternate arrangements can be made for the person as necessary.

9. Appropriate social distancing will be enforced in all common/public areas of the court facilities.

**DONE AND ORDERED** at Orlando, Florida, this 29<sup>th</sup> day of May, 2020.

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/s/  
Donald A. Myers, Jr.  
Chief Judge

Copies provided to:

Clerk of Court, Orange County  
Clerk of Court, Osceola County  
General E-Mail Distribution List  
<http://www.ninthcircuit.org>