

**IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT,
FOR THE STATE OF FLORIDA**

ADMINISTRATIVE ORDER: A-2020-12-C

**AMENDED ADMINISTRATIVE ORDER REGARDING COURT
CLOSURE DUE TO COVID-19 PANDEMIC**

(Amends paragraph 1, 5, and 6 of A-2020-12-B, extension through April 17, 2020)

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, Florida Rule of Judicial Administration 2.215(b)(3) states the Chief Judge "shall, considering available resources, ensure the efficient and proper administration of all courts within this circuit," and;

WHEREAS, Rule 4.11 of the Florida Court Employee Policy Manual allows the Chief Judge to authorize administrative leave for any court employee affected by a court closure related to a hazardous condition, and;

WHEREAS, the Centers for Disease Control and the Florida Department of Health advise precautions due to the Coronavirus Disease 2019 (COVID-19) outbreak specifically noting that the best way to prevent illness is to avoid exposure to the virus by social distancing, and;

WHEREAS, on March 1, 2020, Governor Ron DeSantis declared a State of Emergency due to the COVID-19 outbreak, and on March 11, 2020, the World Health Organization declared COVID-19 a global pandemic, and;

WHEREAS, on March 11, 2020, Chief Justice Charles Canady issued Administrative Order No. AOSC20-12, *In Re: Response of the Florida State Courts System to Coronavirus Disease 2019 (COVID-19)*, requiring Chief Judges to continue ongoing planning and authorizing the use of mitigating measures to address the effects of COVID-19, and;

WHEREAS, on March 16, 2020, Chief Judge Daniel B. Merritt, Jr. issued Administrative Order No. A-2020-12, *Administrative Order Regarding Court*

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Closure Due to COVID-19 Pandemic," that closed all non-essential Courts through Friday, March 27, 2020, and;

WHEREAS, on March 17, 2020 Chief Justice Charles A. Canady issued Florida Supreme Court Administrative Order AOSC20-15 *In Re: COVID-19 Essential and Critical Trial Court Proceedings* wherein the Court identified specific essential court proceedings.

IT IS THEREFORE,

ORDERED and **ADJUDGED** as follows:

1. All Courts of the Fifth Judicial Circuit which were closed on March 18, 2020, by Administrative Order A-2020-12-B will remain closed through Friday April 17, 2020.
2. All court operations shall be consistent with Florida Supreme Court Administrative No. AOSC20-13, *Covid-19 Emergency Procedures in the Florida State Courts* and/or any future order of the Supreme Court.
3. Only the following hearings will be conducted during the closure: First Appearance Hearings, Shelter Hearings, Baker Act Hearings, Marchman Act Hearings, Emergency Guardianship Hearings, Risk Protection Order Hearings, Juvenile Detention Hearings, Initial Domestic Violence Injunction Hearings, criminal arraignments as necessary, hearings on motions to set or modify monetary bail for individuals who are in custody, hearings on petitions for extraordinary writs as necessary to protect constitutional rights, and any other matter that is determined to be related to the immediate and imminent health, welfare, and safety of an individual or the general public.
4. 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.
5. Judges may resolve any legal filing not necessitating or requiring a hearing as otherwise authorized by law. No proceedings except those previously

designated essential court proceedings or critical proceedings related to the state of emergency or public health emergency by circuit-wide administrative order or Florida Supreme Court order shall be conducted by in-person hearings, except as authorized on a case by case basis by the Chief Judge.

6. All non-essential hearings are to be conducted via electronic communication to the maximum extent feasible. Even proceedings designated essential or critical should be conducted to minimize face to face and in-person contact. If practical, hearings related to essential or critical proceedings should be conducted by remote electronic audio/visual means.
7. Any time periods prescribed or allowed by rule of procedure, court order, statutes applicable to court proceedings, or otherwise pertaining to court proceedings in the Fifth Judicial Circuit that last expire within the time the courts are closed will be extended by Administrative Order upon the reopening of the Courts of the Fifth Judicial Circuit.
8. Authorized court employees shall telecommute and work remotely during the closure. Any FTE court employee not authorized to telecommute during the closure is authorized to submit hours for administrative leave.
9. Additional orders extending or modifying these measures will be issued as warranted by changing circumstances during the public health emergency.

DONE and ORDERED in Chambers at Brooksville, Hernando County, Florida this 24th of March, 2020.



The Honorable Daniel B. Merritt, Jr.
Chief Judge
Fifth Judicial Circuit