

**IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT,
IN AND FOR OKALOOSA COUNTY, FLORIDA**

ADMINISTRATIVE DIRECTIVE NO: 2020-03

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 Court Systems; 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; and

WHEREAS, by the Administrative Order of the First Judicial Circuit, AO2020-08, the administrative judges 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 Chief Judge, court proceedings will be limited to those deemed “mission critical” as defined below:
 - a. First Appearances
 - i. Performed by the assigned judge according to the existing schedules on weekdays and performed by the Duty Judge on weekends, using video from the jail.
 - b. Criminal and Juvenile Delinquency Arraignments – (Appearances for out-of-custody clients may be waived by counsel).
 - i. Performed by the assigned judge according to the existing schedules.

- c. Bond hearings
 - i. Performed by the assigned judge, using video from the jail.
- d. Juvenile detention hearings
 - i. Performed by the assigned judge according to the existing schedules on weekdays and performed by the Duty Judge on weekends.
- e. Juvenile Dependency/Shelter Hearings
 - i. Performed by the assigned judge according to the existing schedules on weekdays and performed by the Duty Judge on weekends.
- f. Chapter 39 injunctions
 - i. Performed by the assigned judge.
- g. Petitions for Judicial Waiver of Parental Notice under section 390.01114(4), Fla. Stat.
 - i. Performed by the assigned judge.
- h. Petitions for Emergency Incapacity Petitions and Appointment of Emergency Temporary Guardian
 - i. Performed by the assigned judge.
- i. Petitions for Dating Violence, Domestic Violence, Repeat Violence, Sexual Violence or Stalking Injunctions
 - i. Performed by the assigned judge
- j. Petitions for Risk Protection Orders
 - i. Performed by the assigned judge.
- k. Proceedings Involving Requests for “Do Not Resuscitate” Orders
 - i. Performed by the assigned judge
- l. Vulnerable Adult Petitions
 - i. Performed by the assigned judge
- m. Issuance of search or arrest warrants or authorizations for wiretaps
 - i. Performed according to existing process during the weekday working hours and by the Duty Judge after hours and on weekends.
- n. Baker Act and Marchman Act proceedings
 - i. Petitions will be considered by the assigned judge. Hearings will be handled by the Judge, using video.

- o. Adult Protective Services Act proceedings
 - i. Performed by the assigned judge
- p. Family Law and Dependency cases in which the imminent safety of children is at issue
 - i. Performed by the assigned judge.
- q. Extraordinary Writs as necessary to protect constitutional rights
 - i. Performed by the assigned judge.
- 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
 - i. Performed by the assigned judge.
- s. In-custody change of pleas which will result in a release from incarceration
 - i. Performed by the assigned judge
- t. Proceedings involving violations and sanctions for Drug Court, Veteran's Court, and Mental Health Court
 - i. Performed by the assigned judge
- u. 48-hour hearings for those arrested for failure to pay child support
 - i. Performed by the assigned First Appearance judge according to the existing schedules on weekdays and performed by the Duty Judge on weekends.
- v. Any other emergency proceedings or hearings as authorized by the Chief Judge.
 - i. Performed by the assigned Judge.

All matters will be held by the assigned Judge according to existing schedules whenever possible.

If the assigned Judge is unable to handle a matter or there is a scheduling conflict that prevents the matter from being held at the scheduled time, the assigned Judge may collaborate with another Judge, including the Duty Judge to cover the proceeding.

All such changes shall be coordinated with Court Administration to assure the efficient use of limited resources.

It is the obligation of the assigned Judge to assure that all necessary parties, lawyers, court staff and other stakeholders are notified of the change with enough time to be prepared to be present and meaningfully participate.

2. Where possible, proceedings in mission critical matters shall be accomplished using electronic means for some or all 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.
 - a. Court Administration will coordinate proceedings, according to existing rules, to make greatest use of courtrooms; and
 - b. Court Administration will coordinate the use of video from the Jail to make most efficient use of the limited resources; and
 - c. Court Security has established rules to inform all in person participants of social distancing within Court Facilities.
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.
 - a. Court Security will utilize the uniform screening instructions for COVID-19 (see exhibit A).
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.
 - a. Court Security will utilize the uniform screening instructions for COVID-19 (Exhibit A).
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.

- a. Court Security will utilize the uniform screening instructions for COVID-19 (see exhibit A).
7. 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. In-person appearances for non-mission critical hearings as described above shall not be permitted.

DONE AND ORDERED in Okaloosa County, Florida, this 20th day of March 2020.

S/ WILLIAM F. STONE
William F. Stone, Administrative Judge

Administrative Directive No. 2020-02
Copies furnished to:

Honorable John L. Miller, Chief Judge
All Circuit and County Judges, Okaloosa County
Robin Wright, Trial Court Administrator
Okaloosa County Sheriff's Office
Office of the State Attorney
Office of the Public Defender
Okaloosa Child Welfare Legal Services
Okaloosa Guardian Ad Litem
Okaloosa Family First Network
Okaloosa Department of Juvenile Justice
Okaloosa Office of Criminal Conflict
Honorable J.D. Peacock II, Clerk of Circuit Court
Valerie Broxson, Court Operations Manager