

**AMENDED ADMINISTRATIVE ORDER GOVERNING LIMITS ON  
INTERVIEWS OF CHILD AND SEXUAL ABUSE VICTIMS UNDER SIXTEEN  
YEARS OF AGE OR PERSONS WITH MENTAL RETARDATION**

**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**WHEREAS**, the Florida Legislature originally enacted section 914.16, Florida Statutes, effective October 1, 1984; and

**WHEREAS**, section 914.16, Florida Statutes, reads as follows:

The chief judge of each judicial circuit, after consultation with the state attorney and the public defender for the judicial circuit, the appropriate chief law enforcement officer, and any other person deemed appropriate by the chief judge, shall provide by order reasonable limits on the number of interviews that a victim of a violation of s. 794.011, s. 800.04, s. 827.03, or s. 847.0135(5) who is under 16 years of age or a victim of a violation of s. 794.011, s. 800.02, s. 800.03, or s. 825.102 who is a person with mental retardation as defined in s. 393.063 must submit to for law enforcement or discovery purposes. The order shall, to the extent possible, protect the victim from the psychological damage of repeated interrogations while preserving the rights of the public, the victim, and the person charged with the violation.

**WHEREAS**, it is necessary to promote the continued implementation of the provisions of section 914.16, Florida Statutes, to protect child abuse and sexual abuse victims under age sixteen, as first considered and realized by Administrative Order 07-84-06 effective October 1, 1984; and

**WHEREAS**, I, Belvin Perry, Jr., Chief Judge of the Ninth Judicial Circuit of Florida, pursuant to section 914.16, Florida Statutes, met and consulted with the appropriate parties in order access the current state and feasibility of limits on interviews of child abuse and sexual abuse victims under age sixteen or persons with mental retardation previously formulated and contained in Administrative Order 07-84-06;

**NOW, THEREFORE, I**, Belvin Perry, Jr., in order to continue the limits and standards as established in Administrative Order 07-84-06 in accordance with section 914.16, Florida Statutes, and pursuant to the authority vested in me as Chief Judge of the Ninth Judicial Circuit of Florida under Florida Rule of Judicial Administration 2.215, hereby order that, effective immediately:

1. All law enforcement agencies in the Ninth Judicial Circuit of Florida shall whenever possible coordinate and consolidate the initial and subsequent interviews of an alleged victim of a violation of sections 794.011, 800.04, 827.03, or 847.0135(5), Florida Statutes, who is under sixteen years of age, or a victim of a violation of sections 794.011, 800.02, 800.03, or 825.102, Florida Statutes, who is a person with mental retardation as defined in section 393.063, Florida Statutes.

2. In order to carry out the intent of section 914.16, Florida Statutes, Orange and Osceola Counties have established Children's Advocacy Centers which coordinate and cooperate in the response and investigation of victim interviews covered by section 914.16, Florida Statutes. Each county has also established a Sexual Assault Response Team, which includes the Children's Advocacy Centers as partner agencies. The Sexual Assault Response Teams have established protocols that require, to the extent possible, that only one interview be conducted of victims during the investigative stage of the case.

3. Whenever possible initial examinations and interviews of such child abuse or sexual abuse victims shall be preserved by audio-visual equipment in order to prevent repetition through multiple interviews.

4. Courts of appropriate jurisdiction may consider further limitations upon application of any interested party.

5. Matters concerning defense discovery depositions shall be handled on a case by case basis by the court having jurisdiction of the case.

6. Whenever possible, where there are pending juvenile, civil or criminal cases which arise from the same incident of sexual or child abuse, discovery depositions shall be coordinated by all interested parties.

This Order shall remain in effect until further order of the Court. Administrative Order 07-84-06 is vacated and set aside and has been incorporated and/or amended herein.

**DONE AND ORDERED** at Orlando, Florida, this 11<sup>th</sup> day of July, 2008.

\_\_\_\_\_/s/\_\_\_\_\_  
Belvin Perry, 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>