

ADMINISTRATIVE ORDER
NO. 2020-20-02

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

**AMENDED 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. Gen. Prac. & 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

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); Fla. Admin. Order No. AOSC20-23, Amendment 9 (Fla. February 21, 2021); Fla. Admin. Order No. AOSC20-23, Amendment 10 (Fla. March 9, 2021); Fla. Admin. Order No. AOSC20-23, Amendment 11 (Fla. March 26, 2021); Fla. Admin. Order No. AOSC20-32, Amendment 7 (Fla. March 26, 2021); Fla. Admin. Order No. AOSC20-23, Amendment 12 (Fla. April 13, 2021); Fla. Admin. Order No. AOSC20-23, Amendment 13 (Fla. May 6, 2021); Fla. Admin. Order No. AOSC20-32, Amendment 8 (Fla. May 6, 2021) (all available at <https://www.floridasupremecourt.org/Emergency>).

WHEREAS, in conducting proceedings 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, Administrative Order No. AOSC20-32 first issued on May 21, 2020 by Chief Justice Charles T. Canady, and subsequently amended, provides 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

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;

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 General Practice and Judicial Administration 2.215, and to promote public safety, it is hereby **ORDERED, immediately** 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 facility² in the Ninth Judicial Circuit including litigants, lawyers, witnesses, visitors to a court facility, court staff, clerks, deputies, security personnel, and Judges.
3. Face masks³ covering the nose and mouth are required for everyone during an in-person court proceeding⁴, with no exceptions. If visitors do not have a face mask, one will be provided to them at no cost. Any person may voluntarily choose to wear a face mask in a courthouse when not attending an in-person court proceeding. Face shield or other face covering protocol may be

² 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.

³ The term “face mask” refers to face masks that completely cover the nose and mouth and that fit snugly around the nose, chin, and sides of the face as recommended by the CDC here: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/cloth-face-cover-guidance.html> and <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/about-face-coverings.html>.

⁴ “In-person court proceedings” means the assembly of prospective jurors, voir dire, juror deliberations, and any status conference, hearing, trial, or other proceeding conducted by a justice, judge, magistrate, or hearing officer if conducted in-person, to include depositions conducted in a court facility deposition room, and other court events conducted in-person as may be determined by the Chief Justice or chief judge.

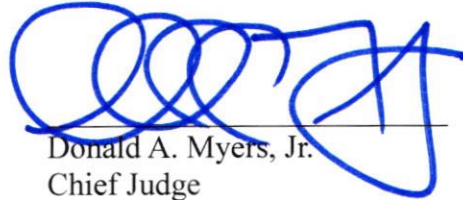
used in addition to a face mask but may not be used as an alternative to a face mask.

4. Appropriate social distancing, pursuant to Centers for Disease Control and Prevention guidelines, will continue to be strictly enforced during in-person court proceedings. In order to ensure adequate space in courtrooms the Court will continue to limit public admittance for court proceedings until further order.

5. For more information regarding the comprehensive COVID-19 emergency measures for Florida trial courts please refer to Florida Supreme Court Administrative Order No(s). AOSC20-13, AOSC20-15, AOSC20-23, AOSC20-32, and amendments thereto. (Available at <https://www.floridasupremecourt.org/Emergency>).

6. Administrative Order 2020-20-01 is vacated and set aside except to the extent that it has been incorporated and/or amended herein. Vacating an Administrative Order that vacates a prior Order does not revive the prior Order.

DONE AND ORDERED at Orlando, Florida, this 14 day of May, 2021.



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>