20200064513 RECORDED IN PUBLIC RECORDS LEON COUNTY FL BK: 5508 PG: 1972, 11/02/2020 at 12:10 PM, GWEN MARSHALL, CLERK OF COURTS

IN THE SECOND JUDICIAL CIRCUIT OF FLORIDA

OFFICE OF THE CHIEF JUDGE

ADMINISTRATIVE ORDER 2020-13
FOURTH AMENDMENT

IN RE: OPERATIONAL PLAN FOR TRANSITION TO PHASE 2

WHEREAS, Florida Supreme Court Administrative Order AOSC20-32, Amendment 4, provides standards for transition to and from various phases and procedures and data sources to support decisions under benchmark criteria 3.

WHEREAS, section 960.001, Florida Statutes, states that victims have the right to be present and heard at specified court proceedings, and the Chief Judge reminds justice system partners that these victim's rights may be exercised in a safe manner consistent with the practices for parties, counsel, witnesses, and other essential court participants.

WHEREAS, Jefferson County's public health data under benchmark criteria 3 necessitate reversion to Phase 1 or amendment to the operational plan as per the requirements of Florida Supreme Court Administrative Order AOSC20-32, Amendment 4. Jefferson County's overall number of Emergency Department visits, although rising, is still low with only four total cases in a two-week span, such that amendments to the operational plan will allow the safe continuation of in-person court proceedings.

WHEREAS, Leon County's public health data under benchmark criteria 3 continues to improve, enabling a slight increase of in-person court proceedings conducted in a safe manner as proscribed in Florida Supreme Court Administrative Order AOSC20-32, Amendment 4.

WHEREAS, the anticipated opening of the Leon County Courthouse to the public may significantly increase the risk of exposure expected from a large

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number of visitors, requiring an amendment to the operational plan to fully comply with Florida Supreme Court guidelines and ensure the safe operation of the courthouse for court personnel, justice system partners, counsel, jurors, victims, and the public.

By the authority of Rule 2.215, Florida Rules of Judicial Administration, Florida Supreme Court Administrative Order AOSC20-23, Amendment 7, and Florida Supreme Court Administrative Order AOSC20-32, Amendment 4, it is therefore **ORDERED** that the operational plan of the 2d Circuit is amended:

Paragraph 3.a. is superseded as follows:

> The Chief Judge must specifically approve each in-person court proceeding while in Phase 2, followed by advance consultation with other necessary justice system partners and coordination through the Office of Court Administration.

Paragraph 3.b. is superseded as follows:

> Judges shall make accommodations to ensure that any victim, parent, guardian, lawful representative of a minor who is a victim, or relative of a homicide victim shall exercise their statutory rights to be present and heard at specified court proceedings. The Office of Court Administration is instructed to include these rights to access in the development, coordination, and execution of operational plans for in-person court proceedings.

Paragraph 5.b., to include subparagraphs (1) and (2), pertaining to Jefferson County, is superseded as follows:

> Jefferson County's operational plan for in-person court proceedings shall be amended to increase the time between the start of each court proceeding on the docket to decrease the risk of exposure as individuals gather prior to court, limit the number of participants inside the large courtroom gallery to increase social distancing, and reduce the appearance of parties to only those absolutely required.

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Paragraph 5.c.(5), pertaining to Leon County, is created as follows:

> Leon County Juvenile Delinquency Court may conduct in-person non-jury trials and violation of community control proceedings after consultation with the Chief Judge, Office of Court Administration for required resources and support staff, and other Constitutional Officers or their delegates as appropriate to ensure that the benchmark criteria and mandatory requirements are met.

Paragraph 6.d.(5), is rescinded:

> Question 5: Within the last week, have you attended any gatherings with people other than immediate family and household members? If so, did you wear a mask and maintain social distance?

Paragraph 6.j., is created as follows:

> The Office of Court Administration shall post the operational plan on the 2d Circuit's website, except for those portions of the plan that the court determines to be confidential or otherwise exempt from public access pursuant to rule 2.420, Florida Rules of Judicial Administration.

Paragraph 8.f., pertaining to Leon County, is created:

> All visitors to the Leon County Courthouse, after it is opened to the public as decided by the Board of County Commissioners, shall meet Florida Supreme Court requirements for protective measures as specified in AOSC20-32, Amendment 4. These requirements include, but are not limited to, social distancing, health screening questions, temperature checks, and use of properly worn face masks.

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Additionally, Leon County will provide enhanced cleaning and disinfecting of court facilities and post appropriate reminder signs, markings, and barriers throughout the courthouse.

30th **DONE and ORDERED** in chambers in Tallahassee, Leon County, Florida, this day of October, 2020.

JONATHAN SJOSTROM
Chief Judge

Copies furnished to:
All Circuit and County Judges, 2d Circuit
State Attorney, 2d Circuit
Public Defender, 2d Circuit
All Clerks of the Circuit Court, 2d Circuit
All Sheriffs, 2d Circuit
Office of Court Administration, 2d Circuit

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