

From: Jonathan Sjostrom, Chief Judge  
Subject: 2d Circuit Coronavirus Response

This memorandum addresses the Second Circuit response to the public health emergency and compliance with Supreme Court AO 20-13 during its period of operation (through March 27, 2020 currently). Please consider this memorandum a directive of the Chief Judge under Rule of Judicial Administration 2.215.

**In broad terms, we must minimize the number of persons physically present in the courthouse and reduce exposure risk for persons who come to court.**

### **Prisoner Transport Orders Suspended**

At the request of the Leon County Sheriff's Office, no inmate will be transported from the Leon County Adult Detention Facility to any Second Circuit courthouse without authorization by the Chief Judge. All extant orders to transport from the detention facility to the Leon County Courthouse are hereby suspended, including for all criminal and non-criminal case-types.

No inmate of the Florida Department of Corrections will be transported to the Leon County Adult Detention Facility on the order of any judge of the Second Circuit without authorization by the Chief Judge. All extant orders to transport Florida Department of Corrections inmates to the Second Circuit are hereby suspended, including for all criminal and non-criminal case-types.

### **Felony and Misdemeanor Cases**

We are establishing remote video and telephonic appearances. All judges must conduct video, telephonic or other forms of remote criminal case resolution, if available, until AO 20-13 expires.

During courtroom dockets, all persons are permitted to appear telephonically including lawyers and litigants. The Chief Judge or designee will issue uniform telephone appearance instructions by separate memorandum.

All judges are directed to conduct all hearings (other than specially set telephonic hearings) in courtrooms and to refrain from conducting hearings with lawyers or litigants physically present in chambers to maintain social distance and minimize the spaces requiring repeated, intensive disinfecting. Should lawyers or litigants

appear for previously scheduled hearings, the presiding judge may conduct proceedings in the courtroom at the presiding judge's discretion or direct the rescheduling of such proceedings. Counsel for the defense and prosecution are encouraged to communicate with each other and the presiding judge to minimize court appearances in person.

We are establishing a daily plea docket. The Chief Judge or designee will issue a memorandum establishing responsibility for plea docket judge duty.

### **Civil, Dissolution of Marriage and Paternity Cases**

All civil, dissolution of marriage and paternity hearings should be conducted telephonically if feasible. Please consider postponing contested evidentiary hearings until after the period of AO 20-13.

All judges are directed to conduct all hearings (other than specially-set telephonic hearings) in courtrooms or hearing rooms and to refrain from conducting hearings with lawyers or litigants physically present in chambers. The purpose of this directive is to maintain social distance and minimize the spaces requiring repeated, intensive disinfecting.

### **Protective Injunction Cases**

Protective injunction hearings will continue to be conducted within statutory time-frames in courtroom 1B. All protective injunction hearings should be conducted by telephone if feasible. We will prepare a separate written notice of telephone appearance procedures.

All judges are directed to conduct all protective injunction hearings (other than specially set telephonic hearings) in courtrooms and to refrain from conducting hearings with lawyers or litigants physically present in chambers to maintain social distance and minimize the spaces requiring repeated, intensive disinfecting.

### **Juvenile Delinquency Cases**

Will be addressed by separate memorandum.

### **Juvenile Dependency Cases**

All children are excused from being physically present in court.

All parties, participants and litigants are encouraged to appear and participate by telephone. Grandparents, elderly and vulnerable parties and participants are strongly discouraged from attending dependency hearings in person.

The court will attempt to reschedule all contested evidentiary hearings until after the period of AO 20-13.

The court will conduct no dependency hearings in chambers during the period of AO 20-13.

### **Guidelines and Best Practices**

Ask for assistance of bailiffs and clerks in anticipating hearings that create exposure risk. Use available courtrooms as staging areas to avoid packed courtrooms and to maintain social distance.

Encourage subsequent routine and procedural hearings by telephone.

Each judge, magistrate and hearing officer will be assigned a unique conference call number to conduct specially set, telephonic hearings.

Postpone evidentiary hearings if feasible.

Exercise careful restraint in response to failure of litigants and lawyers to appear.

No hearings in chambers with litigants or lawyers physically present.

Minimize the number of persons permitted in non-public areas.

AO 20-13 may be extended. Each judge must exercise judgment in scheduling to try to accommodate litigants reasonably.

Pay attention to your own health and follow Health Department guidelines. Inform the Chief Judge or TCA Slayden if you get sick or may otherwise need accommodation.

Copies: 2d Cir. Judges, Clerks of Court, SAO, PDO, LCSO, TPD, Bar Associations