

IN THE CIRCUIT COURT, FOURTH JUDICIAL CIRCUIT
IN AND FOR CLAY COUNTY, FLORIDA

ADMINISTRATIVE ORDER
March 20, 2020

IN RE: COVID-19 EMERGENCY PROCEDURES IN CLAY COUNTY
MORTGAGE FORECLOSURES/JUDICIAL SALES/EVICTIONS/WRITS

WHEREAS, the World Health Organization, the federal Center for Disease Control and Prevention and the Florida State Emergency Operations Center have devised systems to detect and monitor the outbreak of the Coronavirus Disease 2019 (Covid-19), a severe acute respiratory illness that can spread among humans through respiratory transmission; and

WHEREAS, mitigation of the effects of Covid-19 and hardship created thereby are a high priority in the Florida State Courts System; and

WHEREAS, the Florida Supreme Court has entered Administrative Orders No. AOS20-13 and AOS20-15, which, among other things, seek as much as possible to limit personal interaction in all court proceedings and related matters; and

The Chief Judge has delegated to the undersigned administrative judge of Clay County the authority to establish temporary procedures in Clay County, Florida;

NOW, THEREFORE, by the authority vested in me by the Chief Judge of the Fourth Judicial Circuit and pursuant to the Florida Rules of Judicial Administration,

It is ORDERED as follows:

A. MORTGAGE FORECLOSURES/JUDICIAL SALES

All previously ordered and later ordered judicial sales will continue to be conducted electronically in accordance with standard procedures of the Clerk of Court. However, beginning immediately and until April 30, 2020, no writs of possession shall be issued or served. Nothing herein precludes the presiding judge from ordering writs of possession on a case-by-case basis in the exercise of the judge's discretion. Any writs of possession previously issued but which have not been served shall be stayed until April 30, 2020, unless approved by the presiding judge.

B. EVICTIONS/UNLAWFUL DETAINER

Court proceedings for eviction or unlawful detainer actions may be conducted, but shall be conducted in accordance with the procedure set forth in this court's March 17, 2020, administrative order. As to evictions, if the tenant fails to timely file an answer, a default judgment of eviction may be entered. If a tenant timely files an answer, the court shall set a status hearing, advising the defendant that a final judgment of eviction may be entered if rents have not been deposited by the tenant as of the date of the status hearing. However, beginning immediately and until April 30, 2020, in the event a final judgment of eviction or a judgment in favor of the plaintiff in an unlawful detainer proceeding is entered, no writ of possession shall be issued or served, absent approval by the presiding judge on a case-by-case basis in the exercise of the judge's discretion. Any writs of possession previously issued but which have not been served shall be stayed until April 30, 2020, unless approved by the presiding judge.

C. WRITS OF BODILY ATTACHMENT

Beginning immediately and until April 30, 2020, no writ of bodily attachment shall be issued or served, absent approval by the presiding judge or judicial officer on a case-by-case basis in the exercise of the judge's discretion. Any writs of bodily attachment previously issued but which have not been served shall be stayed until April 30, 2020, unless approved by the presiding judge.

This order supplements, and does not replace or otherwise modify, this court's administrative order dated March 17, 2020.

ORDERED this 20th day of March, 2020.

Don H. Lester
Administrative Judge
Clay County

Copies to:

Hon. Michael S. Sharrit
Hon. Timothy R. Collins
Hon. Kristina K. Mobley
Hon. Tara Green, Clerk of Court
Clay County Sheriff's Office
Clay County Child Support Hearing Officers
Kevin Hemphill, Esq.