



CIRCUIT COURT  
FOURTH JUDICIAL CIRCUIT OF FLORIDA

HONORABLE JAMES H. DANIEL  
Circuit Judge


NASSAU COUNTY COURTHOUSE  
Robert M. Foster Justice Center

January 29, 2021

TO: The Honorable Mark H. Mahon, Chief Judge, Fourth Judicial Circuit  
The Honorable Steven M. Fahlgren, Circuit Court Judge  
The Honorable Lester B. Bass, Circuit Court Judge  
The Honorable Jenny Higginbotham Barrett, County Court Judge  
The Honorable John A. Crawford, Clerk of Court  
Capt. Paula J. DeLuca, Nassau County Jail/Courthouse  
Sgt. Ken Davis, Nassau County Courthouse Bailiff  
Donna Thurson, Assistant State Attorney  
Thomas Townsend, Assistant Public Defender  
Nassau County Bar Association

FROM: The Honorable James H. Daniel, Administrative Judge

RE: Extension of Phase II Operational Plan for Covid-19 (through February 26, 2021)



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Please find attached Administrative Order No: 2020-18(f). (Amended to increase the number of visitors to the Historic Courthouse in Fernandina Beach to a maximum of 16 visitors at one time.)

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

**ADMINISTRATIVE ORDER NO: 2020-18(f)**

**RE: EXTENSION OF PHASE II OPERATIONAL PLAN FOR COVID – 19  
EMERGENCY THROUGH FEBRUARY 26, 2021.**

**WHEREAS**, the Nassau County Court submitted its proposed Operational Plan for Phase II of the COVID-19 pandemic;

**WHEREAS**, the Phase II Operational Plan was accepted beginning June 22, 2020;

**WHEREAS**, there is a need to extend Phase II temporary emergency procedures at the Nassau County Courthouse, with modifications as detailed below, at least through Friday, February 26, 2021;

**WHEREAS**, there is also a need through a single order governing courthouse operations to provide uniformity and clarity to the attorneys who practice at both Nassau County Courthouses, the employees who work there, and the citizens of Nassau County;

**WHEREAS**, the Chief Judge of the Fourth Judicial Circuit has delegated authority to the Administrative Judge for Nassau County to establish temporary procedures;

**NOW THEREFORE**, by the authority vested in the undersigned, **IT IS ORDERED**:

1. **Phase II Operational Plan** – Except as expressly provided to the contrary in this order, all court operations in Nassau County at the Historic Courthouse in Fernandina Beach and the Robert Foster Justice Center in Yulee shall be governed by The Phase II Operational Plan, and any prior Nassau County Administrative Order incorporated therein, through **February 26, 2021**.<sup>1</sup>

The Phase II Operational Plan is attached for ease of reference to this order as Appendix A.

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<sup>1</sup> The Phase II Operational Plan specifically incorporates Nassau County Administrative Order 2020-16. Accordingly, all provisions in that previous administrative order shall also be in effect through February 26, 2021, except 1) the

2. **Jury Trials** – The court will resume civil and criminal jury trials in the month of March, 2021, with modifications developed in conjunction with the State Department of Health – Nassau County, and in compliance with any requirements established by the Florida Supreme Court. Contrary language in the Phase II Operational plan is hereby rescinded;

3. **Access to Courthouse** – Nassau County Administrative Order 2020-3 governing access to both courthouses is hereby rescinded. Access to the Nassau County Courthouses in Yulee and Fernandina Beach is expressly governed by the Phase II Operational Plan, except that starting **Monday, September 14, 2020**, the general public shall have limited access to the Historic Courthouse, capped at 16 persons, to utilize the services of the Tax Collector, Property Appraiser, and Supervisor of Elections Offices. All members of the general public entering the Historic Courthouse shall abide by the requirements outlined in The Phase II Operational Plan for the Yulee Courthouse and shall be screened before entry in the same manner. Additionally, notwithstanding the language contained in the Phase II Operational Plan, Employees entering the Yulee Courthouse and Historic Courthouses shall be subject to screening with the metal detectors. The contrary language contained in the Phase II Operational Plan is hereby rescinded.

4. **Foreclosure Actions, Residential Tenant Evictions, & Writs of Possession** - Nassau County Administrative Order 2020-11 imposing a temporary moratorium on Foreclosure Actions, Residential Tenant Evictions, and Writs of Possession is hereby rescinded. These actions are now expressly governed by Fourth Judicial Circuit Administrative Order 2020-30, dated September 1, 2020, covering Duval, Nassau, and Clay Counties. Likewise, Fourth Judicial Circuit

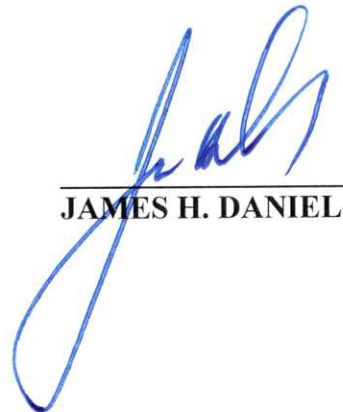
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provisions contained in Nassau County Administrative Order 2020-3 (Access to Courthouse) which are expressly rescinded by this order in paragraph 3; and 2) the provisions in Nassau County Administrative Order 2020-11 (moratorium on foreclosures, evictions, and writs of possession) which is expressly rescinded by paragraph 4.

Administrative Order 2020-30 shall supersede any provisions contained in Nassau County Administrative Order 2020-16 or the Phase II Operational Plan which are contrary to its provisions.

4. **Prior Inconsistent Administrative Orders** - This order shall supersede any prior inconsistent Administrative Order issued by the undersigned judge addressing temporary emergency procedures related to the COVID-19 pandemic.

**DONE AND ORDERED** in Chambers at Yulee, Nassau County, Florida, this the 29<sup>TH</sup> day of January, 2021.



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**JAMES H. DANIEL**

# Appendix A

for AO 2020-18(f)



**OPERATIONAL PLAN  
PHASE 2 OF COVID-19 PANDEMIC**

**NASSAU COUNTY COURTHOUSE  
FOURTH JUDICIAL CIRCUIT OF FLORIDA**

**Submitted by:  
Honorable James H. Daniel, Administrative Circuit Judge  
76347 Veterans Way  
Yulee, Florida 32097  
June 15, 2020**

**NASSAU COUNTY COURTHOUSE  
OPERATIONAL PLAN  
PHASE 2**

In AOSC20-32, the Florida Supreme Court identified four phases of the COVID-19 pandemic:

- Phase 1  
In-person contact is inadvisable, court facilities are effectively closed to the public, and in-person proceedings are rare.
- Phase 2  
Limited in-person contact is authorized for certain purposes and requires use of protective measures.
- Phase 3  
In-person contact is more broadly authorized and protective measures are relaxed.
- Phase 4  
COVID-19 no longer presents a significant risk to public health and safety.

**PHASE I – CURRENT STATUS**

The Nassau County Courthouse consists of two facilities, the Historic Courthouse located in Fernandina Beach and the Robert Foster Justice Center located in Yulee. Both courthouses have been operating and open for business under Phase 1 in accordance with the local administrative order 2020-16 attached as **Appendix A** to this document.

Under Phase 1, all circuit judges have continued to hear cases remotely by Zoom application in each of their assigned divisions, including felony criminal, misdemeanor county, family, civil, and domestic violence. Although the judges in Nassau County have conducted very few in-person hearings for the last two months, it is estimated they have been able to handle their dockets at approximately 75% of normal capacity with the major limitations being the moratorium on jury trials and pleas involving sentences that require time served in the Florida State Prison. The circuit judges in charge of the felony, juvenile, and misdemeanor dockets, without any real limitation from the court's standpoint, continue to handle pleas and sentencing hearings involving probation or county jail time, bond hearings, arraignments, and, to a lesser extent, hearings on motions to suppress and motions to dismiss. The circuit and county judges have placed no restrictions on the number or type of hearings in their civil and family law divisions, including bench trials and pro se family law hearings in front of the magistrate.

Clerk of the Court operations have been suspended at the Historic Courthouse and most Clerk operations at the Yulee facility have been handled over the internet or by telephone. General public access to the courthouse in Yulee is limited to individuals filing petitions for domestic violence injunctions, Baker Act petitions, and a minimal number of what might be considered emergency motions. The Historic Courthouse has been closed to the general public since the start of the

COVID-19 emergency. Both courthouses have been open for employees of the Clerk of the Courts, State Attorney's Office, Public Defender's Office, Nassau County Sheriff's Office, and other offices and agencies that share both facilities. However, none have been allowed to conduct any business that would require the admission of a member of the general public. Many employees in the various offices have been working remotely so that courthouse offices have operated with a greatly reduced staff. Like the Clerk's office, the Tax Collector's office and the Property Appraiser's office at the Historic Courthouse have ceased operations.

The Yulee courthouse has utilized COVID-19 screening protocols for the past two months in the manner described in administrative order 2020-15 attached as **Appendix B** to this document. All employees working at the Yulee courthouse, without exception, were initially required to answer the screening questions at the start of COVID-19 screening and then have their temperature taken each morning before work begins. Any member of the general public entering the facility must submit to the entire screening protocol. COVID-19 screening has been provided by two Board Certified Occupational Therapists who have medical training and have been provided personal protection equipment (PPE). All entrances to the Yulee courthouse, except the main entrance in the front of the courthouse, have been closed to both employees and the general public. Screening occurs in the vestibule before entry through the courthouse metal detectors. All those entering the Yulee courthouse must use hand sanitizer provided by the county before they are allowed to proceed to other areas of the courthouse.

Nassau County is now ready to transition to Phase 2. The transition to Phase 2 will commence on June 22, 2020. The Florida Supreme Court has directed that prior to expanding operations beyond Phase 1, each court shall develop an operational plan. This Court has developed its operational plan by addressing all requirements specified in AOSC20-23, Amendment 2; AOSC20-32; and the report of the COVID-19 Workgroup on the Requirements, Benchmarks, and Guidelines Governing the Transition to Limited in-Person Contact (Phase 2). The Administrative Judge for the county has consulted with fellow judges and justice system partners including the Office of the State Attorney, Office of the Public Defender, Clerk of the Court, Nassau County Sheriff's Office, Facilities Manager for Nassau County, Nassau County Public Health Department, and the Nassau County Bar Association to design this operational plan to implement Phase 2.

A court must meet five benchmarks prior to transitioning from Phase 1 to Phase 2 and expanding in-person activities. As discussed below, this Court has met all five benchmarks. Nonetheless, the Court will continue to monitor federal, state and local health department data; recommendations from local health care experts to determine the status of the local community's health conditions related to COVID-19; and news media reports. If after transitioning to Phase 2, local conditions deteriorate or resources become strained, the county Administrative Judge will consult with the Chief Judge to determine if the Court should return to Phase 1 operations or adjust Phase 2 operations to meet the current public health situation or the needs of the Court.



## BENCHMARKS FOR TRANSITION TO PHASE 2

**Benchmark 1**

*No confirmed or suspected cases of COVID-19 in the court facility within a 14-day period; or if confirmed or suspected cases have occurred in the court facility, deep cleaning and disinfecting of exposed areas and applicable employee self-quarantine actions have been implemented.*

Because there have been no confirmed or suspected cases of COVID-19 in either of the Nassau County Courthouses within the previous 14 days, Benchmark 1 has been met.

**Benchmark 2**

*Rescission of local and state restrictive movement and/or stay-at-home orders.*

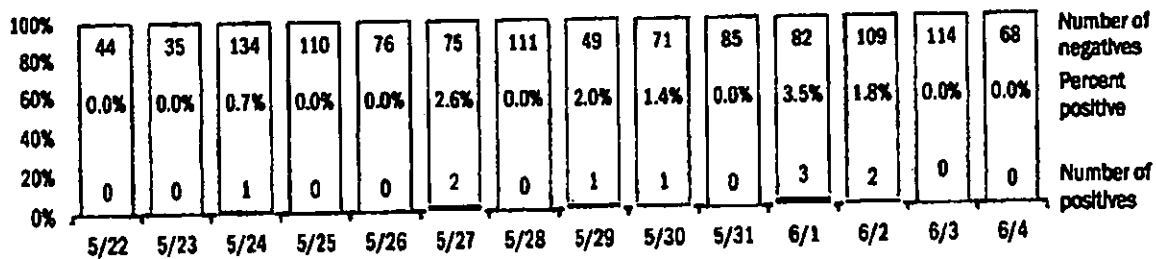
State and local stay-at-homes orders have been lifted in Nassau County. The Court will continue to monitor official state and local actions to ensure that restrictive movement and stay-at-home orders remain lifted. Benchmark 2 has been met.

**Benchmark 3**

*Improving COVID-19 health conditions over a 14-day period in the community, including conditions such as the number of confirmed COVID-19 cases and related deaths in relation to a community's population density, downward trajectory of positive tests as a percentage of total tests, size of particularly vulnerable populations, and availability of medical facilities including emergency and intensive care capacity.*

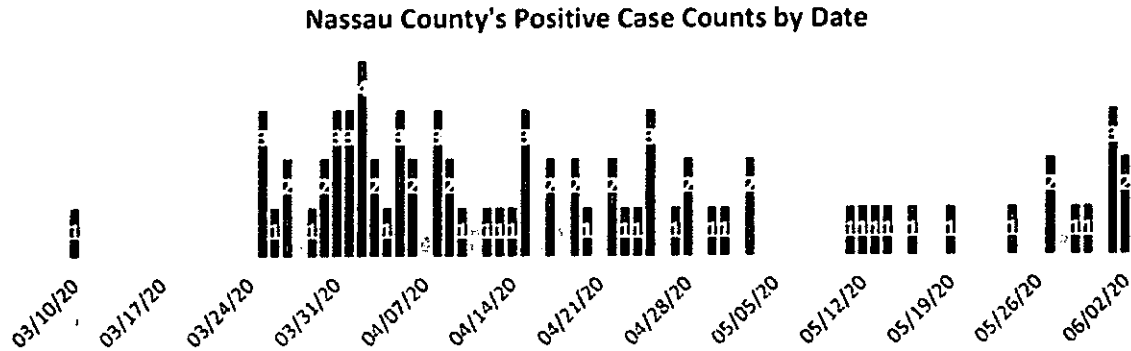
Nassau County is located in northeast Florida and is the northernmost county in the Fourth Judicial Circuit. The U.S. Census Bureau estimates Nassau County's 2019 population at 88,625, and its estimated 2020 population at 91,372. The U.S. Census Bureau indicates Nassau County has an annual growth rate of 3.1%. Nassau County's population increased 21% between 2010 and 2020.

Florida Department of Health -Nassau met the state's "May2Day" program goal, testing 2% of the population (approximately 1,780 individuals) during the month of May, and plans to continue to host two sample-collection events each week in order to reach that target for the coming summer months. An average of 2% of the Nassau County residents tested have been positive (Figure 1), while the proportion of positive tests statewide for the same period is 5%. Of the 653 cases that were tested between June 3, 2020, and June 8, 2020, there were zero positive results.



**FIGURE 1 – LAB TEST RESULTS FROM MAY 22ND TO JUNE 4TH FOR NASSAU COUNTY**

As of June 5, 2020, Nassau County had collected samples from 4,186 individuals, identifying 75 residents positive for the novel SARS-CoV-2 and seven positive non-residents (Figure 2) all within the age range of 14-89 years.



**FIGURE 2 – CASES OF SARS-COV-2 IDENTIFIED IN NASSAU COUNTY**

Fifteen of the 82 positive cases identified in Nassau required hospitalization at some point during their infection; but the county has recorded only one death classified as “COVID-related,” an elderly person with known co-morbidity factors. As of June 5, 64 of Nassau’s 82 positive cases have been released from isolation (i.e. are no longer considered contagious) by public health officials, and none of the remaining isolated patients are hospitalized. Local private medical care providers are operating normally and the county’s 62-bed “Class 1 rural hospital” facility (e.g., no trauma unit, intensive care unit <10 beds), Baptist Medical Center Nassau, is fully staffed and outfitted, operating at less than 50% capacity with the capability of treating up to 28 individuals in airborne infectious disease isolation and the option to transport critical care patients to the Baptist Medical Center system’s sister facilities in neighboring Duval County.

Nassau County is situated close to downtown Jacksonville and the hospitals that serve this area. By way of example, the Yulee courthouse is only 22 miles from the Duval County Courthouse. Nassau County residents, thus, have easy access to not only Baptist Medical Center’s facilities in Duval County, but all downtown Jacksonville hospitals that include Shands-Jacksonville and St. Vincent’s Hospital.

Nassau County has had a low incidence of COVID-19 cases since the start of the pandemic and its numbers have never trended in an upwards trajectory. There have been no positive tests or reported cases within the last nine days. These factors in Benchmark 3 have been met, and the Court will continue to monitor these factors.

***Benchmark 4***

*Adequate testing programs in place, increased availability of COVID-19 tests, and emerging antibody testing.*

Benchmark 4 has been met as adequate testing programs are in place for Nassau County residents. Nassau County has met the 2% benchmark established by the State. In addition to Baptist Medical Center and Amelia Urgent Care facilities, the Florida Department of Health – Nassau County has conducted targeted testing at churches and other facilities throughout the county in order to reach out to individuals who may not have information about testing availability or suitable transportation. Additionally, Amelia Urgent Care has provided anti-body testing.

Since most Nassau County residents live close to downtown Jacksonville and Duval County, they have access to additional testing locations:

- Legends Center, 5130 Soutel Dr., Jacksonville, FL 32208
- TIAA Bank Stadium, Lot J, One TIAA Bank Field Dr., Jacksonville, FL 32202
- Ascension St. Vincent's
- CareSpot Urgent Care Centers
- Crucial Care
- CVS Pharmacies
- Mayo Clinic
- MedExpress Urgent Care, Atlantic Blvd.
- River Region-Arlington
- Veterans Administration Jacksonville Outpatient Clinic
- Walmart, Beach Boulevard
- Walmart, Lem Turner Road

***Benchmark 5***

*Consultation with other building occupants (for multi-tenant courthouses or buildings) and with justice system partners (including, but not limited to clerk of court, state attorney, public defender, law enforcement, local bar, and others necessary to resume certain case types, such as the Department of Children and Families).*

From the start of the pandemic, the Administrative Judge for the county has consulted almost weekly with the Clerk of the Court and his management team, as well as the deputies from the Nassau County Sheriff's Office (NCSO) that provide security to both courthouses. The current operational plan contained in the Administrative Order attached as Appendix A was developed only after consultation with these offices, as well as the Tax Collector's Office, Property Appraiser's Office, County Court Probation Office (located in the Yulee courthouse), and the other judges assigned to Nassau County. Since that entry of the Administrative Order, the Administrative Judge has continued to communicate regularly with justice system partners to brief them on the status of courthouse operations and to advise them of any changes to the systems in place to meet the requirements of the Florida Supreme Court. In preparing this report, he has conferred with each of these stakeholders on transitioning to Phase 2.

## PHASE 2 OPERATIONS

Pursuant to the Florida Supreme Court's Administrative Orders and having met the benchmarks necessary to move from Phase 1 to Phase 2 of court operations, the following Operational Plan has been developed to move the Nassau County Courthouse to Phase 2 operations.

### *(I)* *Public Information*

Information regarding the limited access to the Nassau County Courthouse facilities during Phase 2, including who will be permitted to enter the Courthouse and the requisite health screening protocols, will be disseminated to the public through signage posted at the Courthouse including electronic signs stationed throughout all three floors; the Nassau County Clerk of the Court's website that contains information about the judges and includes all Administrative Orders; press releases; Nassau County website; and notifications to members of The Nassau County Bar Association.

### *(II)* *Health and Safety Screening*

The Nassau County Courthouse has one main entrance for the general public and attorneys and a side employee entrance used by all courthouse employees except judges, magistrates, and judicial assistants. Judges, magistrates, and judicial assistants park in a secure garage and take a private elevator to their judicial offices. The Court will take the following precautions to ensure no one enters the Courthouse when there is a likelihood he or she has COVID-19 or is exhibiting symptoms of COVID-19.<sup>1</sup>

#### *General Public & Attorneys*

The Historic Courthouse in Fernandina Beach shall remain closed to the general public and all attorneys. No screening procedures are necessary for that courthouse at this time.

At the Yulee courthouse, the general public and all attorneys without offices in the courthouse will continue to use the front main entrance to enter the building. The front entrance consists of 4 sets of double doors. However, all but one of those sets of doors has traditionally been locked, and it will remain that way during Phase 2 to ensure a single entry path into the courthouse. The courthouse plaza in the front of the courthouse will remain open, but those entering the front door will be directed by rope and/or other suitable barriers to a covered sidewalk that leads to the front entrance. Those entering the courthouse will gain entry only through this path. On the covered sidewalk, marks will be placed 6 feet apart for people to stand while waiting entry to ensure social distancing.

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<sup>1</sup> The CDC lists the symptoms of COVID-19 to include cough, shortness of breath or difficulty breathing, fever, chills, muscle pain, sore throat, and new loss of taste or smell. Other less common symptoms include nausea, vomiting, or diarrhea.

Those entering the main front doors will be met first in the interior vestibule by one of the two screeners that have been conducting COVID-19 screening for the past 8 weeks. This area is located in front of the metal detectors. We intend to continue to retain these screeners throughout Phase 2. The screeners will use the protocol that we developed at the start of screening, which is attached as **Appendix B**. The health screeners will have appropriate PPE. If a person has a temperature of 100.4 degrees Fahrenheit or above, the screener will inform the individual that his or her temperature is above normal, and he or she will not be allowed to enter the facility. The screeners will then ask the following series of questions:

1. Have you had any of the following symptoms in the last 14 days (excluding those due to a known medical reason)?
  - Cough
  - Sore throat
  - Shortness of breath or difficulty breathing
  - Chills
  - Muscle pain or body aches
  - New loss of taste or smell
2. Are you currently awaiting the results of a test to determine if you have COVID-19?
3. Are you under instructions to self-isolate or quarantine due to COVID-19?
4. Have you had close contact with someone who has traveled to an area with a notably high concentration of COVID-19 cases, who is awaiting test results for COVID-19, or has received a COVID-19 diagnosis?
5. Have you traveled to an area with a notably high concentration of COVID-19 cases?

A person who answers yes to any of the five questions shall not be allowed to enter the facility.

Once members of the public pass the temperature check, they will next move through the metal detectors that are staffed by deputies from the NCSO. NCSO deputies will be issued masks and gloves. Those working at the metal detectors will not be required to wear masks, but will be required to wear gloves and stand behind a Plexiglas barrier. If a NCSO deputy must use a wand to search a member of the general public or an attorney, that deputy will wear a facemask.

In addition to their regular screening duties, the deputies will ask all members of the general public and attorneys where they are going. The judges will provide information to the deputies each morning about any in-person hearings at the courthouse and the individuals that will be appearing for those hearings.<sup>2</sup> The State Attorney's Office and Public Defender's Office are permitted to have one member of the general public in their offices at a given time and will be required to

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<sup>2</sup> As discussed later, in-person hearings in Phase 2 will be very limited and only by express permission of the presiding judge.

provide that information to the NCSO deputies each day as well. The number of individuals from the general public allowed inside the Yulee courthouse at any one time is capped at 30. NCSO deputies will monitor the numbers and will require those awaiting entry to stand 6 feet apart on the covered sidewalk outside the front entrance doors until there is an exit from the courthouse by another member of the general public.

Anyone entering the Yulee courthouse that does not regularly work in the courthouse, including members of the general public and attorneys with offices separate from the facility, must wear appropriate facemasks upon entry. Anyone entering who does not have a facemask, will be supplied one by NCSO deputies. The courthouse currently has a supply of 1000 facemasks and a supply source to obtain more as needed. By local administrative order, anyone entering the courthouse through the front doors is directed to use hand sanitizer before proceeding to conduct their business. We are currently in the process of locating and purchasing multiple automatic hand sanitizer stations, but until available, we will supply a large bottle of hand sanitizer for everyone's use.

If an individual is scheduled for a court appearance and has been denied access to the courthouse, he or she will be directed to a bailiff who will contact the presiding judge and the Clerk of the Court. The bailiff will say only that the individual was not admitted as a result of the health screening. Alternative arrangements will be made for this person, such as handling their business over the phone, rescheduling a hearing, or other means as appropriate. Information about alternative access to the Court, containing contact information for Court Administration and the Clerk of the Court, will be provided to the individual. The bailiff will record the number, not the names, of individuals requiring a court pass date.

The decision to deny further entry to the courthouse based on the health screening results will be made solely by the health screeners. Persons refusing to undergo health screening will be turned away. If at any time, a member of the public leaves the courthouse, he or she will be screened again upon return.

#### ***Courthouse Employees & Vendors***

The employee entrance on the side of the courthouse has been closed since the Administrative Judge instituted COVID-19 screening at the main entrance, and it will remain closed throughout Phase 2. All courthouse employees from whatever office, except judges, magistrates, and judicial assistants, will enter through the main entrance at the front and go through the same protocol as the general public and attorneys conducting courthouse business with two exceptions. First, they will not be asked the series of COVID-19 questions once they have initially provided answers. Second, they will not be subject to screening with the metal detectors. However, the temperature of each employee will be taken every day and, if above 100.4 degrees Fahrenheit, they will be instructed to leave and work from home.

Judges, magistrates, and judicial assistants park in a secure garage facility and use a private elevator to reach their offices. They will be required to self-check their symptoms and submit to temperature screening by the health screener after they arrive.

The Human Resources Director for the Fourth Judicial Circuit will contact any employee who has been sent home to identify any employee he or she had come into contact within the preceding days. The Human Resources Director will notify persons who may have had contact with the employee who has been sent home and inform them they may have been exposed to a person showing symptoms of and is being tested for COVID-19. The Human Resources Director will not reveal the name of the employee who has been sent home.

Court employees must contact their supervisor immediately and remain home for 14 days if they live with a family member who:

- is exhibiting COVID-19 symptoms;
- was directed to be tested; or
- has tested positive for COVID-19.

These employees must provide medical clearance before returning to work.

Employees who are required to self-quarantine or test for COVID-19 shall be permitted to use available Emergency Paid Sick Leave (EPSL), personal sick leave, or work remotely. Employees who fail to follow these procedures shall be disciplined with sanctions that could include leave without pay and/or termination.

All judges and court employees who will travel internationally or on a cruise, must notify the Chief Judge or Trial Court Administrator in advance of such travel. All judges and court employees who travel internationally or on a cruise will not be allowed to return to the facility for 14 days upon returning home. To the extent judges can perform their duties remotely, they must do so. Employees will need to use their available sick, annual, or compensatory leave during this 14-day period. Employees can also consult with their supervisor about the Court's telework policy to explore options for working remotely. Court employees who do not have available leave and who are unable to work remotely may be subject to leave without pay.

If no symptoms occur within the 14-day time period, judges and employees may return to work, subject to any additional requirements that may be imposed by the CDC, a state public health agency, the Chief Justice, or the Chief Judge, as a result of the state of emergency.

Judges and employees must notify the Chief Judge or Trial Court Administrator if they plan to travel to an area identified as a hot spot to determine if a 14-day quarantine is required upon their return.

All vendors delivering items to the courthouse will not be allowed to enter unless necessary to provide the requested item or services. Most deliveries will be left in the interior vestibule at the main entrance of the courthouse. If a vendor must enter, then they will go through the screening protocols in the same manner as any courthouse employee.

### *Inmates*

NCSO and the Florida Department of Corrections inmates and juveniles detained by the Department of Juvenile Justice (DJJ) must undergo health screening and temperature checks prior to being transported to the courthouse. NCSO and DJJ health screenings will comply with each department's medical requirements and policy.

Inmates who appear at the Courthouse in person, must always wear a mask while in the Courthouse. NCSO will provide masks upon arrival and dispose of the masks upon departure.

### *(III) Procedures Within the Courthouse*

Phase 2 requires limited in-person contact as authorized for certain purposes and/or requires use of protective measures. As stated earlier, the Historic Courthouse will remain closed throughout Phase 2. The Yulee courthouse will follow current CDC social distancing guidelines that recommend staying at least 6 feet from other people. These guidelines will be enforced in public common areas, galleries and wells of courtrooms, hallways, elevators, restrooms, or other locations where the public might gather.

After passing through the security screening, members of the public will leave the lobby and proceed directly to the area where they will address the purpose of their visit. If an individual must travel to another floor, he or she can use the stairs to the second floor or the elevators. In each case, the individual must conform to social distancing. There will be signs to indicate only two occupants in an elevator at one time.

Restrooms are located on every floor. Signs will indicate how many occupants are permitted in a restroom at one time. Measures will be taken to ensure social distancing in each restroom, including limiting the number of toilets, urinals, and sinks available in each restroom. Water fountains have been shut down and signs posted informing everyone that they are not operational.

Only 30 members of the general public will be allowed into the courthouse at one time and NCSO deputies will monitor the number of people admitted. NCSO deputies will ensure that those entering the courthouse do not loiter and immediately proceed to the area where they will complete their courthouse business.

Each office in the Yulee courthouse will adhere to the following procedures:

#### *Clerk of the Courts*

Since the start of the COVID-19 emergency, the Clerk of the Court has moved the majority of its operations from in-person service to remote service either by telephone or through the Clerk's website. The Clerk's office quickly adapted to the needs of the emergency and developed protocols and software to allow the general public to continue accessing most of its services without physically being at the courthouse. As a result, only a very small number of individuals needed access to the Yulee courthouse during Phase 1.



The Clerk's office has requested the Administrative Judge allow expanded in-person access to its services at the Yulee courthouse. The Clerk's office remains committed to the enhanced remote options it developed at the start of this emergency and will continue emphasizing its new protocols and developing more remote options to make it easier for the general public. The Clerk's office will be permitted to offer expanded in-person access at the Yulee courthouse using the following protocols:

Civil Department:

Because the Civil Department has a small enclosed lobby, the capacity will be limited to 3 customers. Social distancing markers will be placed in front of workstations. All furniture with the exception of 3 chairs will be removed from the Civil Department lobby. Signs will be placed outside of the Civil Department lobby stating capacity restrictions.

One of the double doors of the lobby will be left open at all times to eliminate touching the door handles.

Injunction petitioners will be given forms and sent to designated areas of the Courthouse for completion to allow for the continued flow of customers.

Criminal Customer Service:

The Criminal Customer Service counters have the capacity to socially distance 4 customers at a time with enough space to have 4 spots for customers waiting for the next available clerk.

Recording Department:

The Recording Department counter has the capacity to socially distance 3 customers at a time with enough space to have 3 spots for customers waiting for the next available clerk. Marriage Licenses will be handled on an appointment only basis. The appointment list will be given to the bailiff each morning. All other couples will be instructed to go to [nassauclerk.com](http://nassauclerk.com) to schedule an appointment.

Lobby:

There are 3 benches in the lobby of the Criminal and Recording Departments. Signs will be placed on each bench with markers to allow for social distancing. With the social distance markers, the benches will accommodate approximately 9 people.

Historic Courthouse:

Because there is limited customer service space and no barriers between the clerk staff and the public, the Historic Courthouse will remain closed during Phase 2.

### Hygiene Protocols:

Signage will be posted on kiosk located on the first floor reminding customers of hygiene protocols, including but not limited to hand washing and social distancing. Periodic announcements also will be made advising social distancing. Hand sanitizer will be widely available for the general public and clerk employees.

In most interactions with the general public, employees of the Clerk's office will remain behind Plexiglas barriers. If an employee is required to communicate with a member of the general public, he or she will wear a protective mask. Employees will be provided gloves when handling documents taken directly from a member of the general public.

### *Court Operations*

The judges will continue to handle cases in a manner consistent with the procedures detailed in local Administrative Order 2020-16. Under this order, the Court will conduct almost all proceedings remotely by Zoom application or telephonically.

Plea hearings involving felony and misdemeanor cases, where the defendant is out of custody and will not serve any prison or jail time, are a partial exception to this policy. The presence of such out-of-custody defendants is necessary because NCSO deputies must fingerprint them, take buccal swabs, and process their paperwork and this can be done only in person. Out-of-custody defendants who will not serve any jail or prison time will be allowed entry into the first floor jury assembly room where they can enter their pleas with the assistance of a large touch monitor. The judges, state attorneys, public defenders, deputy clerks, and court reporters will all appear remotely. Only NCSO deputies will be in the jury assembly room and no more than two at a time. They will be required to wear masks and gloves and, as much as possible, stay 6 feet away from the defendant. Out of custody pleas will be scheduled one at a time and only one defendant will be allowed into the jury assembly room. No other criminal pleas will be handled this way.

The judges presiding over criminal cases have the discretion to hold suppression hearings in-person if the motion requires witness testimony. However, only the defendant, defense attorney, state attorney, judge, deputy clerk, and court reporter will be allowed in the courtroom and each will be appropriately spaced at least 6 feet apart. All will be required to wear masks and, where appropriate, gloves. Only one witness at a time will be allowed into the courtroom. All witnesses waiting to testify will be staged in an adjacent courtroom six feet apart. The witness stand and microphone will be sanitized after each witness completes their testimony. The courtroom will be wiped down after completion of the hearing. Evidentiary hearings for motions to suppress should be rare.

Although each judge has the discretion to conduct an in-person hearing as he or she sees fit, only in the rarest of circumstances will that happen, and the protocols described above for suppression hearings must be followed. The Court will not conduct any jury trials in Phase 2, and sentencing hearings in cases involving prison time will be limited to the extent that the Department of Corrections will accept new prisoners. Under administrative order 2020-16, the judges in Nassau

County have been able to operate at about 75% of normal capacity. Accordingly, there is not a need to expand in-person hearings at this time.

Court personnel will be encouraged to work remotely when possible. Thus, the Family Court Services division that assists pro se family law cases will conduct all meetings remotely either by telephone or video conference and supply all necessary family law forms via electronic file over the internet. Likewise, the court recorder providing audio recordings of all proceedings in domestic violence, pro se family law cases, and first appearance, will monitor, tag, and record proceedings remotely. Judicial Assistants will periodically work from a remote setting. However, they will have no in-person contact with any attorneys or the general public during Phase 2 if they are working in their offices. Any Court employee who has a compromised immune system or is considered to be part of any vulnerable group, or provides direct care for any family within these categories, will be required to stay at home during Phase 2.

Except for the occasional in-person hearing, all courtrooms and hearing rooms will remain closed and off limits except to courthouse employees. The courthouse library will remain closed.

#### ***State Attorney's Office & Public Defender's Office***

Each office will be allowed one visitor from the general public at a time between the hours of 9 a.m. and 5 p.m., with visitors submitting to the protocol outlined above. The names of any visitors must be provided to the NCSO deputies at the front door before any visitor will be allowed entry. Deputies from the Nassau County jail will not bring any incarcerated clients to the courthouse to meet with attorneys or investigators in the Public Defender's Office because inmates must be quarantined for 14 days upon their return to the Nassau County jail.

#### ***Misdemeanor Probation Office (Clearview Concepts)***

The Yulee courthouse houses two probation officers handling misdemeanor cases. During Phase 1, they were not allowed to meet with any clients at the courthouse and were required to monitor them by remote means. In Phase 2, the probation office can meet with no more than 10 clients on probation in a single business day. Each probation office can meet with only one client at a time and must provide the names of those clients to the NCSO deputies at the front entrance before any client will be allowed entry.

All clients must wear face masks in the courthouse and meeting with their probation officers. Probation officers should wear masks during these meetings and keep 6 feet or more between them and their clients. The probation office is in the process of developing enhanced remote protocols and will be encouraged to continue in this effort.

#### ***Teen Court, Veteran's Services, and Guardian Ad Litem***

Teen court will remain suspended in Phase 2. All services provided to the general public by the Veteran's Services office and the Guardian Ad Litem office shall be done remotely by video conference or telephonically.

*(IV)*  
*Hygiene Procedures*

Many of the hygiene protocols already have been discussed in this Plan; however, the following are some general hygiene protocols that will be used during Phase 2.

Hand sanitizer will be widely available throughout the Courthouse, including but not limited to screening areas, queuing areas, waiting areas, offices, and courtrooms (to the extent they may be used). By order of the Administrative Judge, all who enter the courthouse must immediately sanitize their hands. All members of the general public must wear masks while they are in the courthouse and masks will be provided if an individual does not bring one of their own. Cleaning supplies have been provided to all Courthouse employees and have been placed at various areas within the Courthouse. Employees will be directed to clean the surfaces they use, including but not limited to keyboards, laptops, desk surfaces.

All water fountains in the Courthouse will remain out of service with appropriate signs communicating this.

The enhanced cleaning practices that have been employed since the beginning of Phase 1 will continue through Phase 2. Normal touch surfaces like door handles and elevator buttons will be cleaned multiple times a day. Restrooms will be cleaned and disinfected two times a day, during normal business hours.

Plexiglas barriers have been installed for all service counters in the Clerk's office. At this time, since almost every court proceeding will be handled remotely, there is no need to install Plexiglas barriers for judicial assistants, Family Court Services, or courtroom operations. Court personnel will not have in-person contact with any private attorneys or the general public during Phase 2.

*(IV)*  
*Conclusion*

The Nassau County Courthouse has met all the benchmarks for transitioning to Phase 2 and has an operational plan that complies with the COVID-19 Workgroup's Report. Thus, Nassau County should proceed to Phase 2 without delay to provide greater access to the courts, where remote proceedings are not possible or feasible, and begin to address the delays and backlogs created by Phase 1 operations. This Operational Plan will be reviewed and updated on a regular basis to keep pace with advancements in best practices and to adjust for lessons learned during its deployment. All persons entering the Nassau County Courthouse should be assured their health and safety is of paramount importance.

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# Appendix “A”

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

ADMINISTRATIVE ORDER NO: 2020-16

**RE: EXTENSION OF EMERGENCY PROCEDURES RELATED TO COVID-19 VIRUS, CANCELLATION OF JURY TRIALS, AND RESTRICTING ACCESS TO NASSAU COUNTY COURTHOUSES THROUGH JULY 2, 2020;**

WHEREAS, in response to the COVID-19 emergency, the Chief Judge of the Florida Supreme Court has now issued Amendment 1 to AOSC20-23 extending through July 2, 2020, emergency procedures for the state court system, including the cancellation of all civil jury trials, criminal jury trials, and grand jury proceedings;

WHEREAS, in response to various administrative orders from the Florida Supreme Court, the undersigned has implemented emergency procedures for the Nassau County Courts detailed in previous Nassau County Administrative Orders;

WHEREAS, there is a need to further extend temporary emergency procedures at the Nassau County Courthouse through Thursday, July 2, 2020, in order to conform to the Florida Supreme Court's extension of emergency procedures related to COVID-19 and the suspension of jury trials;

WHEREAS, the COVID-19 emergency has evolved over the last two months requiring the court to modify emergency procedures from time-to-time and now there is a need, through a single order, to provide uniformity and clarity to the attorneys who practice at both Nassau County Courthouses, the employees who work there, and the citizens of Nassau County;

WHEREAS, the Chief Judge of the Fourth Judicial Circuit has delegated authority to the Administrative Judge for Nassau County to establish temporary procedures;

**NOW THEREFORE, by the authority vested in the undersigned, IT IS ORDERED:**

1. Jury Trials - All civil and criminal jury trials, juror qualifications, and grand jury proceedings in Nassau County shall be suspended through Thursday, July 2, 2020.

2. Access to Nassau County Courthouses - Access to the Robert M. Foster Justice Center in Yulee, Florida and the Historic Courthouse in Fernandina Beach, Florida through July 2, 2020, shall be governed by Nassau County Administrative Order 2020-3 attached to this order as Appendix A.

3. Felony, Misdemeanor, & Juvenile Delinquency Cases - The emergency temporary procedures for felony and misdemeanor criminal cases, as well as juvenile delinquency cases, contained in Nassau County Administrative Order 2020-14 attached to this order as Appendix B, are extended through July 2, 2020.

4. Civil, Family, Probate, & Guardianship Divisions - The following procedures will be in effect through July 2, 2020:

A. All hearings in cases pending in the circuit court civil division (CA case numbers), county court civil cases (CC case numbers), family law divisions (DR case numbers), probate division (CP case numbers), and guardianship division (GA case numbers), excluding petitions for injunctions for protection against domestic violence, repeat violence, dating violence, sexual violence, and stalking, shall be conducted either by telephonic means or video conference utilizing the Zoom Application or Skype. The parties are responsible for coordinating with the judge's office and/or Family Court Services to set up any telephonic or video hearing.

B. Exhibits for any telephonic or video conference shall be provided to the court no less than twenty-four (24) hours before the hearing begins. Exhibits shall be furnished either by electronic mail or hand delivery to the judge's judicial assistant. Parties are strongly encouraged to pre-mark all exhibits and/or utilize Bates Stamp numbering to assist in locating documents

during a remote hearing. If supplying exhibits by electronic mail, the judge will not automatically print them for marking and filing with the clerk. It is the responsibility of each party before a hearing to check with the individual judge to see whether they will be required to submit hard copies of any exhibits or the judge's office will print them out. The size of any proposed exhibits will be one factor in that determination.

5. Domestic Violence Cases - The following procedures will be in place through July 2, 2020:

A. The domestic violence calendars for both circuit court divisions shall proceed forward at their regularly scheduled times on Tuesday and Wednesday. All cases involving petitions for injunctions for protection against domestic violence, repeat violence, dating violence, sexual violence, and stalking, will not be administratively continued unless by specific order of the presiding judge. Continuances may be granted on a case-by-case basis upon request of the parties, their attorneys, or the needs of the court.

B. All domestic violence injunction hearings, however, shall be conducted remotely by Zoom application. The Clerk of the Court shall advise the parties in the temporary injunction how to access the videoconference hearing.

C. Parties are responsible 1) for coordinating with their witnesses to testify remotely by providing them with the appropriate link and 2) for providing any documentary evidence, photographs, or videos to the court before the scheduled hearing on the final injunction.

D. The court will extend all temporary injunctions when a continuance is granted.

6. Foreclosure, Eviction, Writs of Possession, & Writs of Attachment - The following procedures will be in place through July 2, 2020:



A. Foreclosure cases and residential tenant eviction cases are governed by Nassau County Administrative Order 2020-11, attached as Appendix C to this order.

B. In accordance with AOSC20-17, the requirement in Florida Rule of Civil Procedure 1.580(a) for the clerk to issue a writ of possession "forthwith" shall be suspended through the close of business on July 2, 2020, and no county or circuit judge shall issue an order directing the Clerk to issue a writ of possession during the period of suspension.

C. No Writ of Attachment shall be issued in any case before July 2, 2020, except in those cases involving 1) injunctions for protection against domestic violence, repeat violence, dating violence, sexual violence, and stalking; and 2) petitions for involuntary examination and/or hospitalization under the Marchman Act and Baker Act.

7. Small Claims Cases - Through July 2, 2020, any case in small claims court (SC case numbers) shall be heard either remotely by Zoom application or telephonically. The presiding County Court judge shall establish temporary procedures for conducting small claims hearings remotely.

8. Specialty Courts - Veteran's Court, Adult Drug Court, and Mental Health Court shall be held on their regularly scheduled dates, but the staffing and each specialty court session will be conducted remotely by Zoom application through July 2, 2020. The presiding judge in each court may establish temporary procedures, as needed, to address the inability to have in-person court appearances.

9. Marchman Act & Baker Act Cases - Marchman Act cases and Baker Act cases (MH case numbers) shall proceed as regularly scheduled given the urgency of such petitions. However, until July 2, 2020, all hearings for these cases shall be conducted remotely by Zoom

Application with the petitioners and respondents appearing in the Jury Assembly room at the Nassau County Courthouse in Yulee.

10. Dependency Cases – The following procedures will be in place through July 2, 2020:

A. For dependency cases (DP case numbers), the court will conduct all court appearances scheduled before a circuit judge or magistrate, including trials to determine dependency and the termination of parental rights, by video conference using the Zoom application. The court will consider requests by any party on a case-by-case basis to hold a trial in a courtroom if the requesting party believes in-person testimony is needed to properly adjudicate the matter.

B. Upon request by the Department of Children and Families, the court will conduct a shelter hearing in-person if circumstances require that the hearing be held in a courtroom. The court will consider such requests on a case-by-case basis. However, any shelter hearing held at the courthouse will be conducted in such a manner to comply with CDC guidelines limiting the number of individuals. Only parents, attorneys for the department and/or the parents, and a DCF caseworker will be permitted in the courtroom, in addition to necessary court personnel.

11. This order shall supersede any prior inconsistent Administrative Order issued by the undersigned judge addressing temporary emergency procedures related to the COVID-19 pandemic.

**DONE AND ORDERED** in Chambers at Yulee, Nassau County, Florida, this the 8<sup>TH</sup> day of May, 2020.

  
\_\_\_\_\_  
JAMES H. DANIEL

# Appendix A



CIRCUIT COURT  
FOURTH JUDICIAL CIRCUIT OF FLORIDA

HONORABLE JAMES H. DANIEL  
Circuit Judge

NASSAU COUNTY COURTHOUSE  
Robert M. Foster Justice Center

March 19, 2020

TO: The Honorable Mark H. Mahon, Chief Judge, Fourth Judicial Circuit  
The Honorable Steven M. Fahlgren, Circuit Court Judge  
The Honorable Wesley R. Poole, County Court Judge  
The Honorable John A. Crawford, Clerk of Court  
Capt. Paula J. DeLuca, Nassau County Jail/Courthouse  
Sgt. Ken Davis, Nassau County Courthouse Bailiff  
Nassau County Bar Association

FROM: The Honorable James H. Daniel, Administrative Judge

RE: Restrictions on Access to Nassau County Courthouses

Please find attached Administrative Order No: 2020-3.

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

ADMINISTRATIVE ORDER NO: 2020-3

**RE: RESTRICTIONS ON ACCESS TO ROBERT M. FOSTER JUSTICE CENTER  
AND HISTORIC COURTHOUSE IN FERNANDINA BEACH**

WHEREAS, the COVID-19 virus (coronavirus) is now considered by the World Health Organization to be a global pandemic;

WHEREAS, the COVID-19 virus is highly contagious with no current vaccine to limit its spread and no known medication to eliminate or reduce the virus in the bodies of those infected;

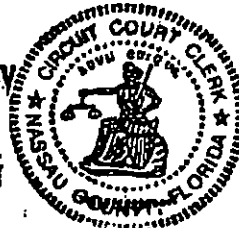
WHEREAS, to date, over 6000 people nationwide have confirmed cases of the COVID-19 virus and the virus has caused the death of over 100 people;

WHEREAS, the state and federal governments have enacted numerous restrictions on daily activities, work, and travel, in addition to issuing detailed recommendations in an effort to limit the general public's exposure to the COVID-19 virus;

WHEREAS, the Centers for Disease Control and Prevention (CDC) has issued a recommendation that events and meetings should be limited to no more than ten (10) people and that individuals should practice "social spacing" by keeping a separation distance of no less than six (6) feet;

WHEREAS, the emergency related to the COVID-19 virus pandemic has disrupted all but essential operations of the statewide court system and Fourth Judicial Circuit, including the suspension of jury trials, grand jury proceedings, and all non-emergency civil and family proceedings;

**A CERTIFIED TRUE COPY**  
*John A. Crawford*  
*John A. Crawford*  
CLERK CIRCUIT / COUNTY COURT  
NASSAU COUNTY, FLORIDA



Inst. Number: 202045009047 Book: 2348 Page: 254 Page 2 of 5 Date: 3/19/2020 Time: 12:42 PM  
John A. Crawford Clerk of Courts, Nassau County, Florida

WHEREAS, the Fourth Circuit, in accordance with statewide and nationwide policies adopted by both private employers and government agencies, has encouraged all but essential personnel to work from home and has quarantined those employees who have traveled outside of the country, traveled on long airline flights through airports, or have weakened immune systems;

WHEREAS, the health and safety of employees working at both the Robert M. Foster Justice Center and the Historic Courthouse in Fernandina (hereafter collectively "Nassau County Courthouses"), and those citizens that must utilize courthouse services provided by the Fourth Judicial Circuit, the Clerk of the Court, the State Attorney's Office, the Public Defender's Office, the Property Appraiser's office, Tax Collector's Office, and the county court probation office, is of utmost importance;

WHEREAS, the more members of the general public that have access to the Nassau County Courthouses, the more it will necessarily increase the chance of exposing courthouse employees and other members of the general public to the COVID-19 virus;

WHEREAS, the Chief Judge of the Fourth Judicial Circuit has delegated authority to the Administrative Judge for Nassau County to establish temporary procedures:

**NOW THEREFORE**, by the authority vested in the undersigned, **IT IS ORDERED**:

1. Access to the Nassau County Courthouses shall be restricted in the manner more fully described in this order until Monday, March 30, 2020, in accordance with the suspension of activities as outlined by the AOSC20-13 and AOSC20-15 issued by the Florida Supreme Court.

2. No member of the general public shall enter the Nassau County Courthouses unless the following circumstances apply:

A. Required in-person attendance at a scheduled court proceeding that has not been postponed, continued, or otherwise required to be conducted telephonically and/or by video conference as a result of a separate administrative order;

B. Filing a petition for an injunction for protection against domestic violence, repeat violence, dating violence, sexual violence, or stalking;

C. Filing a petition to establish an emergency guardianship (pro se filing only);

D. Filing an emergency motion for a pick-up order or other emergency motion in a family law case where the issue is related to timesharing, parental responsibility, visitation, or the safety of any minor child (pro se filing only);

E. Filing a petition or request seeking a Risk Protection Order;

F. Filing a motion for temporary custody of a minor child by an extended family member under Chapter 751, Florida Statutes (pro se filing only);

G. Filing a petition for involuntary assessment, examination, and/or stabilization under the Baker Act (mental health) and the Marchman Act (substance abuse);

H. Tenant deposits into the court registry following service of eviction notice or pleadings (pro se tenants only);

I. Filing petition for writ of habeas corpus (only if filed by friend, wife, husband, parent, or guardian of detained person).

J. Obtaining a marriage license;

K. Filing an emergency motion to stay a writ of possession or writ of execution (pro se).

3. All other functions provided at the Nassau County Courthouses are deemed non-essential and may be accomplished through alternative methods.

4. Those members of the general public needing access to the following services provided by the Clerk of the Courts shall do so in the manner described in this section:

A. Certified Copies: Telephone requests with documents returned by mail;

B. Notices of Commencement: By mail or facsimile request;

C. Real Estate Closing Documents: e-recording system;

D. Records Review: Clerk of Courts website at [nassauclerk.com](http://nassauclerk.com) or contact Clerk's Public Information Specialist at 904-348-4664.

5. Tax Deed Sales shall be postponed until further order of the court.

6. Probation services through Clear View Transformations shall be conducted by telephone only.

7. Defendants who are out of custody and represented by the Public Defender's Office are restricted from meeting with counsel in person at the Nassau County Courthouses.

8. Defendants who are in custody and represented by the Public Defender's Office may only be transported to the Nassau County Courthouses pursuant to specific authorization by the presiding judge over the felony circuit court division or the county court judge.

9. Private attorneys may enter the Nassau County Courthouses under the following circumstances:

A. Required in-person attendance at a scheduled court proceeding that has not been postponed, continued, or otherwise required to be conducted telephonically and/or by video conference as a result of a separate administrative order;

B. Filing emergency motions and petitions that cannot otherwise be electronically filed;

C. Express authorization by a sitting circuit or county court judge in Nassau County.

10. This order does not affect access to the Nassau County Courthouses by any of the following individuals: a) employees who work at the Nassau County Courthouse as a state employee for the Fourth Judicial Circuit; b) employees of the Nassau County Clerk of the Courts; c) employees of the Nassau County Sheriff's Office; d) employees working in the veteran's services office at the Nassau County Courthouses; e) county employees working in teen court; f) county employees or contract workers in building services or whose job otherwise requires repairing, cleaning, and/or maintaining Nassau Courthouse facilities; g) State Representative Cord Byrd or employees who work in his office; h) State Senator Aaron Bean and employees who work in his office; i) employees of Clear View Transformations with an office in the Nassau County Courthouse; j) County Court Judges, Circuit Court Judges, Magistrates, and Senior Judges in the



Inst. Number: 202045009047 Book: 2348 Page: 257 Page 5 of 5 Date: 3/19/2020 Time: 12:42 PM  
John A. Crawford Clerk of Courts, Nassau County, Florida

Fourth Judicial Circuit; k) employees working in the Property Appraiser's Office in the Nassau County Courthouses; l) any court reporter that is assigned to a scheduled court proceeding in the Nassau County Courthouses; m) employees of the Fernandina Beach Police Department; n) employees working in the Tax Collector's Office in the Nassau County Courthouses; and o) any employee whose job requires them to regularly work at the Nassau County Courthouses;

11. However, all employees working at the Nassau County Courthouses who are not providing essential services are strongly encouraged to work remotely from their own residence in accordance with their employer's policies;

12. Any employee, attorney, or member of the general public who has been diagnosed with the COVID-19 virus, or who has knowingly been exposed to a person diagnosed with the COVID-19 virus, is restricted from access to the Nassau County Courthouses notwithstanding any other provision in this administrative order.

**DONE AND ORDERED** in Chambers at Yulee, Nassau County, Florida, this the 19<sup>TH</sup> day of March, 2020.

  
\_\_\_\_\_  
JAMES H. DANIEL

# Appendix B



**CIRCUIT COURT  
FOURTH JUDICIAL CIRCUIT OF FLORIDA**

**HONORABLE JAMES H. DANIEL**  
Circuit Judge

**NASSAU COUNTY COURTHOUSE**  
Robert M. Foster Justice Center

**April 13, 2020**

**TO:** The Honorable Mark H. Mahon, Chief Judge, Fourth Judicial Circuit  
The Honorable Steven M. Fahlgren, Circuit Court Judge  
The Honorable Wesley R. Poole, County Court Judge  
The Honorable John A. Crawford, Clerk of Court  
Capt. Paula J. DeLuca, Nassau County Jail/Courthouse  
Sgt. Ken Davis, Nassau County Courthouse Bailiff  
Nassau County Bar Association

**FROM:** The Honorable James H. Daniel, Administrative Judge

**RE:** Specific Procedures for Nassau Criminal Divisions

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**Please find attached Administrative Order No: 2020-14.**

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

ADMINISTRATIVE ORDER NO. 2020-14

RE: **SPECIFIC PROCEDURES FOR NASSAU COUNTY FELONY, MISDEMEANOR,  
AND JUVENILE DELINQUENCY DIVISIONS (AMENDED)**

WHEREAS, the COVID-19 virus (coronavirus) pandemic emergency has necessarily altered the administrative procedures traditionally employed to manage felony, misdemeanor, and juvenile delinquency cases in Nassau County;

WHEREAS, the presiding judge in each division has developed temporary emergency procedures to handle their cases as required by Nassau County Administrative Orders No. 2020-7 and 2020-13;

WHEREAS, some of those temporary procedures, by necessity, have been amended since the undersigned last consolidated them in Nassau County Administrative Order No. 2020-9;

WHEREAS, there is a need to consolidate all temporary emergency procedures, with amendments, for all three divisions and provide notice to the residents of the county and members of the Bar;

WHEREAS, it is crucial that all those appearing before the court in these divisions adhere to the temporary emergency procedures;

WHEREAS, the Chief Judge of the Fourth Judicial Circuit has delegated authority to the Administrative Judge for Nassau County to establish temporary procedures;

NOW THEREFORE, by the authority vested in the undersigned, **IT IS ORDERED:**

1. The emergency temporary procedures (amended) for the felony division in Nassau County which are set forth in the attached Appendix A shall apply to all felony cases until further order of the court;

2. The emergency temporary procedures (amended) for the misdemeanor division in Nassau County which are set-forth in the attached Appendix B shall apply to all misdemeanor cases until further order of the court;

3. The emergency temporary procedures for the juvenile delinquency division in Nassau County which are set-forth in the attached Appendix C shall apply to all juvenile delinquency cases until further order of the court;

4. All parties and attorneys appearing before these divisions shall familiarize themselves and comply with all temporary emergency procedures attached to this administrative order.

**DONE AND ORDERED** in Chambers at Yulee, Nassau County, Florida, this the 13<sup>TH</sup> day of April, 2020.

  
\_\_\_\_\_  
JAMES H. DANIEL



**CIRCUIT COURT  
FOURTH JUDICIAL CIRCUIT OF FLORIDA**

**HONORABLE JAMES H. DANIEL**  
Circuit Judge

**NASSAU COUNTY COURTHOUSE**  
Robert M. Foster Justice Center

April 13, 2020

**TO:** The Honorable Mark H. Mahon, Chief Judge, Fourth Judicial Circuit  
The Honorable Steven M. Fahlgren, Circuit Court Judge  
The Honorable Wesley R. Poole, County Court Judge  
The Honorable John A. Crawford, Clerk of Court  
Capt. Paula J. DeLuca, Nassau County Jail/Courthouse  
Sgt. Ken Davis, Nassau County Courthouse Bailiff  
Nassau County Bar Association

**FROM:** The Honorable James H. Daniel, Administrative Judge

**RE:** Nassau Felony Court Procedures - Amended

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Please see attached procedures.

**EFFECTIVE 4/13/2020**

**NOTICE REGARDING FELONY CRIMINAL COURT PROCEDURES IN NASSAU COUNTY, FLORIDA (revised)**

In response to the current emergency brought on by the COVID-19 virus, the following procedures shall remain in place until further notice of this court:

**A. Procedures for Incarcerated Defendants**

1) Pursuant to Nassau County Administrative Order 2020-07, all hearings involving defendants incarcerated in the Nassau County Jail (NCJ) shall be conducted remotely by Zoom application. No private attorneys will be allowed in the presiding judge's chambers and all must appear remotely. Although all Assistant State Attorneys and Public Defenders are encouraged to appear remotely, a single representative from the State Attorney's Office and a single representative from the Public Defender's Office may be in chambers if they choose. The court will establish a recurring meeting on the Zoom application and keep the same link for remote appearances. Upon request, the link will be provided to counsel. It is the responsibility of all counsel to obtain the link to participate in any Zoom application session.

2) Docket for incarcerated defendants shall start each Thursday at 8:30 a.m. and conclude by 10:30 a.m.

3) Prior to any scheduled remote hearings for inmates in the NCJ, the presiding judge's office will contact all defense attorneys with incarcerated clients on the docket to determine if their client's case may be administratively passed to another day. The court will remotely handle only appearances for a) arraignment, b) a negotiated plea, c) a hearing previously scheduled with the judge's office, or d) a substantive matter that needs to be addressed. Attorneys do not need to appear if their client's case is administratively passed.

4) If a defendant needs to appear remotely before the court, it is ultimately the responsibility of counsel to communicate that information to the presiding judge's assistant no later than 1:00 p.m. on the Wednesday before docket. After that deadline, no cases will be added to the list of defendant's appearing before the court except with express permission from the presiding judge.

5) Waiver of appearance - For all but arraignments, counsel may waive the appearance of their client by filing a written waiver of appearance with the court. If no written waiver, counsel must communicate this to the presiding judge's assistant by the 1:00 p.m. deadline on the Wednesday before docket.

B. Procedures for Out-of-Custody Defendant

1) Pursuant to Nassau County Administrative Order 2020-07, all hearings involving defendants who are not incarcerated in the NCJ shall be conducted remotely by Zoom application. No private attorneys will be allowed in the presiding judge's chambers and all counsel and their clients must appear remotely. Although all Assistant State Attorneys and Public Defenders are encouraged to appear remotely, a single representative from the State Attorney's Office and a single representative from the Public Defender's Office may be in chambers if they choose. The court will establish a recurring meeting on the Zoom application and keep the same link for remote appearances. This Zoom link will be different from the link used for appearances by incarcerated defendants. Upon request, the link will be provided to counsel. It is the responsibility of all counsel to obtain the link to participate in any Zoom application session.

2) The court will set-aside time on its calendar each Thursday from 10:45 a.m. until 12:15 p.m. to hear cases for defendants who are not incarcerated.



3) The court will remotely handle only appearances for a) arraignment, b) a negotiated plea, c) a hearing previously scheduled with the judge's office, or d) a substantive matter that needs to be addressed. The court will not hear routine status hearings during this time.

4) The judge's assistant will not contact counsel to see if they would like to schedule a hearing for an out-of-custody defendant. It is entirely the responsibility of counsel to contact the judge's judicial assistant to put a specific case on the docket for the reasons listed above. The court will set a specific time for the hearing in the same manner as it would if scheduling a hearing in a civil or family law division case. Counsel need not join the remote court session until it is their time to appear.

5) Any case not specifically scheduled by counsel or the court will automatically be passed to another date.

6) Waiver of Appearance and Plea of Not Guilty - Neither counsel nor a defendant is required to appear for arraignment if the defendant has filed a Waiver of Appearance and written Plea of Not Guilty with the Clerk and counsel has provided a copy by electronic mail to the judge's assistant before the arraignment date. The court will, under such circumstances, administratively pass the case to another date.

C. Pleas

The court will remotely accept pleas in cases involving both in-custody defendants and out-of-custody defendants. This will include, on a limited basis, pleas for a term of incarceration in the Florida State Prison and pleas by out-of-custody defendants for a term of incarceration in the Nassau County Jail. Pleas will be handled in accordance with the following procedures:

1) Out-of-custody defendants

a. For all out-of-custody defendants entering a plea, regardless of whether it will include a period of incarceration or not, counsel must contact the judge's assistant to coordinate the time and location for the plea so that the court can 1) ensure if there is space available in the Nassau County Jail or if the Department of Corrections will accept the defendant; 2) make provisions for taking a defendant's fingerprints and DNA; and/or 3) place a defendant in custody if needed.

b. Location - For an out-of-custody defendant who is entering a plea that will result in a period of incarceration in either the county jail or state prison, the defendant is required at the appointed time to appear at the Nassau County Jail to enter such plea. For an out-of-custody defendant who is entering a plea that does not involve any period of incarceration, including a time-served plea, the defendant is required at the appointed time to appear at the Jury Assembly Room in the Yulee Courthouse. No family or friends will be allowed to accompany a defendant entering a plea.

2) In-custody defendants

a. In order to schedule a plea hearing for an in-custody defendant who will enter a plea in exchange for a sentence that includes a period of incarceration in the Florida State Prison, counsel must contact the judge's assistant to request permission. In the request, counsel must provide the total amount of time the defendant will remain incarcerated (sentence minus credit for time served). Before allowing the plea to go forward, the court will then determine if the Department of Corrections will accept the defendant so that the defendant can serve the agreed-upon term of incarceration.

b. There is no need for counsel to seek permission from the court for an in-custody defendant to enter a time-served plea, plea resulting in a period of probation or community control, or a plea for a term of incarceration in the Nassau County Jail.

D. Hearings

1) Hearings anticipated to last 20 minutes or less can be handled during the regularly scheduled remote sessions for in-custody defendants and for out-of-custody defendants.

2) Hearings anticipated to last more than 20 minutes, or those involving multiple items of evidence or third-party witness testimony, should be scheduled with the presiding judge's assistant for a time after 1:30 p.m. each Thursday.

3) Except for extraordinary circumstances, each hearing scheduled in the afternoon docket should be handled remotely by Zoom application. The judge's assistant will provide a specific Zoom link for any such hearing. It is the responsibility of counsel to provide the remote link to any third-party witness they intend to call.

4) If counsel believes an in-person hearing is required, counsel must contact the presiding judge's office and request it, in writing with copy to opposing counsel. Permission will not routinely be granted, but for any in-person hearing, all procedures recommended by the CDC will strictly be followed.

5) Note, counsel can request hearing times on days other than Thursdays, including any request for plea hearings. The court will schedule such hearings if there is space available on the court's calendar.



**CIRCUIT COURT  
FOURTH JUDICIAL CIRCUIT OF FLORIDA**

**HONORABLE STEVEN FAHLGREN**  
Circuit Judge

**NASSAU COUNTY COURTHOUSE**  
Robert M. Foster Justice Center

March 31, 2020

**TO:** The Honorable Mark H. Mahon, Chief Judge, Fourth Judicial Circuit  
The Honorable James Daniel, Nassau County Administrative Judge  
The Honorable Wesley R. Poole, County Court Judge  
The Honorable John A. Crawford, Clerk of Court  
Major Michael Philpot, Duval Detention Center  
Sgt. Ken Davis, Nassau County Courthouse Bailiff  
Nassau County Bar Association

**FROM:** The Honorable Steven Fahlgren, Circuit Judge

**RE:** Nassau Court Procedures for Juvenile Delinquency Cases

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Please see attached procedures.

EFFECTIVE 3/31/2020

**NOTICE REGARDING JUVENILE DELINQUENCY COURT PROCEDURES IN  
NASSAU COUNTY, FLORIDA**

In response to the current emergency brought on by the COVID-19 virus, the following procedures shall remain in place until further notice of this court:

A. Procedures for Incarcerated Respondents

1) All hearings involving Respondents detained in the Duval Detention Center (DDC) shall be conducted remotely by Zoom application. Unless there are exceptional circumstances, no private attorneys will be allowed in the Courtroom and all must appear remotely. Although all Assistant State Attorneys and Public Defenders are encouraged to appear remotely, a single representative from the State Attorney's Office and a single representative from the Public Defender's Office may be in Courtroom if they choose. The court will establish a recurring meeting on the Zoom application<sup>1</sup> and keep the same link for remote appearances. Upon request, the link will be provided to counsel. It is the responsibility of all counsel to obtain the link to participate in any Zoom application session. The initial link shall be <https://zoom.us/j/383599807?pwd=MmRDbzFvc0ROenFCOUxER30vaHhTZz09>

2) Docket for incarcerated Respondents shall start each Wednesday at 1:30 p.m. and conclude by 4:00 p.m. Staffing shall be by the Zoom application at 1:00 p.m. Only court personnel,

<sup>1</sup> For instructions how to sign up for Zoom™, please visit <https://zoom.us/resources>. Please note that if you are intending to join by a tablet or smart phone, it is usually easier to download the Zoom Application before clicking on the link. There is no fee to join a meeting hosted by someone else. The Court will be hosting the meetings. Using the Zoom™ application allows for multiple parties to appear remotely and await their case being called. Therefore, it will not be necessary for the parties to coordinate with the judicial assistant or clerk if they are logged into Zoom on or before the start of the hearing.

providers and counsel are permitted to join the staffing meeting. All participants are to use their first and last name in the application to avoid confusion except that parents or guardians should reference that they are Parent of [name of child]. For example, the Guardian of Rod Smith would change the participant name to Guardian Rod Smith.

3) Prior to any scheduled remote hearings for respondents in the DDC, counsel for the Respondents may contact the presiding judge's office if the Respondent is in agreement to administratively passing the Respondent's case to another day. It shall be assumed that Respondents will appear remotely from the DDC on their scheduled hearing date unless counsel has previously requested that the case be passed by contacting the presiding judge's assistant no later than 1:00 p.m. on the Tuesday before docket. When contacting the presiding judge, all parties should be copied on the email. The Court will ensure that DDC and the Clerk are copied on the email passing any cases in which the Respondent is in custody.

4) The court will remotely handle only appearances for a) arraignment, b) a negotiated plea, c) a hearing previously scheduled with the judge's office, d) a determination of the conditions of custody, or e) a substantive matter that needs to be addressed. Attorneys do not need to appear if their client's case is administratively passed.

5) Waiver of appearance – Counsel may waive the appearance of their client if there is a substantive matter to address, but the client's presence is not necessary. Counsel must communicate this to the presiding judge's assistant by the 1:00 p.m. deadline on the Tuesday before docket.

**B. Procedures for Out-of-Custody Respondents**

1) Pursuant to Nassau County Administrative Order 2020-07, all hearings involving Respondents who are not incarcerated in the Nassau County Jail (NCJ) shall be conducted remotely by Zoom application unless the Notice specifically mandates an in person appearance by

1) Hearings anticipated to last 20 minutes or less can be handled during the regularly scheduled remote sessions for in-custody Respondents and for out-of-custody Respondents.

2) Hearings anticipated to last more than 20 minutes, or those involving multiple items of evidence or third-party witness testimony, should be scheduled with the presiding judge's assistant for a time after 1:30 p.m. each Wednesday.

3) If counsel believes an in-person hearing is required, counsel must contact the presiding judge's office and request it, in writing with copy to opposing counsel. Permission will not routinely be granted, but for any in-person hearing, all procedures recommended by the CDC will strictly be followed.

4) For hearings involving exhibits, proposed orders, or copies of cases cited, the parties are directed to send these to the Court's judicial assistant, [astrickland@nassauclerk.com](mailto:astrickland@nassauclerk.com), via email at least 24 hours in advance of the hearing with copies to all. Of course, counsel submitting proposed orders should also furnish sufficient self-addressed stamped envelopes to the Court via mail for service of any orders when a party is not signed up for the e-portal.



**CIRCUIT COURT  
FOURTH JUDICIAL CIRCUIT OF FLORIDA**

**HONORABLE WESLEY R. POOLE**  
Circuit Judge

**HISTORIC COURTHOUSE**  
416 Centre Street  
Fernandina Beach, FL 32034

April 13, 2020

**TO:** The Honorable Mark H. Mahon, Chief Judge, Fourth Judicial Circuit  
The Honorable James Daniel, Nassau County Administrative Judge  
The Honorable Steven Fahlgren, Circuit Court Judge  
The Honorable John A. Crawford, Clerk of Court  
Capt. Paula J. DeLuca, Nassau County Jail/Courthouse  
Sgt. Ken Davis, Nassau County Courthouse Bailiff  
Nassau County Bar Association

**FROM:** The Honorable Wesley R. Poole, Circuit Judge

**RE:** Nassau Court Procedures For Misdemeanor Criminal Cases - Amended

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Please see attached procedures.



the Respondent. No private attorneys will be allowed in the presiding judge's chambers and all counsel and their clients must appear remotely. Although all Assistant State Attorneys and Public Defenders are encouraged to appear remotely, a single representative from the State Attorney's Office and a single representative from the Public Defender's Office may be in the courtroom if they choose. The court will establish a recurring meeting on the Zoom application and keep the same link for remote appearances. It is the responsibility of all counsel to obtain the link to participate in any Zoom application session.

2) The court will remotely handle only appearances for a) arraignment, b) a negotiated plea, c) a hearing previously scheduled with the judge's office, d) a determination of the conditions of custody, or e) a substantive matter that needs to be addressed. Attorneys do not need to appear if their client's case is administratively passed. The court will not hear routine status hearings during this time.

3) The judge's assistant will not contact counsel to see if they would like to schedule a hearing for an out-of-custody defendant. It is entirely the responsibility of counsel to contact the judge's judicial assistant to put a specific case on the docket for the reasons listed above. The court will set a specific time for the hearing in the same manner as it would if scheduling a hearing in a civil or family law division case. Any case not specifically scheduled by counsel or the court will automatically be passed to another date.

4) Waiver of Appearance and Plea of Not Guilty - Neither counsel nor a Respondent is required to appear for arraignment if the defendant has filed a Waiver of Appearance and written Plea of Not Guilty with the Clerk and counsel has provided a copy by electronic mail to the judge's assistant before the arraignment date. The court will, under such circumstances, administratively pass the case to another date.

C. Hearings

**EFFECTIVE 3/30/2020**

**(REVISED 4/13/2020)**

**NOTICE REGARDING MISDEMEANOR CRIMINAL COURT PROCEDURES IN  
NASSAU COUNTY, FLORIDA**

In response to the current emergency brought on by the COVID-19 virus, the following procedures shall remain in place until further notice of this court:

**A. Procedures for Incarcerated Defendants**

1) Pursuant to Nassau County Administrative Order 2020-07, all hearings involving defendants incarcerated in the Nassau County Jail (NCJ) shall be conducted remotely by Zoom application. No private attorneys will be allowed in the presiding judge's chambers and all must appear remotely. Although all Assistant State Attorneys and Public Defenders are encouraged to appear remotely, a single representative from the State Attorney's Office and a single representative from the Public Defender's Office may be in chambers if they choose. The court will establish a recurring meeting on the Zoom application and keep the same link for remote appearances. Upon request, the link will be provided to counsel. It is the responsibility of all counsel to obtain the link to participate in any Zoom application session.

2) Docket for incarcerated defendants shall start each Monday at 1:30 p.m.

3) Prior to any scheduled remote hearings for inmates in the NCJ, the presiding judge's office may contact all defense attorneys with incarcerated clients on the docket to determine if their client's case may be administratively passed to another day. The court will remotely handle only appearances for a) arraignment, b) a negotiated plea, c) a hearing previously scheduled with the judge's office, or d) a substantive matter that needs to be addressed. Attorneys do not need to appear if their client's case is administratively passed.

Inst. Number: 202045011346 Book: 2353 Page: 1163 Page 16 of 19 Date: 4/13/2020 Time: 4:38 PM  
John A. Crawford Clerk of Courts, Nassau County, Florida

4) If an incarcerated defendant needs to appear remotely before the court, it is ultimately the responsibility of counsel to communicate that information to the presiding judge's assistant no later than 1:00 p.m. on the Friday before docket. After that deadline, no cases will be added to the list of defendant's appearing before the court except with express permission from the presiding judge.

5) Waiver of appearance – Counsel may waive the appearance of their client if there is a substantive matter to address, but the client's presence is not necessary. Counsel must communicate this to the presiding judge's assistant by the 1:00 p.m. deadline on the Friday before docket.

**B. Procedures for Out-of-Custody Defendant**

1) All *in-person*, out-of-custody arraignments and other appearances for County Court have been temporarily suspended by Order of the Florida Supreme Court and by Nassau County Administrative Order 2020-07. This suspension is effective through May 29, 2020, or until further order from the Court. For all non-represented (*pro se*) defendants, who were required to appear during this suspension period, his/her case will be re-scheduled and he/she will be notified of the new date. Any defendant who is able to attend via teleconferencing may do so with the Zoom application. The link to join the Court's Zoom™ Meeting for all hearings shall be: <https://zoom.us/j/896271091>; if a defendant is not able to participate by video conference, he/she may participate by telephone, by calling the number: 1 + 919 205 6099, and giving the meeting ID number: 896 271 091.

**IMPORTANT:** If your address has changed, you must provide a current address to the Clerk of the Court. If you have an attorney, you must stay in communication with your attorney to receive notice of the new date to appear.

2) All hearings involving defendants who are not incarcerated in the Nassau County Jail (NCJ) shall be conducted remotely by Zoom application. No private attorneys will be allowed in

6) The judge's assistant will not contact counsel to see if they would like to schedule a hearing for an out-of-custody defendant. It is entirely the responsibility of counsel to contact the judge's judicial assistant, at 904-471-7275, to put a specific case on the docket for the reasons listed above. The court will set a specific time for the hearing in the same manner as existed prior to the Covid-19 pandemic. Counsel should not join the remote court session until it is their time to appear. □

7) Any case not specifically scheduled by counsel or the court will automatically be passed to another date.

8) Waiver of Appearance and Plea of Not Guilty – Neither counsel nor a defendant is required to appear for arraignment if the defendant has filed a Waiver of Appearance and written Plea of Not Guilty with the Clerk and counsel has provided a copy by electronic mail to the judge's assistant before the arraignment date. The court will, under such circumstances, administratively pass the case to another date.

#### C. Pleas

The court will remotely accept pleas in cases involving both in-custody defendants and out-of-custody defendants. This will include, on a limited basis, pleas by out-of-custody defendants for a term of incarceration in the Nassau County Jail. Pleas will be handled in accordance with the following procedures:

##### 1) Out-of-custody defendants

a. For all out-of-custody defendants entering a plea, regardless of whether it will include a period of incarceration or not, counsel must contact the judge's assistant to coordinate the time and location for the plea so that the court can 1) ensure if there is space available in the

the presiding judge's chambers and all counsel and their clients must appear remotely. Although all Assistant State Attorneys and Public Defenders are encouraged to appear remotely, a single representative from the State Attorney's Office and a single representative from the Public Defender's Office may be in chambers if they choose. The court has established a recurring meeting on the Zoom application and will keep the same link (provided above) for remote appearances. This Zoom link will be different from the link used for appearances by incarcerated defendants. It is the responsibility of all parties and counsel to obtain the appropriate link to participate in any Zoom application session.

3) The Court will continue to conduct out-of-custody arraignments by Zoom every Monday morning from 9:00 a.m. to 12:00 p.m. Where possible, each defendant will be assigned a specific time to appear, (e.g., 9:00, 9:15, 9:30, etc.). The court will use the above link on the Zoom application and keep the same link for remote appearances. This Zoom link will be different from the link used for appearances by incarcerated defendants. Upon request, the link will be provided to counsel. It is the responsibility of all parties and counsel to obtain the link to participate in any Zoom application session.

4) The court will set-aside time on its calendar each Wednesday from 9:00 a.m. until 11:30 a.m. to hear motions for defendants who are not incarcerated, and who are not on the regularly scheduled Wednesday afternoon pre-trial docket. The Court will conduct "chambers" on Wednesdays, from 1:30 to 2:30 p.m., and will schedule and hear pre-trial conferences, and matters not requiring more than 15 minutes, from 2:30 p.m. until 5:00 p.m.

5) The court will remotely handle only appearances for a) arraignment, b) a negotiated plea, c) a hearing previously scheduled with the judge's office, or d) a substantive matter that needs to be addressed. The court will not hear routine status hearings during this time.

Nassau County Jail; 2) make provisions for taking a defendant's fingerprints; and/or 3) place a defendant in custody if needed.

b. Location – For an out-of-custody defendant who is entering a plea that will result in a period of incarceration in the county jail, the defendant is required at the appointed time to appear at the Nassau County Jail to enter such plea. For an out-of-custody defendant who is entering a plea that does not involve any period of incarceration, including a time-served plea, the defendant is required at the appointed time to appear at the Jury Assembly Room in the Yulee Courthouse. No family or friends will be allowed to accompany a defendant entering a plea.

2) In-custody defendants

a. There is no need for counsel to seek permission from the court for an in-custody defendant to enter a time-served plea, plea resulting in a period of probation or community control, or a plea for a term of incarceration in the Nassau County Jail.

D. Hearings

1) Hearings anticipated to last 15 minutes or less can be handled during the regularly scheduled remote sessions for in-custody defendants and for out-of-custody defendants.

2) Hearings anticipated to last more than 15 minutes, or those involving multiple items of evidence or third-party witness testimony, should be scheduled with the presiding judge's assistant. The judge's assistant will provide a specific Zoom link for any such hearing. It is the responsibility of counsel to provide the remote link to any third-party witness they intend to call.



**CIRCUIT COURT  
FOURTH JUDICIAL CIRCUIT OF FLORIDA**

**HONORABLE JAMES H. DANIEL**  
Circuit Judge

**NASSAU COUNTY COURTHOUSE**  
Robert M. Foster Justice Center

*April 3, 2020*

**TO:** The Honorable Mark H. Mahon, Chief Judge, Fourth Judicial Circuit  
The Honorable Steven M. Fahlgren, Circuit Court Judge  
The Honorable Wesley R. Poolc, County Court Judge  
The Honorable John A. Crawford, Clerk of Court  
Capt. Paula J. DeLuca, Nassau County Jail/Courthouse  
Sgt. Ken Davis, Nassau County Courthouse Bailiff  
Nassau County Bar Association

**FROM:** The Honorable James H. Daniel, Administrative Judge

**RE:** Temporary Suspension of Foreclosure Actions and Residential Evictions

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Please find attached Administrative Order No: 2020-11.

# Appendix C



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

**ADMINISTRATIVE ORDER NO: 2020-11**

**RE: TEMPORARY SUSPENSION OF FORECLOSURE ACTIONS AND  
RESIDENTIAL EVICTIONS**

**WHEREAS**, the Governor issued Executive Order 20-94 suspending and tolling all causes of action for mortgage foreclosure and residential tenant evictions for forty-five (45) days starting April 2, 2020, as a result of the COVID-19 virus (coronavirus) pandemic;

**WHEREAS**, the undersigned previously issued Nassau County Administrative Order 2020-7 which, in part, suspended the writ of possession and execution for mortgage foreclosure actions and residential tenant evictions, but did not suspend mortgage foreclosure actions and eviction proceedings, nor cancel foreclosure sales;

**WHEREAS**, the Chief Judge of the Fourth Judicial Circuit has delegated authority to the Administrative Judge for Nassau County to establish temporary procedures;

**NOW THEREFORE**, by the authority vested in the undersigned, **IT IS ORDERED**:

1. All pending mortgage foreclosure actions and actions for the eviction of residential tenants in Nassau County are hereby tolled and shall not proceed until further order of the court;
2. The Clerk of the Court is directed to temporarily suspend all foreclosure sales until further order of this court;
3. The Clerk of the Court is authorized to accept complaints or petitions seeking foreclosure of a mortgage or eviction of a residential tenant, but any new cases filed shall be subject to this tolling order;
4. This Order does not suspend any person's, or any entity's, legal obligation to pay mortgage or rental payments during this tolling period;

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# Appendix “B”

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**ADMINISTRATIVE ORDER NO: 2020-15**

**RE: COVID-19 SCREENING FOR YULEE COURTHOUSE VISITORS AND EMPLOYEES**

**WHEREAS**, the Governor issued Executive Order 20-91 on April 1, 2020, in response to the COVID-19 virus emergency directing that all Florida residents stay at home and restrict their movements and personal interactions to only those "necessary to obtain or provide essential services" until April 30, 2020;

**WHEREAS**, the Nassau County Courthouses located in Fernandina Beach and Yulee provide essential services to the residents of Nassau County, remain open to the public for limited purposes consistent with Nassau County Administrative Order No.: 2020-3, and require employees and staff for necessary and essential courthouse operations;

**WHEREAS**, the restricted public access outlined in Administrative Order No.: 2020-3 has all but eliminated members of the general public from entering the Historic Courthouse in Fernandina Beach;

**WHEREAS**, a small number of attorneys and the general public, however, must still access the Yulee Courthouse for matters deemed emergencies under Administrative Order No.: 2020-3;

**WHEREAS**, the Nassau County Emergency Operations Center has developed a COVID-19 screening protocol for all who enter public buildings in Nassau County;

**WHEREAS**, the Chief Judge of the Fourth Judicial Circuit has delegated authority to the Administrative Judge for Nassau County to establish temporary procedures;

**NOW THEREFORE**, by the authority vested in the undersigned, **IT IS ORDERED**:

1. Starting on April 15, 2020, and continuing until further order of this court, all persons entering the Nassau County Courthouse located in Yulee, Florida shall be screened using the COVID-19 protocol attached as Appendix A.

2. Employees and staff of the Fourth Judicial Circuit, Clerk of the Courts, State Attorney's Office, Public Defender's Office, Nassau County Sheriff's Office, and Nassau County, except those providing custodial and maintenance services to the courthouse, must enter through the front doors of the courthouse.

3. Employees and staff must submit to the COVID-19 protocol upon their initial entry into the courthouse at the start of their workday. Thereafter, it is unnecessary for employees and staff to submit to the COVID-19 protocol until the start of their next workday.

4. COVID-19 screening shall begin each day the courthouse is open at 8:00 a.m. COVID-19 screening shall conclude each day at 5:00 p.m.

5. No member of the general public shall be allowed entry to the Yulee courthouse after 5:00 p.m. From 12:00 p.m. until 1:00 p.m., the courthouse will remain completely closed to the general public and attorneys who do not have an office in the courthouse to allow a lunch break for the screener. During this time, only those delivering packages to the courthouse may enter through the front doors to deliver packages in accordance with the delivery protocol.

6. Deputies from the Nassau County Sheriff's Office will be stationed at the courthouse doors starting at 7:30 a.m. to allow entry for those staff and employees that, due to their job requirements, must arrive before 8:00 a.m. All staff and employees who enter the courthouse before 8:00 a.m. must submit to COVID-19 screening by 9:30 a.m.

7. Staff and employees with jobs that do not require that they arrive before 8:00 a.m. shall not enter the courthouse before that time.

**DONE AND ORDERED** in Chambers at Yulee, Nassau County, Florida, this the 15<sup>TH</sup> day of April, 2020.

  
\_\_\_\_\_  
JAMES H. DANIEL

If an employee is entering the Nassau County Courthouse for first time, the *Screening Officer* will record the individual's BT (Basal Temperature) and the time of day on the Log. If the individual has a BT of 100.4 °F or greater, they will not be allowed entry. *Anyone with a BT above normal (98.6 °F) and allowed into the Courthouse will be subject to monitoring throughout the day.*

If a visitor is entering the Nassau County Courthouse, the *Screening Officer* will take the individual's BT (Basal Temperature). If the individual has a BT of 100.4 °F or greater, they will not be allowed entry.

➤ The *Screening Officer* will ask those with a recorded BT less than 100.4 °F the following questions:

1. Are you experiencing signs or symptoms of a respiratory infection such as Fever, Cough, or Shortness of Breath?
2. Have you had contact with someone who has tested positive for COVID-19, or is under quarantine for Coronavirus exposure?
3. Have you, or anyone with whom you have had close contact, returned from International travel or been on a cruise within the last 14 days?
4. Have you traveled to any geographical area in the U.S. with known widespread "community spread" in the last 14 days? (refer to current CDC and FDOH maps)
5. Have you been in any group or gathering of 50 people or more at any time during the last 14 days?
6. Have you taken any fever-reducing medicine four to six hours before answering these questions?
7. Have you contacted your doctor or health department during the last 14 days because you believed you had COVID-19 symptoms?

➤ If the individual answers "NO" to all screening questions, allow them to enter the Courthouse.

➤ If the individual does not pass the temperature check or answers "YES" to any of the screening questions, alert the assigned *Bailiff* so the situation can be evaluated and appropriate action taken.

Appendix "A"

5. Until further order of this court, this order shall supersede any provision in Nassau County Administrative Order 2020-7 that are inconsistent with the provisions contained herein;

**DONE AND ORDERED** in Chambers at Yulee, Nassau County, Florida, this the 3<sup>RD</sup> day of April, 2020.

  
\_\_\_\_\_  
JAMES H. DANIEL, Administrative Judge