

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

ADMINISTRATIVE ORDER

March 23, 2020

IN RE: COVID-19 EMERGENCY PROCEDURES IN CLAY COUNTY
RESTRICTIONS ON ACCESS TO JUDGE WILLIAM A. WILKES JUDICIAL
COMPLEX

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, 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;

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 the Judge William A. Wilkes Judicial Complex (the "Courthouse") 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, are of utmost importance;

WHEREAS, the more members of the general public that have access to the Courthouse, 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 Clay County to establish temporary procedures;

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

1. Access to the Courthouse shall be restricted in the manner more fully described in this order until Friday, April 10, 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 Courthouse unless certain circumstances apply. The procedures for limited public entry into the Courthouse are as follows:

a. To enter into the Courthouse beyond the front security checkpoint, an individual must be cleared through the COVID-19 screening process and have a photo ID. An individual's name must appear on the current date's court calendar/docket, or you are an attorney representing the foregoing person. Persons may also enter if their safety is at risk and they require an emergency injunction, or if they have an extraordinary circumstance, and in the Clerk's or the Judge's discretion must be present at the Courthouse to conduct essential business. Essential business is defined as follows:

(1) 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;

(2) Filing a petition for an injunction for protection against domestic violence, repeat violence, dating violence, sexual violence, or stalking;

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

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

(5) Filing a petition or request seeking a Risk Protection Order;

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

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

(8) Tenant deposits (by cashier's check) into the clerk of court's drop box following service of eviction notice or pleadings (pro se tenants only);

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

(10) Obtaining a marriage license on a case-by-case basis;

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

3. All other functions provided at the Courthouse are deemed non-essential and may be accomplished through alternative methods set forth below:

a. Drop-boxes will be available for public use at the Clay County Courthouse main lobby entrance in Green Cove Springs and at the Orange Park Branch. Court filings, official documents for recording, and payments placed into these boxes will be received, dated, and stamped same-day, thus addressing any concerns about the expiration of filing deadlines or statute of limitations. Submit probation payment (in cashier's check form only) into the drop-box or submit payment by phone (credit card). CCSO deputies/bailiffs will monitor the use of these boxes and will conduct the courthouse entry screening process.

b. All others should use Internet/online (www.clayclerk.com) resources and/or obtain service by phone. The Clay County Archives Center is closed to in-person tours/visitors as well, but the Archives Specialist can assist citizens online, by phone or email.

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 www.clayclerk.com or contact Clerk's Public Information Specialist at 904-269-6337.

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

6. Probation services 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 Courthouse.

8. Defendants who are in custody and represented by the Public Defender's Office may only be transported to the Courthouse 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 Courthouse 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 Clay County.

10. This order does not affect access to the Courthouse by any of the following individuals: a) employees who work at the Courthouse as a state employee for the Fourth Judicial Circuit; b) employees of the Clay County Clerk of the Courts; c) employees of the Clay County Sheriff's Office, Orange Park Police Department or Green Cove Springs Police Department; d) employees working in Family Court Services, Quigley House, or Jacksonville Area Legal Aid Office at the Courthouse; 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 Courthouse facilities; g) County Court Judges, Circuit Court Judges, Magistrates, and Senior Judges in the Fourth Judicial Circuit; h) any court reporter that is assigned to a scheduled court proceeding in the Courthouse; I) employees of the Fourth Judicial Circuit State Attorney's Office; j) employees of the Fourth Judicial Circuit Office of the Public Defender; and j) any employee whose job requires him or her to regularly work at the Courthouse;

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

12. Notwithstanding the foregoing, 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 Courthouse.

DONE AND ORDERED in Chambers at Green Cove Springs, Clay County, Florida, this the 23rd day of March, 2020.



Don H. Lester
Administrative Judge
Clay County

Copies to:

Hon. Mark H. Mahon

All Clay County Judges

Hon. Tara Green, Clerk of Court

Clay County Sheriff's Office

Orange Park Police Department

Green Cove Springs Police Department

Lt. Mark Cowan

Office of the State Attorney, Clay County

Office of the Public Defender, Clay County

Quigley House

Jacksonville Area Legal Aid, Clay County Office