

**IN THE CIRCUIT COURT, FOURTH JUDICIAL CIRCUIT
IN AND FOR DUVAL COUNTY, FLORIDA**

THIRD AMENDED ADMINISTRATIVE ORDER NO. 2020-09

**IN RE: COVID-19 EMERGENCY PROCEDURES IN DUVAL COUNTY AND
RESTRICTIONS ON ACCESS TO THE DUVAL COUNTY
COURTHOUSE**

WHEREAS, the Coronavirus Disease 2019 (hereinafter "COVID-19") 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 Judicial 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 Duval County 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, and the Public Defender's Office are of utmost importance;

WHEREAS, the more members of the general public that have access to the Duval County 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.

NOW THEREFORE, pursuant to the authority conferred upon me as the Chief Judge of the Fourth Judicial Circuit and pursuant to the Florida Rules of Judicial Administration, it is hereby

ORDERED that:

1. Access to the Duval County Courthouse shall be restricted in the manner more fully described in this order until otherwise ordered by this Court in accordance with the suspension of activities as outlined by AOSC20-13, AOSC20-15, AOSC20-17 and AOSC20-23 issued by the Florida Supreme Court.

2. No member of the general public shall enter the Duval County Courthouse unless certain circumstances apply. The procedures for limited public entry into the Duval County Courthouse are as follows:

a. To enter into the Duval County Courthouse beyond the front security checkpoint, an individual must be cleared through the COVID-19 screening process and have a photo identification. An individual's name must appear on the current date's court calendar/docket, the individual must be an attorney representing the foregoing person, or the individual must be appearing in order to observe an in person hearing scheduled for the current date. 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 presiding Judge's discretion must be present at the Duval County Courthouse to conduct essential business. This includes a determination by the presiding Judge that a victim or a victim's family may appear at a hearing involving the entry of a plea and/or a sentencing hearing at which time a victim or a victim's family will be permitted to appear telephonically and/or by video conferencing only. 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) Tenants making deposits (by cashier's check only) may do so by submitting 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 the detained person);

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

3. All other functions provided at the Duval County 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 Clerk of Court Recording Department in Room 1046 of the Duval County Courthouse. 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.

b. All others should use Internet/online resources and/or obtain service by phone.

4. Those members of the general public needing access to the services provided by the Clerk of Court shall do so in the manner described on the Clerk of Court's website.

5. Tax Deed Sales which were previously postponed pursuant to Administrative Order No. 2020-09, First Amended Administrative Order No. 2020-09, and Second Amended Administrative Order No. 2020-09, shall no longer be posted and shall resume as of the date of this Order.

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 Duval County Courthouse.

8. Defendants who are in custody and represented by the Public Defender's Office or by the Office of Criminal Conflict and Civil Regional Counsel may only be transported to the

Duval County Courthouse pursuant to specific authorization by the presiding Judge in the felony circuit court division or the county court division.

9. Private attorneys may enter the Duval County 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 Duval County.

10. This order does not affect access to the Duval County Courthouse by any of the following individuals: a) employees who work at the Duval County Courthouse as a state employee for the Fourth Judicial Circuit; b) employees of the Duval County Clerk of the Court; c) employees of any law enforcement agency; d) employees working in the Jacksonville Area Legal Aid Office and Three Rivers Legal Services, Inc. that are required to conduct business at the Duval County Courthouse; e) county employees or contract workers in building services or whose job otherwise requires repairing, cleaning, and/or maintaining Courthouse facilities; f) County Court Judges, Circuit Court Judges, Magistrates, and Senior Judges in the Fourth Judicial Circuit; g) any court reporter that is assigned to appear at a scheduled court proceeding in the Duval County Courthouse; h) employees of the Fourth Judicial Circuit State Attorney's Office; i) employees of the Fourth Judicial Circuit Public Defender's Office; j) employees of the First District of Florida Office of Criminal Conflict and Civil Regional Counsel and k) any employee whose job requires him or her to regularly work at the Duval County Courthouse.

11. However, all employees working at the Duval County 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 Duval County Courthouse.

13. All prior administrative orders addressing the same subject matter are hereby vacated and superseded.

14. This Third Amended Administrative Order No. 2020-09 shall be recorded by the Clerk of Court, in the Official Records of Duval County, in the State of Florida, and shall take effect immediately and remain in full force and effect until otherwise ordered by the Court.

19th **DONE AND ORDERED** in Chambers at Jacksonville, Duval County, Florida, this the
day of August, 2020.



MARK H. MAHON
CHIEF JUDGE

- cc: All Judges in the Fourth Judicial Circuit
All Magistrates in the Fourth Judicial Circuit
The Honorable Ronnie Fussell, Clerk of Courts, Duval County
The Honorable Charles G. Cofer, Esq., Public Defender
The Honorable Melissa W. Nelson, Esq., State Attorney
The Honorable Jason R. Gabriel, Esq., General Counsel
The Honorable Mike Williams, Sheriff, Jacksonville Sheriff's Office
Major Claude Colvin, Jacksonville Sheriff's Office, Courthouse Security
Joseph G. Stelma, Fourth Judicial Circuit Trial Court Administrator
Eve Janocko, Chief Deputy Trial Court Administrator
Mike Smith, Court Technology Officer
Reginald Exum, Duval County Courthouse Operations Manager
Steven Woodard, Emergency Preparedness Director
Charles Bishop, Family Court Manager, Fourth Circuit
Julie K. Taylor, Court Counsel
Stephen Siegel, Esq., Office of the State Attorney
Janet Abel, Circuit Director, Office of Criminal Conflict and Civil Regional Counsel
Matt Lufrano, Esq., President, FACDL (Local Chapter)
Jim Kowalski, Esq., Executive Director JALA
Christine Larson, Executive Director Three Rivers Legal Services, Inc.
Fourth Circuit Court Law Library, Duval County
Judicial Staff Attorneys, Fourth Judicial Circuit
The Jacksonville Bar Association
Victor Gualillo, Interim Chief of Police, Atlantic Beach Police Department
Gene Paul N. Smith, Chief of Police, Jacksonville Beach Police Department
Richard J. Pike, Chief of Police, Neptune Beach Police Department
Larry Monts, Administrative Lieutenant, Jacksonville Aviation Authority Police
Department
Chief Francis J. Mackesy, Director of Police and Public Safety, University of North
Florida
Micheal P. Edwards, Director, Duval County School Police Department