



**IN THE CIRCUIT COURT OF THE FOURTEENTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA**

ADMINISTRATIVE ORDER #2012-00-06

**LIMITING INTERVIEWS OF CHILD ABUSE AND SEXUAL ABUSE
VICTIMS WHO ARE UNDER THE AGE OF SIXTEEN OR
PERSONS WITH MENTAL RETARDATION**

WHEREAS, Section 914.16, Florida Statutes, mandates the entry of this Administrative Order; and

WHEREAS, efforts should be made to limit the number of interviews a victim of child abuse and sexual abuse under the age of sixteen must participate in for law enforcement for discovery purposes in order to protect the victim from the psychological damage of repeated interrogation; and

WHEREAS, these efforts need to be balanced with the rights of the public and the person charged with the violation of law;

Now therefore, it is ORDERED:

1. The number of interviews a victim of a violation of Section 794.011 (sexual battery), 800.04 (lewd and lascivious offenses committed upon or in the presence of persons less than 16 years of age), 827.03 (abuse, aggravated abuse, and neglect of a child), or 847.0135(5) (pornographic computer transmissions), who is under 16 years of age or a victim of a violation of Sections 794.011 (sexual battery), 800.02 (unnatural and lascivious act), 800.03 (exposure of sexual organs) or 825.102 (abuse, aggravated abuse, and neglect of an elderly person or disabled adult), who is a person with mental retardation as defined in Section 393.063(32), must submit to for law enforcement or discovery purposes shall be limited as follows and shall be governed by the guidelines set forth below:
 - a) There shall be one (1) investigative interview conducted for purposes of criminal and dependency proceedings. All agencies involved in the investigation of the above enumerated statutes shall coordinate their efforts to facilitate this provision, so that only one (1) investigative interview is conducted regardless of whether the investigation is for dependency or criminal proceedings, or both. All efforts shall be made to reduce the number of agency representatives participating in the interviewing of the child.

- b) There shall be only one (1) full and complete pre-file interview conducted by or on behalf of the State Attorney's Office, whether for dependency or criminal proceedings, or both.
 - c) On a case-by case basis, if necessary, there may be one (1) additional full and complete pre-trial interview conducted by or on behalf of the State Attorney's Office whether for dependency or criminal proceedings, or both.
 - d) There shall be only one (1) discovery deposition permitted to be taken by the representative(s) of the person alleged to be responsible for the abuse, whether for dependency or criminal proceedings, or both, subject to the limitations provided below.
 - e) All interviews shall be conducted in a setting and manner designated to minimize the traumatic effect of the interview on the victim.
2. Additional interviews may be allowed only by order of the trial judge upon motion for good cause shown, unless there is no objection to said interview by the victim's custodial parent or legal guardian, and the guardian-ad-litem, and the State Attorney. Additional interviews shall be limited in scope as much as possible to insure minimal impact on the victim.
3. "INTERVIEW," for purposes of this order, means any procedure in which the victim is required to provide a detailed account or demonstration of the nature and circumstances of the abuse but does not include: the history obtained for the purpose of medical or psychological diagnoses or treatment; and initial contact with the victim by law enforcement, or the Department of Children and Families for the State of Florida (DCF), to assess the validity of the complaint or needed to take protective measures on behalf of the victim.
4. Nothing contained in this order shall prevent the trial court from limiting the discovery deposition pursuant to the applicable provision of Rule 1.280(c), Florida Rules of Civil Procedure, Rule 3.220(h), Florida Rules of Criminal Procedure, or Rule 8.070, Florida Rules of Juvenile Procedure.

DONE AND ORDERED in Chambers, in Panama City, Bay County, this 18th day of September 2012.



HENTZ McCLELLAN, CHIEF JUDGE

