



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

ADMINISTRATIVE ORDER # 2020-00-13

**RE: AUTHORIZING OUT-OF-CUSTODY CHANGE OF PLEA HEARINGS TO BE
CONDUCTED IN-PERSON DURING COVID-19 PANDEMIC**

WHEREAS, on June 3, 2020, the undersigned Chief Judge Christopher N. Patterson, issued Administrative Order No. 2020-00-11, "*COVID-19 Operational Plan for the Fourteenth Judicial Circuit Transitioning from Phase 1 to Phase 2*," and having issued several other orders in response to the on-going public emergency and medical situation in each counties of the Circuit; and

WHEREAS, local Fourteenth Judicial Circuit Administrative Order 2020-00-11 A4 was entered on July 23, 2020, with Bay, Calhoun, Jackson and Washington counties within the Fourteenth Circuit remaining in Phase 1, while requiring health and safety procedures and protocols, including health screening questions, temperature taking, and the wearing of masks within Fourteenth Circuit courthouses, all as previously provided for by prior Florida Supreme Court Administrative Orders and Workgroup recommendations; and

WHEREAS, on July 2, 2020, the Florida Supreme Court entered AOSC-20-23, Amendment 5, which reserves to Chief Judges and provides in relevant part that "Nothing in this order is intended to limit a chief judge's authority to conduct court business or to approve additional court proceedings or events that are required in the interest of justice, if doing so is consistent with this administrative order and protecting the health of the participants and the public"; and

WHEREAS, it is and remains, the goal of the Fourteenth Judicial Circuit's judges and court staff to protect the public and participants involved in our justice system and to provide safe and effective access for those seeking justice through our court system, and;

WHEREAS, pursuant to Article V, Section 2(d) of the Florida Constitution, and Section 43.26, Florida Statutes, the Chief Judge of each judicial circuit is charged with the authority and the power to do everything necessary to promote the prompt and efficient administration of justice; and

WHEREAS, Florida Rule of Judicial Administration 2.215(b)(3) states the Chief Judge "shall, considering available resources, ensure the efficient and proper administration of all courts within this circuit," due consideration having been given Florida Supreme Court Administrative

Orders AOSC20-17, AOSC20-18, AOSC20-19, AOSC20-23 Amendment 5, and AOSC20-32 Amendment 2, and in an effort to continue mitigating the effects of COVID-19 and also promote the efficient administration of justice; and

WHEREAS, it being in the interest of justice, due process, the public, the liberty of the participants, and upon consultation with the State Attorney and Public Defender of the Fourteenth Circuit, respectively, a limited but highly focused effort must be placed upon the resolution of cases now ripe for disposition in order to address burgeoning criminal dockets; and

WHEREAS, the Fourteenth Judicial Circuit remains committed to maintaining the health and safety of the general public, litigants and attorneys and to follow recommended guidance as promulgated by the CDC/FDOH, to include social distancing, limited gatherings of persons, proper hygiene.

WHEREAS, the majority of counties within the Fourteenth Circuit have been and remain in Phase 1 since March 16, 2020, and transition to Phase 2 remains indeterminate for the immediate and foreseeable future as a result of the COVID-19 pandemic;

IT IS THEREFORE

ORDERED AND ADJUDGED as follows:

1. In the interest of justice, all criminal division judges in all Counties within the Fourteenth Judicial Circuit may hold in-person and/or combination hybrid in-person and electronic change of plea hearings for out-of-custody defendants during Phase 1. Mandatory fingerprinting shall be accomplished in-person at the direction of each judge in keeping with this order.
2. Proceedings may be conducted within select courtrooms in a facility, outside the courthouse, or any other such place so as to maintain security and proper decorum. Proceedings must be recorded in accord with all Administrative Orders and Florida Statutes. No more than ten (10) persons may be present inside a courtroom at any given time to include Judge, attorneys, bailiffs and clerk.
3. Any such hearings shall be conducted in compliance with all COVID-19 Public Health and Safety Precautions and Procedures set forth in the Operational Plans of the Fourteenth Judicial Circuit. The requirements of wearing face masks, social distancing, hygiene protocols, and the requirements of temperature and health screenings shall remain in place for everyone who enters a courthouse.
4. Under no circumstance shall any person remain in “close contact” with any litigant or attorney during these brief proceedings. Individuals shall not have “close contact” with any other person for longer than 15 minutes during these proceedings. Social distancing shall be employed unless as otherwise directed by a presiding judge for a specific purpose to advance the plea proceeding, all the while maintaining the priority of health and safety for all participants.

5. Social distancing requirements will be enforced and judges shall take all necessary measures to conservatively schedule these hearings, including staggered start times, adequate waiting space, and reasonable limitation on the number of such hearings in a given time period to comply with such health and safety requirements.
6. This order shall be subject to amendment and/or modification as the circumstances and interests of justice may require.

This Administrative Order shall take effect immediately and shall remain in effect until further order of the Court.

DONE AND ORDERED in Chambers, at Panama City, Bay County, Florida, this 29 day of July, 2020.



CHRISTOPHER N. PATTERSON
CHIEF JUDGE



A CERTIFIED TRUE COPY
BILL KINSAUL CLERK
OF THE CIRCUIT COURT
By Bill Kinsaul
Deputy Clerk