



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

**ADMINISTRATIVE ORDER 2021-00-03**

**RE: COVID-19 OPERATIONAL PLAN FOR THE FOURTEENTH JUDICIAL  
CIRCUIT**

**WHEREAS**, in accordance with Fla. Admin. Order No. AOSC 20-109, Fla. Admin. Order No. AOSC 20-23 Amendment 8, and Fla. Admin. Order No. AOSC 20-32 Amendment 6, and the COVID-19 Court Operations Subgroup Requirements, Benchmarks, and Guidelines Governing Operational Phase Transitions dated November 9, 2020, judicial circuits are directed to develop an operational plan and to have met specified requirements before transitioning to Phase 2, wherein limited in-person contact is authorized.

**WHEREAS** the Fourteenth Judicial Circuit will continue to implement the following health and safety precautions for Phase 2 to protect the health and safety of litigants, attorneys, visitors, court staff, judges, and other individuals entering courthouses and court facilities.

**WHEREAS**, pursuant to AOSC 20-23 Amendment 8, AOSC 20-32 Amendment 5, and AO 2020-00-11 and all amendments are incorporated herein, the following operational plan is directed.

**MISSION**

The mission of the Judicial Branch and the Fourteenth Judicial Circuit is to protect rights and liberties, uphold and interpret the law, and provide for the peaceful resolution of disputes.

**GENERAL**

1. The court places the health and safety of all "justice stakeholders" at the highest priority. Likewise, judges shall lead during this pandemic by comporting themselves in such a manner to increase the public's confidence in court operations. Accordingly, judges will comply with all Administrative Orders issued by the Supreme Court of Florida and orders issued by the Chief Judge, including conducting in-person proceedings according to the guidance issued by the Florida Supreme Court and applicable recommendations by the Court Operations Subgroups, regarding social distancing, maximum group size, and other restrictions and precautions.
2. All judges will use all reasonable efforts to conduct proceedings remotely to the maximum extent feasible, in accord with the law.
3. The Chief Judge maintains regular communication with the local health authorities and Florida Department of Health and adjust this operating plan as necessary with conditions found

utilizing the five benchmark criteria as described herein, for the Fourteenth Judicial Circuit and each county therein.

4. Judges shall conclude litigation as soon as it is reasonably and justly possible to do so, take charge of all cases at an early stage and to control the progress of the cases thereafter until it is determined, and apply a firm continuance policy allowing continuances only for good cause shown.
5. Judges shall remind members of the Florida Bar that lawyers must strictly comply with Florida Rule of Judicial Administration 2.545 (a), and shall conclude litigation as soon as reasonably and justly possible to do, and that the pandemic alone is not a basis for a lawyer's failure to prepare a case for trial or otherwise actively manage a case. Discovery depositions under Florida Rule of Criminal Procedure Rule 3.220., should proceed using remote means except as required by law.
6. \*\*\*Bay, Calhoun, Gulf, Holmes, Jackson and Washington Counties are at risk and cannot presently meet the Benchmark of AO 2020-00-11. All in-person court proceedings shall remain paused. Those Counties shall remain in a Modified Phase 2 status until further notice. Essential and Critical proceedings as defined by AOSC 20-23, Amendment 8, shall continue to be conducted remotely, and if not available, shall be conducted provided adequate protections are in place for the litigants and other justice partners. Health data will continue to be evaluated to determine if this is an extended spike in health conditions.
7. This Circuit has adopted a modification system wherein in-person hearings and jury proceeding may be paused on a temporary basis in keeping with current health conditions. This permits greater flexibility to respond to the ever-changing health conditions while continuing to efficiently address the requirements of Florida Rule of Judicial Administration 2.215 (b) (3) to ensure the proper and efficient administration of all Courts within the Circuit.
8. Pursuant to AOSC 20-23, Amendment 8, the Chief Judge may approve additional court proceedings that are required in the interests of justice, provided that the public health of the participants and the public is maintained. As such Judges are authorized to conduct in-person change of plea hearings in criminal matters in accord with AO 2020-00-13.
9. Grand jury selections and jury trials are only authorized when a County is in Phase 2 without any modifications. No county may transition to phase 3 until the Chief Justice approves the Circuit transition plan for transition to Phase 3.
10. All persons must wear masks at all times in public areas, including judges in courtrooms, notwithstanding the shielding that may be in place. Clear face shields may only be worn so long as a mask is also worn. Persons who cannot medically tolerate mask wearing will be evaluated on a case by case basis by Court Administration.

**EQUIPMENT AND SUPPLIES** (All previous requirements are incorporated by reference to earlier versions of this Plan except as noted)

Court Administration has purchased and deployed equipment necessary to promote hygiene, social distancing, and personal protection. Additional supplies and equipment shall be updated and procured on a regular basis. Equipment and supplies may be dependent upon funding sources and availability. Should critical equipment and supplies not be available either for lack of funding or availability, transition between phases may be delayed.

**JUDGES AND COURT STAFF HEALTH** (All previous requirements are incorporated by reference to earlier versions of this Plan except as noted)

1. Judges and court staff who can perform the essential functions of their job remotely will telework when possible. Vulnerable employees and those who may be caregivers for someone who is vulnerable should work remotely until further direction by Court Administration.
2. Court managers shall establish, to the maximum extent possible, a rotating system in each court unit where employees will go into the office at varying times so at least one person is teleworking each day.
3. Judges and court staff should, at a minimum, self-check for symptoms. If they present symptoms, they must remain home and should consult a medical professional. Persons who have a fever of 100.4 degrees or greater, answer affirmatively to any of the symptoms in Question 1, or answer affirmatively to Question 2, 3, or 4, shall not be allowed to enter the facility. Alternate arrangements should be made for those persons. The screening shall include the following questions:
  - Question 1: Do you have any of the following symptoms (excluding those due to a known medical reason other than COVID-19):
    - Cough
    - Shortness of breath or difficulty breathing
    - Chills
    - Muscle pain
    - Sore throat
    - New loss of taste or smell
  - Question 2: Are you currently awaiting the results of a test to determine if you have COVID-19?
  - Question 3: Are you under instructions to self-isolate or quarantine due to COVID-19?
  - Question 4: Have you had close contact with someone with a COVID-19 diagnosis or who is awaiting test results for COVID-19?
4. Judges and court staff are required to wear face coverings in public areas in the courthouse, practice social distancing, and practice appropriate hygiene recommendations at all time while in public spaces.
5. Judges and Staff (or with close family members) testing positive for COVID-19 shall follow CDC, FDOH and Court Administration protocols before returning to work. Current guidance is a 10 day self-quarantine without symptoms or 7 days and a negative test. Judges and Staff should follow the advice of medical professionals on this matter. ***Court Administration has developed a plan to ensure proper notification by employees to Court Administration of any positive tests, to develop contact tracing, and to provide for Court Administration notification to impacted persons. Additionally, this plan addresses individuals who refuse to follow health and safety requirements and guidelines in the***

*courthouse. Individuals who do not meet screening protocols or who refuse to comply with hygiene mandates shall be denied admittance and are required to call a designated telephone number within 24 hours to address their ineligibility/non-compliance. Failure to call may result in sanctions for any non-compliant individual.*

6. Protective Measures:

- Hand sanitizer will be widely available throughout the courthouse, including inside courtrooms, and the bench area.
- Face masks are required for court staff entering the courthouse building, with no exceptions. Face masks should always be worn throughout the courthouse building when in public areas, including in the courtrooms when two or more persons are present. Masks shall be solid in color and shall not be distracting or in bad taste. Professionalism and good judgment should be followed.
  - Judges and court staff do not have to wear a mask in their private chambers. If they do not have a private office, and ample social distancing cannot be observed, a mask should be worn at their desk.
  - Judges and court staff shall wear a mask in any public space and breakrooms when others are present.

7. Court Administration continues to provide available supplies, training, and other technical assistance to judges and/or court staff, if necessary, on any changes/updates to this operational plan.

8. The Clerk will continue to provide for general cleaning of court facilities.

9. Relevant CDC and Florida Department of Health guidance will be communicated to judges and court staff on an on-going process.

10. The release of any sensitive health information shall be safeguarded by all judges and court staff.

**SCHEDULING** (All previous requirements are incorporated by reference to earlier versions of this Plan except as noted)

1. Judges and court managers shall continue to meet with their designated deputy clerks to establish staggered schedules to meet maximum occupancy in each courtroom. **All judges shall stagger each docket of in-person litigants.**

**VULNERABLE POPULATIONS**

1. Individuals who are over age 65 and individuals with serious underlying health conditions, such as high blood pressure, chronic lung disease, diabetes, obesity, asthma, and those whose immune systems are compromised such as by chemotherapy for cancer or other conditions requiring such therapy, are considered to be vulnerable populations.
2. Each judge will include information on orders setting hearings, docket notices, and in other communications, notifying individuals who are in vulnerable populations of the ability to



contact the court to identify themselves as a vulnerable individual and receive accommodations. A notice with this information will be posted on the courts' websites and in conspicuous locations around the court building.

3. Vulnerable populations who are scheduled for court will be accommodated by flexible court dates and continuation of existing court dates to Phases 3 and 4.

**SOCIAL DISTANCING** (All previous requirements are incorporated by reference to earlier versions of this Plan except as noted)

1. Only litigants and persons required for the proceeding are permitted in the courthouse during Phase 2. **No in-person proceedings are permitted while in a modified Phase 2 status.** Live streaming options may be available in certain courts, and for those types of hearings where recordings are available, arrangements for purchase of said recordings may be made through Court Reporting Services.
2. All persons who are permitted in the court building shall maintain adequate social distancing of at least six feet.
3. No more than two individuals not from the same household will be permitted in an elevator.
4. Each restroom has been evaluated to determine the appropriate capacity to ensure social distancing and the maximum capacity.
5. Public common areas, including breakrooms and snack rooms, are closed to the public, unless otherwise designated.

*Gallery*

6. The maximum number of persons permitted in the gallery of each courtroom has been posted by the Clerk of Court. The maximum capacity of the courtroom is being monitored and enforced by judges and court staff where available.
7. The gallery of the courtroom has been marked to identify appropriate social distancing in the seating.

*Well*

8. In each courtroom, the counsel tables, witness stand, judge's bench, and clerk, court reporter, and bailiff seating are arranged in such a way so that there is social distancing of at least 6 feet between each space. Marking may also be placed on the floor. Area shields are deployed to each courtroom for enhanced protection to persons in the well area.

**HYGIENE** (All previous requirements are incorporated by reference to earlier versions of this Plan except as noted)

1. **Face masks shall be worn by everyone entering the courthouse building without exception, including inside the courtroom. Face masks shall always be worn**

**throughout the building. Each constitutional officer maintaining an office in the Court facility shall exercise independent judgment and discretion as to levels screening and PPE worn by their respective staffs consistent with this Order, CDC guidance and in keeping with Operational Security and Readiness.**

- This condition may change based upon the dynamic nature of present circumstances and COVID-19 infections.

## **SCREENING**

1. All persons (with exception of judges, court staff, court security, clerk of court, courthouse tenants) shall be required to:
  - Undergo health screening with a required temperature check. A person who refuses the health screening, who has a fever of 100.4 degrees or greater, answers affirmatively to any of the symptoms in Question 1, or answer affirmatively to Question 2, 3, or 4, shall not be allowed to enter the facility. Alternative arrangements should be made for this person, such as handling their business over the phone, rescheduling a hearing, or other means as appropriate. The screening shall include the following questions:
    - Question 1: Do you have any of the following symptoms (excluding those due to a known medical reason other than COVID-19):
      - Cough
      - Shortness of breath or difficulty breathing
      - Fever or Chills
      - Fatigue and muscle or body aches
      - Headaches
      - Sore throat
      - New loss of taste or smell
      - Congestion or runny nose
      - Diarrhea
    - Question 2: Are you currently awaiting the results of a test to determine if you have COVID-19 based on symptoms or suspected exposure?
    - Question 3: Are you under instructions to self-isolate or quarantine due to COVID-19?
    - Question 4: Within the past 14 days, have you had close contact with someone with a COVID-19 diagnosis or who is awaiting test results for COVID-19 based on symptoms or suspected exposure?
2. When individuals attempt to enter the court building, court security (or other designated person) will use an infrared thermometer to determine the temperature of the individual. Individuals whose temperature equals or exceeds 100.4°F will be refused admittance to the court building. Thermometer devices are available.
3. Inmates being transported from the jail to the court building will be screened for symptoms of COVID-19 and have their temperature taken prior to transport. Inmates with symptoms as described will not be transported to the court building. Transport officers shall notify the bailiff of the presiding judge as to an inmate's non-admittance. Remote proceedings

shall be used to the maximum extent possible, consistent with Constitutional safeguards and protections.

4. The Sheriffs of the 14<sup>th</sup> Circuit shall conduct screening protocols for all counties.
5. **Upon consultation with other Constitutional Officers and tenants of any courthouse building, doors may be temporarily closed in the event of health conditions creating a hazard to the general public and occupants of the building. The access of Court shall be maintained in all cases.**

**FACE COVERINGS** (All previous requirements are incorporated by reference to earlier versions of this Plan except as noted)

1. Present medical advice advocates that adequate face masks offer the best protection. **All persons must wear masks at all times in public areas, including judges in courtrooms, notwithstanding the shielding that may be in place. Clear face shields may only be worn so long as a mask is also worn. Persons who cannot medically tolerate mask wearing will be evaluated on a case by case basis by Court Administration.**
2. Individuals should bring masks and/or cloth face coverings with them. If a person does not have a cloth mask, one will be provided by the Court so long as supplies last.
3. Any member of the public who is asked to leave the court facility shall be offered an opportunity to conduct court business virtually and/or confer with Court Administration to determine alternative arrangements to accessing the court.

**CLEANING** (All previous requirements are incorporated by reference to earlier versions of this Plan except as noted)

1. The Clerk of Court in partnership with its county shall arrange for cleaning of public areas and courtrooms utilizing cleaning supplies shown to be effective with this coronavirus.
2. Court building cleaning staff will clean the courtrooms at least twice a day, after morning proceedings and at the end of each day.

**BENCHMARKS FOR TRANSITIONING FROM PHASE 1 TO PHASE 2 AND ANY REVERSIONS**

The Florida Supreme Court identified four phases of the pandemic: a) in-person contact is inadvisable, court facilities are effectively closed to the public, and in-person proceedings are rare (Phase 1, current phase); b) limited in-person contact is authorized for certain purposes and/or requires use of protective measures (Phase 2); c) in-person contact is more broadly authorized and protective measures are relaxed (Phase 3); and d) COVID-19 no longer presents a significant risk to public health and safety (Phase 4). The Fourteenth Judicial Circuit shall follow these benchmarks as guidance for moving from Phase 1 to Phase 2, and subsequent Phases, based on

local conditions and resources. If local conditions deteriorate, or resources become strained, it may be necessary for a court to return to Phase 1 or adjust facets of how it is operating in Phase 2 to meet the current public health situation or the needs of the court.

The following benchmark criteria must be met prior to any court in this Circuit transitioning from Phase 1 to Phase 2 and expanding in-person activities:

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 *have been completed* and applicable employees *have been directed to self-isolate* or quarantine. *See Grid.*
2. *There are no local or state* restrictive movement or stay-at-home orders *that limit the ability of individuals to leave their homes during the daytime nor impede transition to Phase 2. See Grid.*
3. Improving COVID-19 health conditions over a 14-day period in the community. The public health data<sup>1</sup> necessary to determine whether this benchmark has been met will be provided on an Intranet page maintained by OSCA that will be updated on a weekly basis. This data will provide seven-day averages at the county level for the most recent four-week period for the following measures:
  - a. The daily number of new positive COVID-19 cases (“new cases”).
  - b. The daily percentage of positive tests based on the total number tests (“positivity rates”);<sup>2</sup>
  - c. The daily number of hospitalizations for COVID-19 (“hospitalizations”); and
  - d. The daily number of emergency department visits for COVID-like illness (“ED visits”).

To ensure uniformity statewide, courts must use this data and the following methodology in determining whether this benchmark has been met. For purposes of the methodology, the phrase “two consecutive weeks of decline or stabilization” with respect to new cases, hospitalizations, and ED visits means that the measure’s seven-day average for:

- a. The most recent week is lower than or equal to the seven-day average for the measure for the prior week; and
- b. The prior week is lower than or equal to the seven-day average for the measure for the week that is two weeks prior to the most recent week.

To meet this benchmark, condition a) or b) below must be met:

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<sup>1</sup> The data source for the daily number of new positive COVID-19 cases, daily numbers of hospitalization for COVID-19, and daily number of emergency department visits for COVID-like illness is: Florida COVID-19 Case Line Data from the Florida Department of Health, <https://open-fdoh.hub.arcgis.com/datasets/florida-covid19-case-line-data/data>. The data source for the daily percentage of positive tests based on the total number tests is: Daily county reports from the Florida Department of Health, [https://www11.doh.state.fl.us/comm/partners/covid19\\_reports\\_archive/](https://www11.doh.state.fl.us/comm/partners/covid19_reports_archive/). The data dictionary for these sources may be found at: Florida Department of Health, <https://fdoh.maps.arcgis.com/sharing/rest/content/items/efffb9350de948ac9d67f9d74190413d/data>.

<sup>2</sup> In using the positivity rate data for purposes of determining whether to transition to Phase 2 or 3 or for reversion, as discussed later in this document, the percentages may not be rounded to the nearest whole number.



- a. Both of the seven-day averages for new cases for the most recent two-week period must be 20 or fewer<sup>3</sup> and both of the following measures must demonstrate two consecutive weeks of decline or stabilization:
  - i. The seven-day averages for hospitalizations for the most recent two-week period; and
  - ii. The seven-day averages for ED visits for the most recent two-week period.
- b. If either of the seven-day averages for new cases for the most recent two-week period exceed 20, then both of the following criteria must be met:
  - i. The seven-day averages for new cases for most recent two-week period must demonstrate two consecutive weeks of decline or stabilization: and
  - ii. Both seven-day averages for the positivity rate for the most recent two-week period must be less than 10 percent. If not, then both averages must be less than 11 percent and both of the following measures must demonstrate two consecutive weeks of decline or stabilization.
    - a. The seven-day averages for hospitalizations for the most recent two-week period; and
    - b. The seven-day averages for ED visits for the most recent two-week period.

Courts meeting the criteria for this benchmark based on declining or stabilizing new cases and positivity rates less than 10 percent may also consider the data for hospitalizations and ED visits as well as other public health data that may be available before determining whether to transition to the next phase. Given the evolving science and dynamic nature of the pandemic, other factors may weigh against transitioning even when this benchmark is met based on the referenced measures. For example, hospitalizations or ED visits may be increasing or hospital bed or intensive care unit capacity may be decreasing although the numbers of new cases and positivity rates have declined. Moreover, resource constraints, such as insufficient personal protective equipment (PPE) or a shortage in staffing, or other operational issues may exist. In any of these instances, the chief judge should consider delaying a transition until health conditions improve or operational or other issues are resolved.

The Fourteenth Circuit has developed a “pause mechanism” wherein all in-person hearings are paused should health conditions worsen. These pauses will be reviewed by local health officials to determine if a pause should lead to a reversion to a prior Phase.

4. Sufficient availability of COVID-19 tests to meet community needs. ***Local providers have made testing available to all counties of the 14<sup>th</sup> Judicial Circuit. FDOH and local hospitals are presently conducting drive thru testing in all areas of the circuit. Testing rates have increased throughout the Circuit. See Grid.***
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, Department of Children and Families, Guardian ad Litem, local bar, and others necessary to resume certain case types. ***Local COVID-19***

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<sup>3</sup> Due to the lower rates of testing in smaller counties, positivity rates can be significantly increased by only one or two positive test results. To account for this effect, the methodology authorizes counties having 20 or fewer new cases weekly for the most recent two-week period to consider the hospitalization and ED visit measures instead of positivity rates.

*Courthouse Workgroups have been established in each county to establish safety protocols in the court facility. See Grid.*

Benchmarks	Bay	Calhoun	Gulf	Holmes	Jackson	Washington
No cases in facility within 14 days or deep clean	Yes	Yes	Yes	Yes	Yes	Yes
Rescission of restrictive movement and/or stay at home orders	Yes	Yes	Yes	Yes	Yes	Yes
Improving health conditions over 14-day period	***	***	***	***	***	***
Adequate testing	Yes	Yes	Yes	Yes	Yes	Yes
Consultation with building occupants and justice partners	Yes	Yes	Yes	Yes	Yes	Yes

#### **TRANSITIONING TO PHASE 2, PHASE 3, AND PRIORITY HEARINGS**

1. In-person hearings shall only be conducted in accord with the Memorandum dated May 21, 2020, *Proceeding Priority When Limited In-Person Contact is authorized in Phase 2*.
2. In accord with AOSC 20-23 Amendment 8, non-statewide grand jury selection and proceedings, civil jury selection and proceedings and criminal jury selections and proceedings shall remain suspended until 30 days after the chief judge of the judicial circuit has determined that the circuit and/or county has transitioned to Phase 2. Provided the county's health data demonstrates compliance with the applicable benchmarks to permit a transition, a 30 day period shall commence before any jury trials are authorized. If a County reverts to Phase 1, only after the county's health data demonstrates compliance with the applicable benchmarks to transition shall the 30 day period commence to allow for jury trials. **While a County is in a Modified Phase 2 status the 30 day period will not apply.**
3. While operating in Phase 2 public data and local health conditions shall be monitored on at least a weekly basis to determine if modification to operations, an amendment to the operational plan or reversion to phase is necessary.
4. The Chief Judge and Court Administration shall develop an additional transition plan and seek approval from the Chief Justice for any county eligible to transition from

Phase 2 to Phase 3 (after a vaccine is readily available), and any reversion as may be applicable.

### **Chief Judge Responsibilities**

The Chief Judge will monitor implementation of the Operational Plan and the actions of the CDC and Florida Department of Health and seek their recommendations. The Chief Judge will continue operating and contingency planning for the next thirty days for each county in the Circuit.

The Chief Judge will continually gather situational awareness information. The Chief Judge shall select an appropriate course of action (i.e. proceed with Phase 2 or recede to Phase 1 given medical/statistical data available at the time). The Chief Judge shall communicate this decision in writing to the judges, clerk of court, sheriff, State Attorney, Public Defender, DCF, GAL, Office of Regional Conflict Counsel, local bar, and other courthouse tenants as needed.

The Chief Judge shall prepare a memorandum detailing health data and conditions for the previous two week period and share with all “justice stakeholders” on a weekly basis. **Weekly COVID-19 updates are attached hereto from December 15, 2020 to present. All previous Weekly COVID Update memoranda are attached to AO 2020-00-11, Amendment 11, as filed December 10, 2020.**

In the event of a Phase change, an updated Operational Plan shall be filed in accordance with Fla. Admin. Order No. AOSC 20-23 Amendment 8, and Fla. Admin. Order No. AOSC 20-32 Amendment 5, and the COVID-19 Court Operations Subgroup Requirements, Benchmarks, and Guidelines Governing Operational Phase Transitions dated November 9, 2020.

This process shall be completed each month and for each county in the Fourteenth Judicial Circuit until otherwise ordered.

Administrative Judges, the Trial Court Administrator, senior staff and court managers, clerks of court (Bay, Calhoun, Gulf, Holmes, Jackson, and Washington), sheriffs of each county within the Circuit, Florida Department of Health and other health experts for each county, other building occupants, State Attorney, Public Defender, Office of Regional Conflict Counsel, DCF, GAL, and local bar representatives have all been apprised and their comments have been considered in making this operational plan.

### **COMMUNICATION**

All updates to this plan, any ensuing plans and relevant administrative orders shall be communicated electronically, via Twitter, Instagram, and placed on each circuits’ website, as well as filed in accordance with Fla. Admin. Order No. AOSC 20-109, Fla. Admin. Order No. AOSC 20-23 Amendment 8, and Fla. Admin. Order No. AOSC 20-32 Amendment 5, and the COVID-19 Court Operations Subgroup Requirements, Benchmarks, and Guidelines Governing Operational Phase Transitions dated November 9, 2020, as well as all other applicable orders. Relevant informational videos shall be placed on the circuit website and YouTube. Any other information or requests shall be handled by the Court Public Information Officers.

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 7<sup>th</sup> day of January, 2021.

A handwritten signature in black ink, appearing to read 'C. N. Patterson', written over a horizontal line.

CHRISTOPHER N. PATTERSON  
CHIEF JUDGE





CHAMBERS OF  
CHIEF JUDGE  
FOURTEENTH JUDICIAL CIRCUIT OF FLORIDA

Serving Bay, Calhoun, Gulf, Holmes, Jackson, and Washington counties

Christopher N. Patterson  
Circuit Judge, B.C.S.

January 5, 2021

300 EAST 4<sup>TH</sup> STREET  
P.O. BOX 2237 (32402)  
PANAMA CITY, FL 32401  
(850) 914-6485  
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Amanda Williams  
Judicial Assistant  
williamsa@jud14.flcourts.org

**MEMORANDUM**

TO: Justice Partners

FR: Christopher N. Patterson, Chief Judge

RE: January 5, 2021 Weekly COVID-19 Update

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I am forwarding weekly health data from the Florida Department of Health (FDOH). For additional information included is the cumulative positivity rates for the previous week.

According to the FDOH average positive testing rates of less than 10% are acceptable ranges. OSCA databases and daily FL-AHCA Emergency Department statistics are also consulted along with state/local health officials in reaching these findings. As of this date, the data available for each County is as follows:

***Bay 21% average positive test rates for past 14 days; cumulative positivity rates per DOH for week ending 12/26 – 20%; increase in weekly positivity rate; increase in hospitalizations, and increase of Emergency Department visits. During the past two weeks daily positive rates in excess of 15% have occurred 10 times.***

***Calhoun 16%; increasing numbers of positive tests in the County; cumulative positivity rates per DOH for week ending 12/26 – 25%; stable rate of hospitalizations, and stable but increased rate of Emergency Department visits. During the past two weeks daily positive test rates in***

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*Our Vision: Justice in Florida will be Accessible, Fair, Effective, Accountable, and Responsive*

**excess of 15% have occurred 8 times. [NOTE: Calhoun County health data for 12/28 and 1/3/21 are both a small sample size and skews the data to reflect an abnormal positivity rate. Data for those dates is not calculated for this week]. Calhoun County shall pause ALL in-person hearings by close of business January 6, 2021, and caution should be exercised.**

**Gulf 18% average positive test rates; cumulative positivity rates per DOH for week ending 12/26 – 22%; stable rate of hospitalizations and increased positivity rates and Emergency Department visits. During the past two weeks daily positive test rates in excess of 15% have occurred 9 times [NOTE: Gulf County health data for 12/28, 1/1, 1/2 and 1/3 are a small sample size and skews the data to reflect an abnormal positivity rate. Data for those dates are not calculated for this week].**

**Holmes 25%; average positive test rates; cumulative positivity rates per DOH for week ending 12/26 – 28%; There continues to be increasing documented new cases; increased rate of hospitalizations rate; slight decreased rates of Emergency Department visits. During the past two weeks daily positive test rates in excess of 15% have occurred 13 times. [NOTE: Holmes County health data for 12/28 and 1/3/21 is a small sample size and skews the data to reflect an abnormal positivity rate. Data for 12/28 and 1/3/21 are not calculated for this week].**

**Jackson 13% average positive test rates for past 14 days; cumulative positivity rates per DOH for week ending 12/26 – 19%; increase in new positive cases; increased rates of hospitalizations with an increase of Emergency Department visits. During the past two weeks daily positive test rates in excess of 15% have occurred 6 times. [NOTE: Jackson County health data for 12/28 is a small sample size and skews the data to reflect an abnormal positivity rate. Data for 12/28 is not calculated for this week].**

**Washington 21% average positive test rates; cumulative positivity rates per DOH for week ending 12/26 – 21%; There is an increasing rate of documented new cases, stable hospitalizations, with slight decrease of Emergency Department visits for COVID-19. During the past two weeks daily positive test rates in excess of 15% have occurred 10 times. [NOTE: Washington County health data for 12/28 and 1/3/21 is a small sample size and skews the data to reflect an abnormal positivity rate. Data for 12/28 and 1/3/21 are not calculated for this week].**

**Bay, Calhoun, Gulf, Holmes, Jackson and Washington Counties do not meet the requirements of Benchmark 3, AO 2020-00-011, 12th Amendment. In-person hearings are not permitted during this period.**

COVID Hospitalizations: Bay 93; Calhoun 0; Gulf 5; Holmes 6; Jackson 19; Washington 11.

**Bay, Calhoun, Gulf, Holmes, Jackson and Washington Counties are at risk and cannot presently meet the Benchmark of AO 2020-00-11, Amendment 12, in that both of the seven-day averages for new cases for the most recent two week period are fewer than 20 and the county has demonstrated stabilization for hospitalizations and ER visits. All Counties are moved to a Modified Phase 2 status wherein jury trials and in-person hearings are not permitted until further notice.** Essential and Critical proceedings as defined by AOSC 20-23, Amendment 8, shall continue to be conducted remotely, and if not available, shall be conducted provided adequate protections are in place for the litigants and other justice partners. Health data will continue to be evaluated to determine if this is an extended spike in health conditions.





CHAMBERS OF  
CHIEF JUDGE  
FOURTEENTH JUDICIAL CIRCUIT OF FLORIDA

Serving Bay, Calhoun, Gulf, Holmes, Jackson, and Washington counties

Christopher N. Patterson  
Circuit Judge, B.C.S.

December 31, 2020

300 EAST 4<sup>TH</sup> STREET  
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**MEMORANDUM**

TO: Justice Partners

FR: Christopher N. Patterson, Chief Judge

RE: December 31, 2020 Weekly COVID-19 Update

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I am forwarding weekly health data from the Florida Department of Health (FDOH). For additional information included is the cumulative positivity rates for the previous week.

According to the FDOH average positive testing rates of less than 10% are acceptable ranges. OSCA databases and daily FL-AHCA Emergency Department statistics are also consulted along with state/local health officials in reaching these findings. As of this date, the data available for each County is as follows:

***Bay 16% average positive test rates for past 14 days; cumulative positivity rates per DOH for week ending 12/19 - 14.6%; increase in weekly positivity rate; increase in hospitalizations, and increase of Emergency Department visits. During the past two weeks daily positive rates in excess of 15% have occurred 5 times.***

***Calhoun 15%; increasing numbers of positive tests in the County; cumulative positivity rates per DOH for week ending 12/19 - 21.5%; stable rate of hospitalizations, and stable rate of Emergency Department***

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**visits. During the past two weeks daily positive test rates in excess of 15% have occurred 5 times. [NOTE: Calhoun County health data for 12/28 is a small sample size and skews the data to reflect an abnormal positivity rate. Data for 12/28 is not calculated for this week]. Calhoun County shall pause ALL in-person hearings by close of business January 6, 2021, and caution should be exercised.**

**Gulf 16% average positive test rates; cumulative positivity rates per DOH for week ending 12/19 - 16%; stable rate of hospitalizations and increased positivity rates and Emergency Department visits. During the past two weeks daily positive test rates in excess of 15% have occurred 4 times [NOTE: Gulf County health data for 12/28 is a small sample size and skews the data to reflect an abnormal positivity rate. Data for 12/28 is not calculated for this week].**

**Holmes 20%; average positive test rates; cumulative positivity rates per DOH for week ending 12/19 - 23%; There continues to be increasing documented new cases; stable rate of hospitalizations rate; increasing rates of Emergency Department visits. During the past two weeks daily positive test rates in excess of 15% have occurred 10 times. [NOTE: Holmes County health data for 12/28 is a small sample size and skews the data to reflect an abnormal positivity rate. Data for 12/28 is not calculated for this week].**

**Jackson 12% average positive test rates for past 14 days; cumulative positivity rates per DOH for week ending 12/19 - 12%; increase in new positive cases; decreased rates of hospitalizations with an increase of Emergency Department visits. During the past two weeks daily positive test rates in excess of 15% have occurred 3 times. [NOTE: Jackson County health data for 12/28 is a small sample size and skews the data to reflect an abnormal positivity rate. Data for 12/28 is not calculated for this week].**

**Washington 19% average positive test rates; cumulative positivity rates per DOH for week ending 12/19 - 20%; There is an increasing rate of documented new cases, stable hospitalizations, with slight decrease of Emergency Department visits for COVID-19. During the past two weeks daily positive test rates in excess of 15% have occurred 6 times. [NOTE: Washington County health data for 12/28 is a small sample size and skews the data to reflect an abnormal positivity rate. Data for 12/28 is not calculated for this week].**

**Bay, Calhoun, Gulf, Holmes, Jackson and Washington Counties do not meet the requirements of Benchmark 3, AO 2020-00-011, 12th Amendment. In-person hearings are not permitted during this period.**

COVID Hospitalizations: Bay 81; Calhoun 0; Gulf 3; Holmes 5; Jackson 14; Washington 9.

**Bay, Calhoun, Gulf, Holmes, Jackson and Washington Counties are at risk and cannot presently meet the Benchmark of AO 2020-00-11, Amendment 12, in that both of the seven-day averages for new cases for the most recent two week period are fewer than 20 and the county has demonstrated stabilization for hospitalizations and ER visits. All Counties are moved to a Modified Phase 2 status wherein jury trials and in-person hearings are not permitted until further notice.** Essential and Critical proceedings as defined by AOSC 20-23, Amendment 8, shall continue to be conducted remotely, and if not available, shall be conducted provided adequate protections are in place for the litigants and other justice partners. Health data will continue to be evaluated to determine if this is an extended spike in health conditions.



CHAMBERS OF  
CHIEF JUDGE  
FOURTEENTH JUDICIAL CIRCUIT OF FLORIDA  
Serving Bay, Calhoun, Gulf, Holmes, Jackson, and Washington counties

Christopher N. Patterson  
Circuit Judge, B.C.S.

December 22, 2020

Amanda Williams  
Judicial Assistant  
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**MEMORANDUM**

TO: Justice Partners

FR: Christopher N. Patterson, Chief Judge *CP*

RE: December 22, 2020 Weekly COVID-19 Update

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To keep you better informed on the COVID-19 impacts to our communities, I am forwarding weekly health data from the Florida Department of Health (FDOH).

According to the FDOH average positive testing rates of less than 10% are acceptable ranges. OSCA databases as well as consult with state/local health officials are followed in making these findings. As of this date, the data available for each County is as follows:

***Bay 12% average positive test rates for past 14 days; increase in weekly positivity rate; largest rate of hospitalizations since inception of pandemic, and increase of Emergency Department visits. During the past two weeks daily positive rates in excess of 15% have occurred 2 times. [NOTE: Bay County remains paused and in-person hearings are not permitted at this time. A further determination of whether the County should revert to Phase 1 will be made in January 2021].***

**Calhoun 9.4%; increasing numbers of positive tests in the County; stable rate of hospitalizations, and stable rate of Emergency Department visits. During the past two weeks daily positive test rates in excess of 15% have occurred 4 times. Caution should be exercised.**

**Gulf 14% average positive test rates; stable rate of hospitalizations and increased positivity rates and Emergency Department visits. During the past two weeks daily positive test rates in excess of 15% have occurred 7 times [NOTE: Gulf County remains paused and in-person hearings are not permitted at this time].**

**Holmes 20%; average positive test rates; The County no longer meets the benchmarks to continue with in in-person. Accordingly all in-person hearings are paused until further notice. There continues to be increasing documented new cases; stable rate of hospitalizations rate; increasing rates of Emergency Department visits. During the past two weeks daily positive test rates in excess of 15% have occurred 9 times.**

**Jackson 12% average positive test rates for past 14 days; increase in new positive cases; decreased rates of hospitalizations with an increase of Emergency Department visits. During the past two weeks daily positive test rates in excess of 15% have occurred 3 times. [NOTE: Jackson County remains paused and in-person hearings are not permitted at this time].**

**Washington 19% average positive test rates; The County no longer meets the benchmarks to continue with in in-person. Accordingly all in-person hearings are paused until further notice. There is an increasing rate of documented new cases, stable hospitalizations, with slight decrease of Emergency Department visits for COVID-19. During the past two weeks daily positive test rates in excess of 15% have occurred 6 times."**

**(Calhoun County meets the requirements of benchmark 3, AO 2020-00-11, 11<sup>th</sup> Amendment, in that both of the seven-day averages for new cases for the most recent two week period are fewer than 20 and the county has demonstrated stabilization for hospitalizations and ER visits)**

**Bay, Gulf, Holmes, Jackson and Washington Counties do not meet the requirements of Benchmark 3, AO 2020-00-011, and 11th Amendment. In-person hearings are not permitted during this period.**

**COVID Hospitalizations: Bay 80; Calhoun 0; Gulf 2; Holmes 4; Jackson 11; Washington 6.**



Bay, Gulf, Holmes, Jackson and Washington Counties are at risk and cannot presently meet the Benchmark of AO 2020-00-11. All in-person court proceedings shall pause as of December 23, 2020, until further notice. Essential and Critical proceedings as defined by AOSC 20-23, Amendment 8, shall continue to be conducted remotely, and if not available, shall be conducted provided adequate protections are in place for the litigants and other justice partners. Health data will continue to be evaluated to determine if this is an extended spike in health conditions.

THE NEXT UPDATE will be December 31, 2020.



CHAMBERS OF  
CHIEF JUDGE  
FOURTEENTH JUDICIAL CIRCUIT OF FLORIDA  
Serving Bay, Calhoun, Gulf, Holmes, Jackson, and Washington counties

Christopher N. Patterson  
Circuit Judge, B.C.S.

December 15, 2020

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Amanda Williams  
Judicial Assistant  
williamsa@jud14.flcourts.org

**MEMORANDUM**

TO: Justice Partners

FR: Christopher N. Patterson, Chief Judge

A handwritten signature in black ink, appearing to be "CP", written over the "FR:" line.

RE: December 15, 2020 Weekly COVID-19 Update

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To keep you better informed on the COVID-19 impacts to our communities, I am forwarding weekly health data from the Florida Department of Health (FDOH).

According to the FDOH average positive testing rates of less than 10% are acceptable ranges. OSCA databases as well as consult with state/local health officials are followed in making these findings. As of this date, the data available for each County is as follows:

***Bay 11.5% average positive test rates for past 14 days; increase in weekly positivity rate; increase of hospitalization rates and rates of Emergency Department visits. During the past two weeks daily positive rates in excess of 15% have occurred 3 times. [NOTE: Health data for cumulative positivity test rates has been revised for the week ending December 5 (12%) placing Bay in an at risk status]***

***Calhoun \*\*\*average positive test rate; increasing numbers of positive tests in the County; stable rate of hospitalizations, and increased rate of Emergency Department visits. During the past two weeks daily positive test rates in excess of 15% have occurred 5 times. Caution should be exercised.***

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**Gulf \*\*\* average positive test rates; stable rate of hospitalizations and increased positivity rates and Emergency Department visits. During the past two weeks daily positive test rates in excess of 15% have occurred 3 times. Caution should be exercised.**

**Holmes \*\*\* average positive test rates, increasing documented new cases; stable rate of hospitalizations rate; increasing rates of Emergency Department visits. During the past two weeks daily positive test rates in excess of 15% have occurred 9 times. Caution should be exercised.**

**Jackson 9.3% average positive test rates for past 14 days; increase in new positive cases; increased rates of hospitalizations with an increase of Emergency Department visits. During the past two weeks daily positive test rates in excess of 15% have occurred 2 times.**

**Washington \*\*\* average positive test rates; increasing rate of documented new cases, stable hospitalizations, with slight decrease of Emergency Department visits for COVID-19. During the past two weeks daily positive test rates in excess of 15% have occurred 3 times. Caution should be exercised.**

**(\*\*\* Calhoun, Gulf, Jackson, Holmes and Washington Counties meet the requirements of benchmark 3, AO 2020—00-11, 11<sup>th</sup> Amendment, in that both of the seven-day averages for new cases for the most recent two week period are fewer than 20 and the county has demonstrated stabilization for hospitalizations and ER visits)**

COVID Hospitalizations: Bay 62; Calhoun 1; Gulf 1; Holmes 5; Jackson 22; Washington 6.

Bay County hospitalizations are greater than previous reports. Bay County is at risk and cannot presently meet the Benchmark of AO 2020-00-11. All in-person court proceedings shall pause as of December 21, 2020, until further notice. Essential and Critical proceedings as defined by AOSC 20-23, Amendment 8, shall continue to be conducted remotely, and if not available, shall be conducted provided adequate protections are in place for the litigants and other justice partners. Health data will continue to be evaluated to determine if this is an extended spike in health conditions.



A CERTIFIED TRUE COPY  
BILL KINSAUL CLERK  
OF THE CIRCUIT COURT

By Patricia Barba  
Deputy Clerk