

**IN THE CIRCUIT COURT, SIXTH JUDICIAL CIRCUIT
IN AND FOR PASCO AND PINELLAS COUNTIES, FLORIDA**

ADMINISTRATIVE ORDER NO. 2023-022 PA/PI-CIR

RE: ACCOMMODATIONS

Florida Rule of General Practice and Judicial Administration 2.540 requires the trial court to establish procedures for obtaining an accommodation under the Americans with Disabilities Act (“ADA”). Due to amendments to Rule 2.540, Administrative Order 2018-041 PA/PI-CIR must be updated.

In accordance with Article V, § 2, Florida Constitution, Rule of General Practice and Judicial Administration 2.215, and § 43.26, Florida Statutes, it is

ORDERED:

I. ACCOMMODATIONS UNDER THE ADA

1. The Human Rights Office of Pinellas County continues to be designated as the central contact for requests for accommodation under the ADA in Pinellas County. The Human Rights Office, by agreement, provides this service to the constitutional and statutory offices of Pinellas County Government.

2. The Pasco County Human Resources Department is designated as the centralized contact for requests for accommodation under the ADA in Pasco County. The Human Resources Department, by agreement, provides this service to the constitutional and statutory offices of Pasco County Government.

3. The central contacts may forward any request for accommodation to the appropriate constitutional officer or statutory offices’ ADA Coordinator for response to any accommodation request. For requests for accommodation in a court proceeding, the request should include a description of the accommodation sought, a statement of the impairment that necessitates the accommodation, and the time frame in which the accommodation is needed. The request should not include information about the merits of the case.

4. The Administrative Office of the Court must post on the website for the Sixth Judicial Circuit and in each court facility the procedures for obtaining an accommodation and the grievance procedure.

5. Except as otherwise provided, all notices of court proceedings to be held in a public facility, and all process compelling appearance at such proceedings, shall include the following statement in bold face, 14-point Times New Roman or Courier font:

- a. For proceedings before the Courts of Pinellas County:

“If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Human Rights Office, 400 S. Ft. Harrison Ave., Ste. 300, Clearwater, FL 33756, (727) 464-4062 (V/TDD) at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.”

- b. For proceedings before the Courts of Pasco County:

“If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact either the Pasco County Customer Service Center, 8731 Citizens Drive, New Port Richey, FL 34654, (727) 847-2411 (V) or the Pasco County Risk Management Office, 7536 State Street, New Port Richey, FL 34654, (727) 847-8028 (V) at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.”

6. The Clerks of the Circuit Court for Pasco and Pinellas Counties may refuse to issue any document prepared by counsel that does not contain the language required by this Order.

7. **Service Animals:** A service animal is defined as any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by a service animal must be directly related to the individual’s disability. Pursuant to the ADA and Florida Rule of General Practice and Judicial Administration 2.540, use of a service animal by an individual with a disability is permitted in court proceedings and when participating in court programs and activities. Advance notice of the use of a service animal should be provided by requesting an accommodation as provided above.

II. ACCOMMODATIONS NOT UNDER THE ADA

8. **Emotional Support Animals:** An emotional support animal is defined as a companion animal that provides needed emotional support, well-being, or comfort to an individual in the forms of affection and companionship, but is not trained to do any specific work or tasks for the benefit of an individual. Unlike service animals which are permitted under the ADA, emotional support animals are not ordinarily permitted in court facilities, services, programs, or activities. However, the assigned judge or Chief Judge may make an exception upon advance request.

- a. **Emotional Support Animals at Court Proceedings:** To request the use of an emotional support animal in court proceedings, the request must be made by

written motion to the presiding judge in substantially the same form as Appendix A. The request must be made by written motion at least seven (7) days in advance of the court proceeding. Unless otherwise directed by the assigned judge, motions will be considered without hearing. The court will issue an order either permitting or denying the use of the emotional support animal in the court proceeding.

- b. **Emotional Support Animals Outside of Court Proceedings:** To request the use of an emotional support animal in court facilities, services, programs, or activities which are outside of a court proceeding before a judge, the request must be submitted to the Office of Court Counsel via e-mail at courts@jud6.org in substantially the same form as Appendix A to be considered by the Chief Judge. The request must be made by written motion at least seven (7) days in advance of the requested use of the emotional support animal at a court facility, service, program, or activity. Unless otherwise directed by the Chief Judge, motions will be considered without hearing. The Chief Judge will issue an order either permitting or denying the use of the emotional support animal.

To enter a court facility with an emotional support animal, the individual seeking to use an emotional support animal must present the signed order permitting the use of the emotional support animal to court security upon entering the court facility.

Administrative Order No. 2018-041 PA/PI-CIR is hereby rescinded.

DONE AND ORDERED in Chambers at St. Petersburg, Pinellas County, Florida, this _____ day of July, 2023.

ORIGINAL SIGNED ON JULY 26, 2023
BY SHAWN CRANE, CHIEF JUDGE

Appendix A – Form Motion to Utilize Emotional Support Animal

cc: All Judges
The Honorable Bruce Bartlett, State Attorney
The Honorable Sara Mollo, Public Defender
The Honorable Nikki Alvarez-Sowles, Clerk of the Circuit Court, Pasco County
The Honorable Ken Burke, Clerk of the Circuit Court, Pinellas County
Jennifer Parker, Trial Courts Administrator
Ita M. Neymotin, Regional Counsel, Second District
Ngozi C. Acholonu, Assistant Regional Counsel
Michele Emmerman, Director of Administrative Services, Pasco County
Law Enforcement Agencies, Pasco and Pinellas Counties
Bar Associations, Pasco and Pinellas Counties
Law Libraries, Pasco and Pinellas Counties

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR _____ COUNTY, FLORIDA

_____,

(Petitioner/Plaintiff),

v.

Case No.:
SECTION:

_____,

(Respondent/Defendant).

_____/

MOTION TO UTILIZE EMOTIONAL SUPPORT ANIMAL

(Petitioner/Plaintiff/Respondent/Defendant)_____ hereby moves
this Honorable Court to grant this Motion to Utilize Emotional Support Animal, and in support
thereof states as follows:

1. My name is _____.
2. I seek to utilize an emotional support animal under Florida Rule of General Practice
and Judicial Administration 2.540.
3. Specifically, I seek to use an emotional support animal for the following (select
either court proceeding or not a court proceeding and fill in the appropriate information):

☐ **Court Proceeding**

☐ **Not a Court Proceeding**

i. Reason for Appearing : _____

ii. Date: _____

iii. Location: _____

4. The emotional support animal is a (type of animal):

_____.

5. The emotional support animal is needed because (factual reasons for needing emotional support animal):

_____.

Certificate of Service

I certify that a copy of this document was () mailed () faxed and mailed () e-mailed () hand delivered to the person(s) listed below on {date} _____.

Other party or his/her attorney:

Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

Designated E-mail Address(es): _____

Signature of Party

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

Designated E-mail Address(es): _____
