

## **The Sixth Judicial Circuit Covid-19 Information and Updates**

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## Masks Are No Longer Required in Courtrooms

Masks will no longer be required in courtrooms in the Sixth Judicial Circuit as of Monday, Nov. 15, 2021, according to an administrative order issued this week by Chief Judge Anthony Rondolino. Social distancing won't be required either, according to the Nov. 10<sup>th</sup> order. Chief Judge Rondolino's directive came just days after the chief justice of the Florida Supreme Court ruled that the 20 judicial circuits in the state had to lift any mask mandates by the Nov. 15 date because of a variety of circumstances related to the coronavirus. The state's rates of COVID-19 transmission rates have been steadily decreasing. Effective vaccines are readily available, and 70 percent of the state's population has been partially or fully vaccinated. In addition, Chief Judge Rondolino notes that, according to the Florida Department of Health and a 7-day metric put together by the Centers for Disease Control and Prevention, both Pinellas and Pasco counties, the two that make up the sixth circuit, have dropped from severe community transmission to moderate. Technically, both the Florida Supreme Court's and Chief Judge Rondolino's administrative orders say that masks and social distancing are not required as of Nov. 15 in any part of any courthouse, but masks and social distancing have not been required outside courtrooms, in common areas, say, such as hallways, for some time in the sixth circuit. And, although masks are no longer required, anyone can wear one if they so choose. And anyone may ask for a mask upon entering a courtroom. They can also ask that they be socially distanced from others in a courtroom, and the presiding judge will consider whether such requests are appropriate at that particular proceeding.

To read Chief Judge Rondolino's administrative order in its entirety click

<https://www.jud6.org/LegalCommunity/LegalPractice/AOSAndRules/aos/aos2021/2021-045.pdf>

To read the Florida Supreme Court's administrative order click

<https://www.floridasupremecourt.org/content/download/801458/file/AOSC21-17-Amendment-2.pdf>

## Remote Proceedings

With the Sixth Judicial Circuit's increasing use of the videoconferencing tool Zoom for some proceedings, we thought we should let you know that there are certain requirements. You can read about them by clicking here. [Using Zoom for Court Hearings](#). Anyone who is not a party in a proceeding, but who wishes to observe remotely via video, may do so as long as that type of proceeding is open to the public. An observer may not participate in the hearing in any way. The person wishing to observe must follow the protocol for video hearings and must contact the judge's office and request an invitation in order to be able to observe. For a list of proceedings that are not open to the public, [click here](#). **To familiarize yourself with Zoom, click here.** <https://support.zoom.us/hc/en-us/articles/206618765-Zoom-Video-Tutorials>

**The Florida Bar has worked hard to ensure nothing unprofessional occurs on the part of attorneys or pro se litigants during Zoom hearings, and, to that end, has put together a list of best practices and a video on the subject. To learn more, [click here](#)**

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## Quarantine Violations

Anyone who is arrested on a misdemeanor violation of the coronavirus quarantine will be held without bond at the jails in Pinellas and Pasco counties, according to an administrative order signed by Anthony Rondolino, chief judge of the Sixth Judicial Circuit, on March 27, 2020. Judge Rondolino's order comes after the Florida Supreme Court instructed all judges in the state to take judicial steps related to any violation of orders governing quarantine or isolation, limits on travel, the closures of public and private buildings, and curfews, that have been put into effect after the governor declared a statewide public health emergency at the beginning of this month. "To grant release on bail to persons isolated and detained on a quarantine order because they have a contagious disease which makes them dangerous to others, or to the public in general, would render quarantine laws and regulations nugatory and of no avail," Judge Rondolino's order states, quoting precedent.

The order applies to anyone who has violated Florida statute 381.00315, who is "reasonably believed to be infected" with the coronavirus or who is "reasonably believed to have been exposed" to it. The arresting officer is to notify the jail that the person is or could be infected before bringing them to the jail. The booking staff will then take appropriate measures to ensure the defendant doesn't transmit the virus to anyone else at the jail while incarcerated. Judge Rondolino's order, however, does not stop the judge before whom the defendant first appears following their arrest from modifying the no-bond status or addressing the situation in some other way.

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## Violence Injunction Hearings

Due to concerns about the novel coronavirus, beginning April 6, 2020, and until further decision by the Sixth Judicial Circuit, all violence injunction hearings (domestic violence, dating, sexual, stalking, and repeat violence) filed in Pinellas County will be heard at Pinellas County Justice Center (PCJC) at 14250 49th St N, Clearwater, FL 33762, in Courtroom 23, which is on the 1st Floor. Parties are encouraged to update their addresses with the Clerk of Court so that they receive all documents mailed by the court. If you do not receive notice of the amended court date, you may contact the Clerk of Court to request a copy of the order.

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## “Phase 1” – What Does it Mean?

One of the directives from the Florida Supreme Court regarding the current pandemic sets forth four phases for operational planning purposes:

**Phase 1 – in-person contact is inadvisable, court facilities are effectively closed to the public, and in-person proceedings are rare;**

Phase 2 – limited in-person contact is authorized for certain purposes and/or requires use of protective measures;

Phase 3 – in-person contact is more broadly authorized and protective measures are relaxed; and

Phase 4 – COVID-19 no longer presents a significant risk to public health and safety.

**The Sixth Circuit judiciary is in Phase 1.** The phases differ from those established by executive orders of the Governor, county commissions, or municipalities. The phases discussed above are what the *court* must follow regarding resuming full operations.

So, back to the title question – what does it mean to be in “Phase 1?”

Here are the types of proceedings that may be handled during Phase 1, together with how they may be handled, e.g., in-person, by remote means, or both:

<b>Proceeding type</b>	<b>How handled</b>
First appearance (essential)	In-person and/or remotely
Criminal arraignments (essential)	In-person and/or remotely
Hearings on motions to set or modify monetary bail for in-custody defendants (essential)	In-person and/or remotely
Juvenile dependency shelter hearings (essential)	In-person and/or remotely

Juvenile delinquency detention hearings (essential)	In-person and/or remotely
Hearings on Petitions for Injunctions Relating to Safety of an Individual (essential)	In-person and/or remotely
Hearings on Petitions for Risk Protection Orders (essential)	In-person and/or remotely
Hearings on Petitions for the Appointment of an Emergency Temporary Guardian (essential)	In-person and/or remotely
Hearings to Determine Whether an Individual should be involuntarily committed under the Baker Act or the Marchman Act (essential)	In-person and/or remotely
Hearing on Petitions for Extraordinary Writs as Necessary to Protect Constitutional Rights (essential)	In-person and/or remotely

Critical Proceedings Related to the State of Emergency or Public Health Emergency (e.g. violation of quarantine or isolation; enforcement of curfew orders, etc.) (critical)	In-person and/or remotely
Statewide grand jury selection	Suspended until July 26, 2020.
Grand jury selection	Suspended until 30 days after transition to Phase 2.
Grand jury proceedings	Suspended until 30 days after transition to Phase 2.
Criminal non-jury trials	Suspended until 30 days after transition to Phase 2.
Any trial with speedy trial issues <sup>1</sup>	Suspended.
Circuit criminal trials for capital or life felonies and for in-custody defendants charged with a first-degree felony <sup>2</sup>	Suspended until 30 days after transition to Phase 2.

<sup>1</sup> Priority order of trial list is found in the Supreme Court's COVID-19 Workgroup Report on Recommendations for the Priority in Which to Resume Civil and Criminal Jury Trials.

<sup>2</sup> With regard to persons arrested for first degree murder, all times periods under Florida Rules of Criminal Procedure 3.133(b) and 3.134 shall remain suspended until such time as grand jury proceedings are resumed.



Circuit and county criminal trials with an in-custody defendant	Suspended until 30 days after transition to Phase 2.
Circuit jury trials for juveniles being tried as an adult	Suspended until 30 days after transition to Phase 2.
Circuit and county criminal trials with an out-of-custody defendant	Suspended until 30 days after transition to Phase 2.
Circuit civil jury trials	Suspended until 30 days after transition to Phase 2 (unless circuit is in approved pilot project).
County civil jury trials	Suspended until 30 days after transition to Phase 2.
Termination of Parental Rights trials	Remotely at discretion of judge.
Juvenile Delinquency Non Jury trials	Remotely at discretion of judge.
Noncriminal Traffic Infraction Court Proceedings	Remotely; speedy suspended until further order of the Florida Supreme Court (plans are underway to conduct these proceedings remotely).

Incompetence to Proceed	Remotely, if feasible; to be heard as soon as feasible after the date of filing a motion to determine competency
Circuit Civil non-jury proceedings	Remotely
County Civil non-jury proceedings	Remotely
Small Claims	Remotely (these proceedings are planned to begin remotely in Pinellas on July 16 <sup>th</sup> , and sometime subsequent to that date in Pasco)
Probate and Guardianship	Remotely
Family	Remotely
Mediation	Remotely
Juvenile Diversion	Remotely

Before moving to Phase 2, certain benchmarks must be met regarding the incidence of COVID-19 in a particular county. The chief judge must evaluate available data and resources and determine whether local circumstances warrant moving into Phase 2 where more in-person hearings could be safely conducted. Once that determination is made, this website will be updated to reflect what activities can take place and in what manner during Phase 2.