

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

ADMINISTRATIVE ORDER NO. 2021-019 PA/PI-CIR

**RE: TRANSITION TO BROADER USE OF IN-PERSON PROCEEDINGS IN
CONFORMITY WITH SUPREME COURT ADMINISTRATIVE
ORDER AOSC21-17**

Due to concerns regarding the spread and treatment of the Coronavirus, known as COVID-19, on March 1, 2020, Florida Governor Ron DeSantis signed executive order 20-51, declaring a public health emergency in the State of Florida. The Florida Supreme Court issued several administrative orders regarding mitigating the impact of the Coronavirus on the court system. The Florida Supreme Court also issued administrative orders that provided public health and safety procedures for court operations. The Florida Supreme Court has now issued a new Administrative Order, AOSC21-17, terminating AOSC20-23, Amendment 13, and AOSC20-32, Amendment 8. AOSC21-17 creates standards for returning courts to in person hearings and provides health and safety standards for trial and appellate courts to implement.

In order to provide for continued operations of the Court during an emergency, and in accordance with Article V, section 7, Florida Constitution, Rule of Judicial Administration 2.215, and section 43.26, Florida Statutes,

IT IS ORDERED:

Effective June 21, 2021, the following updates are made to court protocols and proceedings.

1. Health and Safety Protocols

A. Masks

Participants and observers for in-person court proceedings may voluntarily wear face masks. The term “in-person court proceedings” is defined as the assembly of prospective jurors, voir dire, juror deliberations, and any status conference, hearing trial, or other proceeding conducted by a justice, judge, magistrate, or hearings officer if conducted in-person and other court event conducted in-person as may be determined by the Chief Justice or Chief Judge. If a person wishes to wear a mask and does not have a mask, the person will be provided one by the court upon request.

B. Social Distancing

Social distancing will not be required at in-person hearings or proceedings unless specifically requested by a participant. If a participant requests to be socially distanced throughout the participant’s hearing or proceeding, the presiding judge shall address such request as appropriate under the circumstances at the time of the request. If a request is granted, the measurement used for physical distancing must comply with authoritative or controlling government-issued health standards and take into account the needs of the court.

2. Court Proceedings

A. In-Person Court Proceedings

Unless otherwise noted and taking into consideration notices already sent and proceedings already scheduled, proceedings may return to in-person court proceedings. Attachment A to this Administrative Order contains a list of proceedings that must be conducted in-person, subject to limited exceptions. All other proceedings, on or after June 21, 2021, may also be conducted in-person. For hundreds of years in-person court hearings have generally been the most effective and efficient method of conducting judicial proceedings; however there may be circumstances which support allowing a cause to be heard remotely using available technology. Thus, although in-person remains the preferred method for adjudicating matters important enough to require judicial intervention, presiding judges and quasi-judicial officers may, in their discretion, continue to conduct remote proceedings subject to the following:

1. The rules of procedure, court orders, and opinions applicable to court proceedings that limit or prohibit the use of communication equipment to conduct remote proceedings remain suspended by administrative order of the Florida Supreme Court.
2. If it becomes necessary to maximize the availability of facility space for trial court proceedings that must be conducted in-person.
3. When the ongoing limitations associated with the pandemic or other relevant circumstances make the use of communication equipment, for either full or partial remote proceedings, the most efficient and expeditious method of processing cases.
4. The remote proceedings are conducted by the judicial officer from the courthouse or court facility where in-person proceedings are conducted and all the persons participating in such hearing conduct themselves as if the matter were occurring in the courthouse.

Unless otherwise directed by the Chief Justice or Chief Judge of the circuit, each presiding judge or quasi-judicial officer shall have sole discretion to determine which proceedings may be scheduled for a remote hearing. In the Civil Sections, Family Sections, and Probate Sections, it is anticipated that many of the proceedings previously permitted to be conducted remotely may, for some time, continue to be done in that fashion. Judges allowing remote proceedings in those sections will advise counsel or the parties attempting to schedule matters through their judicial assistant of such and may include such information in their practice preferences.

B. Juror Disqualifications, Excusals, and Postponements

Administrative Orders 2020-025, 2020-026, and 2020-030 are rescinded.

C. Speedy Trial Calculations

Speedy trial determinations for criminal court proceedings, juvenile court proceedings, and noncriminal traffic infraction court proceedings shall be conducted in accordance with AOSC21-17.

D. Case Resolution

All judges in the Sixth Judicial Circuit Court shall comply with Florida Rule of General Practice and Judicial Administration 2.545(a), (b), and (e).

E. Civil Case Management

Administrative Orders 2021-012, 2021-013, and 2021-017, and any subsequent administrative orders that govern civil case management, shall remain in full force and effect.

F. Incompetence to Proceed; Defendants Arrested on Warrant or Capias from Another Jurisdiction; and Family Laws Forms and Objections to In-Person Visitation for Children under the Protective Supervision of the Florida Department of Children and Families

The above listed issues are subject to the provisions of AOSC21-17.

Effective June 21, 2021, Administrative Orders 2020-027 and 2020-031 are rescinded.

The Court may update the attachment to this Administrative Order without further amending this Administrative Order.

DONE AND ORDERED in Chambers at St Petersburg, Pinellas County, Florida this _____ day of June 2021.

ORIGINAL SIGNED ON JUNE 16, 2021
BY ANTHONY RONDOLINO, CHIEF JUDGE

ATTACHMENT A: TRANSITION TO BROADER USE OF IN-PERSON PROCEEDINGS

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



ATTACHMENT A
ADMINISTRATIVE ORDER 2021-019 PA/PI CIR

RE: TRANSITION TO BROADER USE OF IN-PERSON PROCEEDINGS

Effective June 21, 2021, unless otherwise noted, judges will schedule in-person proceedings consistent with the constitution, a statute, a rule of court, a court order, or an opinion that has not been suspended by an administrative order of the Florida Supreme Court in the following proceedings:

- Circuit and county criminal jury selection and trials with an in-custody defendant.
- Circuit jury selection and trials for juveniles being tried as an adult.
- Juvenile delinquency trials.
- Circuit and county criminal jury selection and trials with an out-of-custody defendant.
- Statewide grand jury and grand jury selection.
- Statewide grand and grand jury proceedings.
- Termination of parental rights trials unless otherwise ordered by the chief judge or presiding judge.
- Circuit civil jury selection and trials.
- County civil jury selection and trials.
- Non-criminal traffic infractions heard by Civil Traffic Infraction Hearing Officers, as soon as practicable after June 21, 2021.
- Hearings to determine whether an individual should be involuntarily committed under the Baker Act or the Marchman Act unless that individual waives the right to physical presence at the hearing (effective August 2, 2021).

All other trial court proceedings shall continue to be remotely conducted to facilitate the efficient and expeditious processing of cases, unless the presiding judge or quasi-judicial officer determines that in-person proceedings are appropriate based on the needs of the Court.

All hearings that are currently set in a remote format will remain scheduled in that format.