

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

ADMINISTRATIVE ORDER NO. 2025-023 PA-CIR

**RE: BAKER ACT HEARINGS—PASCO COUNTY**

The Court finds it necessary to clarify the facilities where Baker Act hearings in Pasco County will be scheduled and the procedures for conducting such hearings. Pasco County now has four facilities receiving involuntary patients under the Baker Act, §§ 394.451-394.47892, Florida Statutes.

Therefore, in accordance with Article V, section 2, Florida Constitution, Florida Rules of General Practice and Judicial Administration 2.215 and 2.514, and §43.26, Florida Statutes, it is

**ORDERED:**

**1. DEFINITIONS**

For purposes of this Administrative Order, the following terms have the following meanings:

**A. Receiving Facility.**

A “receiving facility” means any public or private facility designated by the Department of Children and Families to receive and hold involuntary patients under emergency conditions for psychiatric evaluation and to provide short-term treatment. The term does not include a county jail.

**B. Host Facility.**

A “host facility” means a receiving facility which has been designated by this Court to serve as a facility at which Baker Act hearings are conducted.

**C. Transporting Facility.**

A “transporting facility” means a receiving facility which has not been or is no longer designated to serve as a facility at which Baker Act hearings are conducted, and that therefore is required to transport its patients to a host facility for Baker Act hearings.

**2. DESIGNATIONS**

**A. Host Facilities.**

BayCare ISU in New Port Richey; Morton Plant North Bay Recovery Center in Lutz; North Tampa Behavioral Health in Wesley Chapel; and Zephyrhills Correctional Institution in Zephyrhills, are hereby designated as host facilities.

## **B. Transporting Facilities.**

A host facility's designation may be amended or rescinded at any time at the discretion of the Court. If that occurs, the former host facility will default to a transporting facility and will be subject to the responsibilities outlined in section 3.A. below.

### **3. RESPONSIBILITIES**

#### **A. Transporting Facilities.**

##### **(1) Transportation.**

Each transporting facility must provide for:

- a. The safe transport of patients and a paper copy of their clinical records to the designated host facility for Baker Act hearings. All patients of the transporting facility will be transported to an approved host facility in Pasco County closest to the transporting facility.
- b. Arrival of the patient at the host facility at least 15 minutes prior to the scheduled start time of the patient's Baker Act hearing. The transporting facility must keep the host facility and or the Court apprised of any delays.
- c. The assignment of at least one clinical attendant to travel with the patient or patients to and from the Baker Act hearing. The transporting facility must ensure that the clinical attendant is adequately trained to fulfill this duty.
- d. Regardless of the outcome of the hearing, the safe transport of the patient back to the transporting facility at the conclusion of all hearings involving patients of the transporting facility.

##### **(2) Assessment and Notification.**

If on the day of the hearing, the patient either refuses transport or the attending physician of the transporting facility assesses that the patient is clinically unstable for transport,

- a. The attending physician must document on the Baker Act Transportation Stability Assessment Form (Assessment Form), which is Attachment A, the patient's refusal or the specific risks assessed by him or her on the morning of the hearing and sign the form. The attending physician must also be available through electronic means, by phone, or in person to discuss their findings with the Public Defender or patient's counsel and the General Magistrate.
- b. The transporting facility's Baker Act coordinator or designee must contact the Office of the Public Defender or patient's counsel of record by phone as soon as possible. The Baker Act coordinator or designee must also assure that the completed Assessment Form is hand-delivered to the General Magistrate prior to the scheduled start of the patient's hearing.

#### **B. Host Facility.**

Each host facility must:

1. Provide a safe and secure area in which patients from the transporting facility may wait until their hearings are called.

2. Provide a room of adequate size and decorum, with sufficient dignity to elicit the customary respect given to court proceedings, in which the General Magistrate may conduct Baker Act hearings. This area must display an American flag and the flag of the State of Florida.

**C. General Magistrate.**

Each General Magistrate conducting Baker Act hearings must:

1. Display at all hearings a nameplate bearing their title and the seal of the Sixth Judicial Circuit.
2. In the event a General Magistrate receives an Assessment Form from a transporting facility stating that the patient has refused transport or is clinically unstable for transport, they must enter the form into evidence as part of the court proceedings/file. The General Magistrate must then ask the Public Defender or the patient's counsel whether they wish to proceed without the patient present or request a continuance.

**D. Clerk of the Circuit Court.**

The Clerk of the Circuit Court must:

1. As soon as possible, but no later than 3:00 p.m. on the day before a scheduled hearing, notify the Baker Act coordinator or designee of each transporting facility of the patients from that facility who are on the court's docket and the time of their hearings.
2. Schedule the hearings of patients who are in transporting facilities to be conducted at the nearest host facility.
3. Place the cases of those patients from transporting facilities first on the hearing docket, ahead of the cases of patients from the host facility.

A Schedule for Baker Act hearings at host facilities is attached hereto as Attachment B. The Pasco Probate Administrative Judge is hereby given the authority to change this schedule at any time as warranted by the interests of justice.

Administrative Order No. 2014-014 PA-CIR is hereby rescinded.

**DONE AND ORDERED** in Chambers at Clearwater, Pinellas County, Florida this \_\_\_\_ day of May 2025.

ORIGINAL SIGNED MAY 1, 2025  
BY SHAWN CRANE, CHIEF JUDGE

Attachment A: Baker Act Transportation Stability Assessment Form  
Attachment B: Pasco County Baker Act Hearing Schedule

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  
Jennifer Parker, Trial Courts Administrator  
Michele Emmerman, Deputy Trial Courts Administrator  
Ngozi Acholonu, Assistant Regional Counsel  
Jonathan Jenkins, Assistant Regional Counsel  
Kimberly Thompson, Chief Operations Officer, Pasco County Clerk's Office  
Lenn Mattison, Director of Criminal Courts, Pasco County Clerk's Office  
Renita George, Probate Supervisor, Pasco County Clerk's Office  
BayCare ISU  
Morton Plant North Bay Recovery Center  
Zephyrhills Correctional Institution  
North Tampa Behavioral Health  
Bar Association, Pasco County  
Law Library, Pinellas County

## BAKER ACT TRANSPORTATION STABILITY ASSESSMENT FORM

\_\_\_\_\_  
Patient Name

\_\_\_\_\_  
Date

- ☐ The patient **REFUSES** transportation

The above-named patient has been assessed by me on this date and in my professional opinion and with reasonable certainty is **NOT** stable for transportation for the following reason(s):

- ☐ The patient is currently and actively suicidal (i.e. searching for methods of self-harm within the confines of the unit).

As evidenced by: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- ☐ Has made real and specific actions or threats to harm staff or others.

As evidenced by: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- ☐ Has poorly controlled agitation, aggression or severe behavioral disturbance.

As evidenced by: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- ☐ Is deemed medically unstable.

As evidenced by: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- ☐ Transportation will exacerbate his/her condition and subsequently necessitate medication and restraint that would not otherwise be administered.

As evidenced by: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Attending Physician Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

## PASCO COUNTY BAKER ACT HEARING SCHEDULE

<b>Sunday</b>	<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>	<b>Saturday</b>
		<b>9:00 AM BayCare ISU Hearings</b>		<b>9:00 AM Morton Plant North Bay Recovery Center</b>  <b>9:00 AM North Tampa Behavioral Health</b>		

- The Court reserves the right to amend or rescind a host facility's designation at any time, which may require that facility to transport patients to an approved host facility site for future Baker Act hearings.