

More non-essential and non-critical proceedings may be conducted remotely

Chief Judge Michael T. McHugh has signed an amendment to Administrative Order 2.39. The latest directive incorporates the recent changes by the Florida Supreme Court. Chief Justice Charles Canady recently amended AOSC20-23 expanding on non-essential and non-critical court proceedings.

Court proceedings that are considered essential and critical allow for in-person appearances as long as all available methods of “social distancing” are taken, with only attorneys, parties, court personnel (including deputy clerks and bailiffs), and the media allowed in the courtroom. Everyone present will be required to abide by “social distancing.” Alternatively, necessary persons may choose to appear remotely using communication equipment, if remote appearance can be done effectively. Hearings that are considered essential and critical are outlined in the latest Administrative Order.

Non-essential and non-critical court proceedings are to move forward to the fullest extent possible and are to be handled remotely, no live participation. The following proceedings are now deemed amendable to being conducted remotely:

- 1) Alternative dispute resolution proceedings;
- 2) Status, case management, and pretrial conferences in all case types;
- 3) Non-evidentiary and evidentiary motion hearings in all case types;
- 4) Arraignments and pleas in absentia in county court misdemeanor cases;
- 5) Hearings in juvenile delinquency cases;
- 6) Hearings in noncriminal traffic infraction cases;
- 7) Problem-solving court staffing, hearings, and wellness checks; and
- 8) Non-jury trials in all case types, except for criminal, juvenile delinquency, and termination of parental rights petitions in dependency cases unless the parties in a excepted case agree to the remote conduct of a non-jury trial.

In accordance with the Florida Supreme Court directive, all criminal and civil jury trials are to remain suspended through July 2, 2020, unless otherwise ordered.

Attorneys, parties and witnesses with upcoming trials or hearings are advised to contact the appropriate judicial office with any questions.

All other remedial measures are to remain in effect through close of business on May 29, 2020, unless otherwise ordered. This Administrative Order supersedes all other Administrative Orders and directives and is effective immediately.

Although the courthouses remain open, please do not visit any of our courthouses unless you are there for official court business.

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