



JAMES D. SLOAN
CIRCUIT JUDGE
TWENTIETH JUDICIAL CIRCUIT OF FLORIDA

HENDRY COUNTY COURTHOUSE
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To: Judge Darrell Hill, J.A.s, All Attorneys, Clerk and Deputy Clerks of Court for Hendry County

From: Judge James Sloan, Administrative Judge, Hendry County

Re: MEMORANDUM REGARDING CHANGES OF PROCEDURES IN RELATION TO COVID

The Supreme Court of Florida has updated their COVID protocols effective June 21, 2021. In connection with those changes each county has been authorized to adopt new procedures regarding their day-to-day operations until the Supreme Court adopts state-wide changes under their rule-making authority. As you know we have applied more remote hearings to our arsenal and have benefitted from those flexible rules. We have also learned that conducting remote proceedings has advantages and disadvantages and we are hoping to capitalize on the former while eliminating the latter. After discussion, we are adopting the following procedures, (subject to change if necessary), for application in Hendry County Court proceedings. All Rules previously adopted by the Supreme Court of Florida which are not contradicted or temporarily amended by these rules shall remain in effect.

Generally:

In order to avoid a duplication of effort all hearings which were set prior to the date of this memorandum may held in the manner in which they are already set.

All **evidentiary hearings and trials** shall be held in person.

All **non-evidentiary** hearings may be held remotely (unless otherwise ordered by the Court).

There will be no mixed media hearings. All parties and their counsel will participate by using the same media. This seeks to eliminate the problems that were encountered by parties using different media. The only exceptions will be made on a case-by-case basis with prior court approval. Matters involving in custody defendants will be handled by Polycom if possible.

At the discretion of the Court, masks and social distancing are not required. Masks may be worn at the discretion of each individual. Social distancing requests will be honored if possible.

Criminal

The following proceedings shall be conducted **in-person**:

Felony, misdemeanor and Juvenile arraignments including VOPs (unless a written plea is previously filed by counsel of record)

Felony Pre-trial docket

Felony and Misdemeanor Trial Calls

Juvenile Docket Sounding

Jury and non-jury trials

Changes of plea

Bond hearings of any type

Motions to recall warrants

Drug Court

Early Resolution Court proceedings

The following may be held by **remote means**: (unless a mandatory appearance is ordered by the Court)

Docket sounding and/or Case Management in Felony and Misdemeanor cases.

Status hearings in VOP cases.

Traffic infraction/County ordinance violations.

Pleas from in-custody defendants by Polycom

Civil

The following shall be held **in-person**:

Jury and non-jury trials

Case Management Conferences

Landlord/Tenant eviction hearings

The following may be held by **remote means**:

Small Claims Pre-trials

Declaratory Judgment hearings requesting Vehicle/Vessel title with DHMV as a party

Family

The following shall be **in-person**:

Domestic violence, Repeat Violence, Dating Violence and Stalking injunctions.

Hearings for Final Judgments, Temporary Relief and Contempt

Dependency

The following shall be set **in-person**:

Shelter hearings

Disposition trials

Termination of Parental Rights trials

The following may be set by **remote means**:

Arraignments

Review hearings

Final Adoption hearings

Marchman/Baker Act

By statute, all hearings shall be held with the Respondent attending **in-person** unless waived.

If there are questions, please direct them to my office. Thank you for your cooperation during these trying times. It appears that we are slowly returning to normal operations.