

**IN THE CIRCUIT COURT OF FLORIDA, SEVENTH JUDICIAL CIRCUIT
IN AND FOR FLAGLER, PUTNAM, ST. JOHNS AND VOLUSIA COUNTIES**

RE: SECOND AMENDED Emergency Court Procedures (COVID-19)

**REF: Z-2020-035
(Replaces Z-2020-032)**

WHEREAS, our nation, and the State of Florida has been beset by a pandemic as a result of the COVID-19 virus, and

WHEREAS, the Governor of Florida declared a state of emergency in the State of Florida, and

WHEREAS, the Florida Supreme Court has issued Administrative Orders urging the need to take necessary precautions, and adopting procedures to mitigate the spread of the COVID-19 virus, and

WHEREAS, the courts must provide a level of functionality in satisfying mission critical functions, while at the same time heeding the advice of health officials, and

WHEREAS, protecting the health and well-being of the public, court staff, and judges continues to be of paramount concern;

NOW THEREFORE, I, RAUL A. ZAMBRANO, Chief Judge of the Seventh Judicial Circuit of Florida, by virtue of the authority vested in me by Article V, Section 2 of the Florida Constitution, and the Administrative Orders of the Florida Supreme Court, hereby ORDER that the provisions outlined herein take effect on April 10, 2020 at 8:00 a.m. EDT and expire on June 1, 2020 at 8:00 a.m. EDT.

All previous Supreme Court Administrative Orders, up to and including AO SC 20-23, addressing COVID-19 constitute mandates to the Seventh Judicial Circuit and are therefore incorporated herein.

1. Court proceedings are limited to those deemed critical and essential as defined below:
 - a) First appearances;
 - b) Bond hearings;
 - c) Juvenile detention hearings;
 - d) Juvenile shelter hearings;
 - e) Domestic violence, repeat violence, sexual violence, dating violence and stalking injunctions, as well as all chapter 39 injunctions (including "Orders Setting Hearing" where a temporary injunction was not issued);
 - f) Risk protection orders;
 - g) Marchman Acts;
 - h) Baker Acts;
 - i) Family law (including juvenile) cases where the imminent safety of children is an issue;
 - j) Vulnerable Adult injunctions;
 - k) Emergency incapacity petitions and appointment of guardians;
 - l) Proceedings involving requests for "do not resuscitate" orders;
 - m) Adult Protective Service Act proceedings;
 - n) Requests for search warrants and arrest warrants;
 - o) Violations of quarantine or isolation orders;
 - p) Violations of orders to limit travel;
 - q) Violations of orders to close public or private buildings;
 - r) Seizure of bodily fluids;

- s) Vaccination proceedings;
 - t) Enforcement of curfew orders;
 - u) Extraordinary writs (with the exception of writs of possession);
 - v) Any other “emergency” proceedings or hearings as authorized by the Chief Judge.
2. Any person, regardless of status, who has tested positive for COVID-19, has present symptoms consistent with a COVID-19 infection, is subject to quarantine based on a Governor’s Executive Order, or has knowingly been in contact with someone infected with COVID-19, is prohibited from entering any court facility without the express permission of the Chief Judge.
 3. Entry to court facilities in which critical and essential hearings are conducted is limited to the media, attorneys, litigants, witnesses, victims, essential personnel necessary to conduct the critical mission of the court (as defined in this order), and any court partner and their employees who are physically located within the building. Members of the public who wish to be present or observe a proceeding may make a request by calling the office of the judge conducting the proceeding, or by requesting entry to the court deputies posted at the courthouse entrance. Decisions on public entry requests will be made on case-by-case basis depending on many factors, including the number of persons who have entered the courthouse. If available, members of the public may observe a court proceeding through whatever technological means are available for that specific proceeding.
 4. First Appearances/Bond Hearings:
 - a) Volusia County: All first appearances and bond hearings will take place “in-person” at the Volusia County Branch Jail and will commence at 8:30 am. If a suitable system to conduct proceedings by electronic means is procured prior to the expiration of this order, said proceedings will be conducted by electronic means.
 - b) Flagler County: All first appearances and bond hearings will take place by electronic means and will commence at 8:30 am.
 - c) Putnam County: All first appearances and bond hearings will take place by electronic means and will commence at 8:30 am.
 - d) St. Johns County: All first appearances and bond hearings will take place by electronic means and will commence at 8:30 am.
 5. Juvenile Shelter and Shelter Review Hearings: All weekday Flagler and Volusia County juvenile shelter and shelter review hearings will take place “in-person” or by electronic means at 1:30 p.m. in a location capable of producing a recording at the Volusia County Courthouse, 101 N. Alabama Avenue, DeLand, Weekend shelters will take place “in-person” at 8:30 a.m. at the Volusia County Branch Jail. (see “electronic means” notation in 4(a) above) All Putnam and St. Johns County shelter and shelter review hearings will take place “in-person” or by electronic means at times designated by the Administrative Judges of the respective counties in locations capable of producing recordings.
 6. Juvenile Detention Hearings: All juvenile detention hearings will take place “in-person” at 8:30 a.m. at the Volusia County Branch Jail. (See “electronic means” notation in 4(a) above)
 7. Family Law Injunctions: All domestic violence, repeat violence, sexual violence, dating violence, stalking, and Chapter 39 injunction hearings, (including “Orders Setting Hearing” where a temporary injunction was not issued) in Volusia County will take place “in-person” or by electronic means at times designated by the presiding judges in a location capable of producing a recording at the Volusia County Courthouse in DeLand. Injunction hearings in Flagler, Putnam and St. Johns Counties will take place “in-person” or by electronic means at times designated by the Administrative Judges of the respective counties in locations capable of producing recordings.

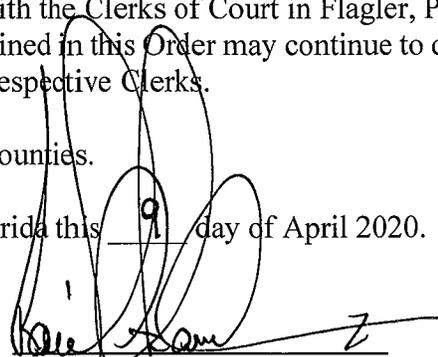
8. Risk Protection Orders (RPOs): All RPO hearings in Volusia County will take place “in-person” or by electronic means at a time designated by the presiding judge in a location capable of producing a recording at the Volusia County Courthouse. All RPO hearings in Flagler, Putnam and St. Johns Counties will take place “in-person” or by electronic means at times designated by the Administrative Judges of the respective counties in locations capable of producing recordings. All “3-day” hearings pursuant to § 790.401(7)(f), Florida Statutes, are to be extended and conducted in conjunction with “14-day” hearings pursuant to § 790.041(3)(a).
9. Marchman Acts: All Marchman Act hearings in Volusia County will take place “in-person” or by electronic means at a time designated by the presiding judge in a location capable of producing a recording at the Volusia County Courthouse. Marchman Act hearings in Flagler, Putnam and St. Johns Counties will take place “in-person” or by virtual means at times designated by the Administrative Judges of the respective counties in locations capable of producing recordings.
10. Baker Acts: All Volusia and Flagler County Baker Act hearings will take place “in-person” or by electronic means at 8:30 a.m. “In-person” hearings will take place in the assigned rooms within Halifax Medical Center and SMA Healthcare in Daytona Beach. Hearings by electronic means will take place in a location capable of producing a recording at the Volusia County Courthouse. All Putnam and St. Johns County Baker Act hearings will take place “in-person” or by electronic means at times designated by the presiding judges. “In-person” hearings will take place in the assigned room within Flagler Hospital in St. Augustine. Hearings by electronic means will take place in a location capable of producing a recording at the Richard O. Watson Judicial Center in St. Augustine.
11. Family/Dependency emergencies where imminent harm to a child is at issue: All Volusia County Family/Dependency emergency hearings will take place “in-person” or by electronic means at times designated by the presiding judges at the Volusia County Courthouse. Flagler, Putnam and St. Johns County Family/Dependency emergency hearings will take place “in-person” or by electronic means at times and in locations designated by the Administrative Judges of the respective counties. A separate Administrative Order (Z-2020-036) is now in place to address parenting/timesharing issues regarding children.
12. Probate/Guardianship: All hearings in Volusia County vulnerable adult injunctions, emergency incapacity petitions/appointment of guardians, “do not resuscitate” requests, and Adult Protective Service Acts will take place “in-person” or by electronic means at a time designated by the presiding judge in a location capable of producing a recording at the Volusia County Courthouse. All hearings in Flagler, Putnam and St. Johns County cases will take place “in-person” or by electronic means at times designated by the Administrative Judges of the respective counties in locations capable of producing recordings.
13. Warrants: All requests for wiretaps, search warrants, and arrest warrants will be considered/heard by the on-call judge in the respective counties.
14. Civil: All Volusia County extraordinary writs, enforcement of curfew orders, mandatory vaccination proceedings, seizure of bodily fluids, violations of orders to close public and private buildings, violations of orders limiting travel, and violations of quarantine or isolation orders will take place “in-person” or by electronic means at times designated by the presiding judges at the Volusia County Courthouse, or at a location designated by the Department of Health. All hearings in Flagler, Putnam and St. Johns County cases will take place “in-person” or by electronic means at times and in locations designated by the Administrative Judges of the respective counties, or the Department of Health.
15. Criminal: Criminal arraignments (including Violations of Probation), competency hearings, and negotiated pleas/sentences involving persons incarcerated in the Volusia County Jail will take place “in-person” at 1:30 p.m. at the Volusia County Branch Jail. Competency hearings and pleas are to be

scheduled with the Court's judicial assistants. (See "electronic means" notation in 4(a) above) All hearings in Flagler, Putnam and St. Johns County cases will take place "in-person" or by electronic means at times designated by the Administrative Judges of the respective counties in locations capable of producing recordings.

16. Any judge who wishes to conduct a hearing outside the parameters of this Order, is authorized to do so consistent with protocols and procedures established by the Chief Judge.
17. No inmate housed in any jail facility is to be transported to any court facility in the Seventh Judicial Circuit absent a written order from the Chief Judge or the Administrative Judges of the respective counties. All weekend jail sentences are tolled and held in abeyance until further order of the Court.
18. All collateral uses of the courthouse facilities are postponed.
19. All visitation in dependency cases shall be conducted pursuant to Section IX of the Florida Supreme Court's AOSC 20-23.
20. The Clerks of Court of the respective counties are directed to cancel foreclosure sales, cease issuance of writs of possession, and cease issuance of D-6 drivers' license suspensions.
21. Except as otherwise provided herein, when available, electronic means of communication is to be used to minimize face-to-face contact among judges, attorneys and litigants.
22. The Public Defender's Office is appointed to represent all persons arrested and appearing at a first appearance hearing, unless the person affirmatively rejects counsel. The Clerk of the Court shall automatically enter a "Not Guilty" plea in curia absentia on behalf of all unrepresented persons who: (1) have been charged with a crime, (2) who have not been arraigned or entered a plea, and (3) whose arraignment date fell within the following time period: March 18, 2020 to May 29, 2020.
23. Probation officers and Court Services officers, without Court permission, may alter reporting and drug testing schedules of probationers, defendants on pretrial supervision, and Treatment Court participants.
24. Pursuant to Section V of the Florida Supreme Court's AOSC 20-23, Judges James R. Clayton and Terrence R. Perkins are hereby designated and authorized to address and dispose of cases from other circuits/counties.
25. The S. James Foxman Justice Center and Volusia County Courthouse Annex in Daytona Beach are both closed to the general public. Persons wishing to conduct business with the Clerk of Court in Volusia County related to the mission-critical functions outlined in this Order may continue to do so using the exterior public access area on the south side of the Volusia County Courthouse in DeLand. The public may also record documents, obtain marriage licenses, pay child support, file injunctions, or pay tickets at the public access area. Persons wishing to conduct business with the Clerks of Court in Flagler, Putnam, or St. Johns counties related to mission-essential functions outlined in this Order may continue to do so at the courthouses or other alternate locations designated by the respective Clerks.

TO BE RECORDED in Flagler, Putnam, St. Johns and Volusia counties.

DONE AND ORDERED in Daytona Beach, Volusia County, Florida this 9 day of April 2020.


RAUL A. ZAMBRANO
CHIEF JUDGE