

IN THE CIRCUIT COURT OF THE THIRD JUDICIAL CIRCUIT
ADMINISTRATIVE ORDER NO. 2020-003

IN RE: VISITATION FOR CHILDREN UNDER PROTECTIVE SUPERVISION

WHEREAS, the World Health Organization has declared the outbreak of the Coronavirus Disease 2019 (COVID-19) a pandemic, the Governor of Florida has declared a state of emergency exists, and the Surgeon General and State Health Officer have declared a public health emergency exists; and

WHEREAS, the Florida Supreme Court has recognized that mitigating the effects of COVID-19 is a high priority on the Florida State Courts System and the Florida State Courts System must continue to take steps to mitigate the effects of COVID-19 on the courts, court participants, and the general public; and

WHEREAS, it is the interest of this order to have the agencies involved in dependency court fulfill their responsibility to the Court, the children and the parents to conduct visitation essential to the physical, mental and emotional health of children, their parents and caregivers in the safest manner possible while maintaining parent, child and sibling relationships; and

WHEREAS, it is the intent of this order to direct the Department of Children and Families and its contracted agencies to postpone physical face to face visitation between parents and children until further order of this Court;

NOW THEREFORE, pursuant to the authority conferred upon me as the Chief Judge of the Third Judicial Circuit and pursuant to the Florida Rules of Judicial Administration, it is hereby

ORDERED AND ADJUDGED:

1. All circuit orders issued requiring the Department of Children and Families and its subcontracted agents to make children available for physical contact visitation are suspended until further order.
2. All circuit orders issued requiring parents to attend physical contact visitation are suspended until further order.
3. The Department of Children and Families and its subcontracted agents shall employ face to face virtual visitation through electronic means such as Zoom, FaceTime, Skype or another such type program that allows the child(ren) to see their parent(s) and the parent(s) see the child(ren). This order does not support any specific such electronic application over another.

4. The Department and its agents shall make reasonable efforts to ensure that electronic visitation with parents and siblings occurs on a reasonable and frequent basis, taking into account the circumstances and resources of each family and child.
5. ~~Virtual visitation may include non-visual text messaging, video messaging, audio/visual recording, voice calls and virtual face to face visitation as may be in the best interest of the children depending upon the circumstances of each case.~~
6. The Department of Children and Families and its agents shall create “family time plans” for electronic visitation that take into consideration the age and maturity of the child, the emotional and mental health of the child, the daily schedule of the child, caregiver and parent, the behavior of the child(ren) and behavior of the parent, as well as supervised visitation if previously ordered. The family time plan will be as specific as possible in terms of scheduling, as a set routine schedule is best for children. Upon agreement of all parties, the family time plan may include more frequent visits than originally ordered if the electronic visits are shorter.
7. The Department shall document and keep a record of the date, time and duration of each visit and the names of the participants.
8. Any party may file a motion raising an issue related to parent or sibling visitation. The Court will promptly review such motion, may direct the filing of a written response, may set a remote hearing on the motion or may issue a written order as deemed appropriate.

DONE AND ORDERED at Lake City, Columbia County, Florida, on March 26, 2020.



MARK E. FEAGLE, Chief Judge

Copies to:

Department of Children and Families
Children’s Legal Services
Office of Regional Conflict Counsel
Office of Guardian ad Litem Program
Partnership for Strong Families
Attorneys on Third Circuit Attorney Registry
Third Circuit Bar Association