

IN THE CIRCUIT COURT OF THE THIRD JUDICIAL CIRCUIT
ADMINISTRATIVE ORDER NO.: 2020- 006

**TEMPORARY SUSPENSION OF CRIMINAL COURT DATES, CREATION OF
CRIMINAL ON-CALL JUDGE, AND LIMITATION OF IN-COURT APPEARANCES**

WHEREAS, the Coronavirus Disease 2019 (COVID-19) pandemic continues to have a massive effect upon the operation of the State Courts System and others. In furtherance of our efforts to mitigate the effects of this health crisis, additional steps must be taken; and

WHEREAS, the Supreme Court of Florida has issued several Administrative Orders, including, but not limited to, AOSC20-15 and AOSC20-17, mandating a drastic reduction in the number of persons that can be physically present in the courthouse in an effort to reduce exposure and to help prevent the spread of COVID-19; and

WHEREAS, the purpose of this order is to implement and comply with the Administrative Orders of the Florida Supreme Court and to follow the recommendations of the CDC and other health care officials; and

WHEREAS, on March 18, 2020, I issued Administrative Order 2020-02, which, among other things, served to outline mission-essential court proceedings and how various proceedings shall be handled by the court; and

WHEREAS, on March 23, 2020, I issued a letter addressed to the Third Judicial Circuit community, further discussing the current status of our court system and how the attorneys appearing in the Third Judicial Circuit could continue to conduct business for the benefit of themselves and their clients; and

WHEREAS, the vast majority of felony and misdemeanor cases are currently being continued due to the COVID-19 pandemic and Florida Supreme Court orders, but the court remains open and available for disposition of felony and misdemeanor cases; and

WHEREAS, the Public Defender and Acting State Attorney of the Third Judicial Circuit have indicated that their offices will be operating with a limited staff (skeleton crew) due to the current public health emergency; and

WHEREAS, I am issuing this additional Administrative Order to further limit in-person court appearances and establish requirements for essential and non-essential court proceedings to be conducted by remote appearances; and

WHEREAS, by the authority vested in me as the Chief Judge of the Third Judicial Circuit, specifically, Florida Rule of Judicial Administration 2.215;

It is therefore **ORDERED**:

The regularly scheduled felony and misdemeanor dates, as reflected on the Third Circuit Master Calendar, are cancelled until the Florida Supreme Court has ceased extending deadlines and ordered the resuming of non-critical trial court proceedings, which is currently set for April 17, 2020, but subject to extension. This applies to all criminal dates (arraignments, motions, pretrial, violations of probation, etc.) in all Third Judicial Circuit counties.

The Clerk of Court in each of our respective counties within the Third Judicial Circuit shall continue to maintain and distribute regularly scheduled paper dockets for both criminal and civil cases in order to assure that all pending and newly filed cases are not displaced. This will serve to benefit the bench, the bar, and the parties and will allow the court to have discussions with the attorneys in order to timely resolve cases during the public health emergency.

In place of regularly scheduled court dates, the Third Judicial Circuit has adopted a Criminal On-Call Judge protocol. The Criminal On-Call Judge, which will be assigned on a rotating basis, will be a circuit-court judge and be available to accept pleas and will preside over motions to set or reduce bond remotely in a back-up capacity. The Criminal On-Call Judge should only be contacted after an attorney or *pro se* defendant has contacted the presiding judge's office and was unable to secure a hearing with the presiding judge within 24 hours. A separate email or memorandum announcing the assigned Criminal On-Call Judge with his or her office's contact information will be forthcoming but, until such time as the on-call schedule is set and disseminated, the chief judge is the Criminal On-Call Judge. The creation of a Criminal On-Call Judge and rotation in no way restricts the authority of the first appearance judge from taking pleas and handling other matters, as requested by the parties.

Additionally, in accordance with Florida Supreme Court Administrative Order SC20-15, and local Administrative Order 2020-02, attorneys, like litigants, should only appear in person for "essential court proceedings," and **only** if remote appearances are not practicable. For any other proceedings that are held during this public health emergency, all participants, including attorneys, probation officers, clerks, and the parties, **must** appear remotely. Please contact the judge's office to arrange a remote appearance, as necessary.

Finally, Administrative Order 2020-02 is hereby extended, and this Order as well as all other emergency orders entered by the undersigned shall expire upon the expiration of the Florida Supreme Court's Administrative Orders (AOSC20-15 and AOSC20-17) unless otherwise stated in a later local Administrative Order. This Order supersedes all prior orders that are inconsistent with the contents of this Order.

DONE AND ORDERED in Columbia County, Florida, on March 27, 2020.



Mark E. Feagle, Chief Judge

Copies to:

All Third Circuit Judges and Judicial Assistants
Office of Public Defender
Office of State Attorney
Office of Regional Conflict Counsel
Third Circuit Bar
Third Judicial Circuit Clerks
Office Probation and Parole
Sheriffs of the Third Judicial Circuit
Court Administration—Court Reporting and Carrina Cooper