

17th JUDICIAL CIRCUIT DEPENDENCY DIVISION
Coronavirus (COVID19) Procedures
Effective May 28, 2020

IF YOU HAVE A HEARING:

ALL Dependency Hearings will be conducted via Zoom. *See Florida Supreme Court Administrative Orders AOSC20-16 and AOSC20-23 2nd Amended and 17th Judicial Circuit Administrative Order 2020-32-Temp.* Zoom works on any device with a camera, speaker and microphone including computers, cellular telephones and tablets. Each Judge and General Magistrate has been assigned a Zoom link to a VIRTUAL COURTROOM.

If a party does not have access to a computer or smart device then Zoom can also be accessed via telephone.

The links for all of the Dependency Judges and General Magistrates, as well as the contact information for Judicial Assistants and Case Managers, are attached and accessible through the Seventeenth Judicial Circuit's Website.

Parents, Child Advocates, GAL Volunteers and all other parties can choose how they wish to participate: via Zoom, via Zoom telephone connectivity, or via telephone speaker on their lawyer's end (if appearing via phone then the party should contact their lawyer for further information in advance of the hearing time). However, if a party needs to be sworn in and testify then they need to appear via both audio and video communication technology so their identity can be confirmed. *See Florida Supreme Court Administrative Order AOSC20-23* at Section II(C). A party that is not on video will not be able to be sworn in to testify absent some other agreement from the parties.

The Dependency Courts are attempting to handle as many matters as possible during this time. It is solely within the presiding judge's discretion if a matter needs to be reset. *See 17th Judicial Circuit Administrative Order 2020-32-Temp* at Section V(a) and *Florida Supreme Court Administrative Order AOSC20-23 2nd Amended* at Section III(C)(9). Unless advance of a cancellation is provided by the Court, parties should be fully prepared to proceed with all hearings, including trials. Any requests to continue a matter must be filed in advance of the hearing so the Court can decide if the case will proceed.

IF YOU HAVE A SHELTER OR EMERGENCY HEARING:

Shelter and Emergency Hearings are being conducted in person, in Room 4152, and via Zoom using the Shelter Duty Judge's Zoom link. For SHELTER HEARINGS AND EMERGENCY HEARINGS ONLY, parties and lawyers are permitted to appear in person. However, the Judge's VIRTUAL COURTROOM will also be available and parties are encouraged to use this method of appearance to minimize in-person contact.

If you have a matter that you believe is an emergency as defined outlined in 17th Judicial Circuit Administrative Order 2015-10-UFC, please file the Motion and contact the judge assigned to the case to see if the assigned judge can hear the matter or if it needs to be set on the Shelter Docket. If the assigned judge cannot be reached, then the Chairperson of the Dependency Division shall make the determination.

IF YOU HAVE AN ARRAIGNMENT, ADVISORY OR TRIAL:

Parties who have been admonished to appear for an Arraignment, Advisory or Trial shall appear via Zoom or telephone in the VIRTUAL COURTROOM. Each Judge or General Magistrate will make determinations, at the time of those hearings and trials, regarding how such cases will proceed.

IF YOU HAVE A QUESTION:

Any parent, Child Advocate, Guardian ad Litem, caregiver, provider or interested party with questions regarding these procedures is urged to call, e-mail or text their lawyer. The Judge's or General Magistrate's Judicial Assistant and Case Managers may also be able to assist. Please see attached for the contact information.

Please also note the Seventeenth Judicial Circuit has put together information and instructions regarding Zoom. You can access this tutorial at: <http://www.17th.flcourts.org/electronic-hearing-with-zoom/>

LAWYER RESPONSIBILITIES:

All attorneys should test their equipment prior to scheduled hearings in which their participation is needed. Please sign into the Zoom hearing at least five (5) minutes before the scheduled hearing as the login process can sometimes take a few minutes. Upon entering the Zoom Courtroom all parties should be 'MUTED.' Once your case is called, you should be unmuted so all parties can actively participate. During hearings, parties should conduct themselves as they would real-life courtroom hearings: appropriately prepared and without distractions while refraining from multitasking on other matters. Clients should also be participating in hearings via Zoom. Again, lawyers are responsible for providing their clients with the link and ensuring that the client's equipment is tested in advance. In addition, in noticing hearings, lawyers are expected to include the Zoom links on all Notices of Hearing.

Please understand that just as matters sometimes run long for in-person hearings, hearings in the VIRTUAL COURTROOM may be running over. You may be kept in the Zoom "waiting room" until your case is ready to be called. Please be patient and know the judge will admit you to the VIRTUAL COURTROOM when the judge is ready to start. Please also be quiet or mute yourself if you are admitted to a VIRTUAL COURTROOM and the judge is not yet handling your case.

Lawyers are also reminded Odyssey is still functioning and is not affected by the current circumstances. Thus, all Motions, Reports, and other legal documents must still be e-filed as required by law and in a timely fashion. The Court will not be able to hear any matter where the appropriate and necessary documentation has not been filed.

After a hearing, if an order needs to be submitted to the Court, the order shall be circulated among the Parties for approval. Once approved or after a reasonable period of time has elapsed for a party to voice an objection to the proposed order, it shall be the responsibility of the proponent of the hearing/motion to submit the proposed order to the Court via email for signature. If there remains disagreement among the parties as to any of the terms of an order after a proposed order has been circulated, the proponent of the hearing/motion shall submit the proposed order along with an email outlining about which areas there was disagreement so the Court can determine the appropriate language before signing the order.

Thank you for your cooperation during this challenging time.