

**IN THE THIRTEENTH JUDICIAL CIRCUIT
HILLSBOROUGH COUNTY, FLORIDA**

**ADMINISTRATIVE ORDER S-2016-024
(Supersedes Administrative Order S-2013-009)**

JURY MANAGEMENT

Chapter 2016-52, Laws of Florida, amended section 40.013, Florida Statutes, providing that certain persons incapable of caring for themselves may be permanently excluded from jury service upon request. In light of this statutory amendment, it is necessary to update procedures for jury management in this circuit. By the power vested in the chief judge under article V, section 2(d), Florida Constitution; section 43.26, Florida Statutes; and Florida Rule of Judicial Administration 2.215(b)(2), it is therefore **ORDERED**:

1. Jury Clerk & Jury Services

The clerk of the court will assign deputy clerks to be designated as *jury clerks*. Jury clerks will comprise the department known as *Jury Services*, located in or near the jury auditorium. Jury clerks will be responsible for: summoning jurors; processing jurors' requests to be excused; checking in jurors on the automated jury system; assisting in the qualifications of jurors; preparing the jury list after excuses have been determined; making juror assignments to courtrooms; updating payroll; preparing letters of attendance for employers upon jurors' requests; and preparing paperwork for juror compensation.

2. Jury Duty Judge

Annually the chief judge enters an administrative order assigning circuit and county judges as duty judges to, among other duties, consider and act upon requests to be excused from jury service. The judge assigned for the respective week will be designated as the *jury duty judge*. Jury duty judges may affect changes in weekly assignment dates upon notification to Jury Services.

3. Juror Summonses and Questionnaires

Jury Services will be responsible for summoning jurors approximately five weeks in advance of the actual reporting date. Juror questionnaires will be mailed to prospective jurors with the summons. Supplemental juror questionnaires may be utilized in appropriate cases.

4. Disqualified and Excused Jurors

The jury clerk will send to each person summoned for jury service a form that solicits information to determine whether the person is disqualified or excused from jury service under section 40.013, Florida Statutes. To be disqualified or excused from jury service, a prospective juror must complete the applicable form and return it to Jury Services along with any supporting documentation.

The jury clerk will excuse a prospective juror prior to the juror reporting for duty for any of the reasons set forth in the following sections of the Florida Statutes: 40.013(1), 40.013(2), 40.013(3), 40.013(4), 40.013(7), 40.013(8), 40.013(9) or 40.013(10). If any prospective juror requests to be excused from jury service for a reason set forth in section 40.013(5) or 40.013(6), Florida Statutes, prior to the juror reporting for duty, the jury clerk will direct such request to the jury duty judge.

Any request to be excused from jury service made to any judge will be directed to the jury duty judge. Any judge may excuse a prospective juror by communicating that request to the jury duty judge. The jury duty judge will honor another judge's decision to excuse and will notify the jury clerk in writing. The jury duty judge may excuse a prospective juror after that juror reports for duty.

5. Qualification of Venire

To assure prospective jurors are qualified under sections 40.01 and 40.013, Florida Statutes, the jury duty judge will qualify all prospective jurors unless the jury duty judge advises the jury clerk that another judge has agreed to perform the qualifying duty or advises that the jury clerk should perform the qualifying duty instead.

6. Scheduling

All administrative judges of subject matter divisions that conduct jury trials will send a yearly schedule of their divisions' designated jury trial weeks to Jury Services.

All jurors will be impaneled on Mondays of each week except for the week of Thanksgiving and any week in December the chief judge may designate. If a holiday falls on a Monday, jurors will be impaneled on the next working day after the Monday holiday.

Judges should make every effort to select all juries needed for the week on Monday. Juries are not to be selected on Tuesdays, Wednesdays, Thursdays, or Fridays except in extraordinary circumstances. Unless specifically reserved by a

judge with the approval of the chief judge, no jurors will be available for service in the jury auditorium on Tuesdays, Wednesdays, Thursdays, or Fridays. If it is absolutely necessary for a judge to impanel a jury on a Tuesday, Wednesday, Thursday, or Friday, the judge or the judge’s judicial assistant, after approval by the chief judge, must contact Jury Services by Monday with the exact size of the panel the judge wishes to reserve for Tuesday, Wednesday, Thursday or Friday.

7. Jury Panel Sizes

In accordance with Florida Supreme Court Administrative Order AOSC06-13, the panel sizes for any jury trial will be as follows:

Type of Case	Panel Size
Death penalty cases	No greater than 50
Other 12-person juries and life felonies	No greater than 40
Sexual battery cases with a child	No greater than 30
Sexual battery cases with no child	No greater than 25
Other circuit criminal cases	No greater than 22
Other circuit civil cases	No greater than 22
Domestic violence cases	No greater than 16
Driving under the influence cases	No greater than 16
Other county cases	No greater than 14

The presiding judge may deviate from these panel size guidelines as indicated in the attached table.

8. Reporting and Assignment Procedures

Unless disqualified, excused or otherwise advised by the jury clerk, all jurors should report to the Edgecomb Courthouse auditorium on the second floor on Mondays at 8:00 a.m. or 10:30 a.m., or as otherwise indicated on the jury summons. After jurors have taken the oath and are qualified by the jury duty judge or jury clerk, the jury clerk will assign the jurors to each court as requested.

No judge may request a panel be sent to the courtroom unless there is a case ready to go to trial and all parties are present in the courtroom. Bailiffs will report to the auditorium when instructed by their judges to escort jurors to the assigned courtrooms. Bailiffs must report to the jury auditorium and enter their judge’s name on the sign-up sheet, which is located on the front counter in the Jury Services designated work area. Bailiffs may report as early as 7:30 a.m.

Bailiffs must be present in the jury auditorium immediately after the prospective jurors are qualified to enable the jury clerk to fill a panel. Jury Services will fill panels in the order listed on the sign-up sheet as long as the respective bailiff is present. For example, if Bailiff #1 on the sign-up sheet is not present in the auditorium at the time the clerk is filling a panel, but Bailiff #2 is present, then Jury Services will skip Bailiff #1, and then fill the panel for Bailiff #2.

Every judge should attempt to begin voir dire within 30 minutes of the jury panel arriving at the courtroom. If voir dire does not begin within 30 minutes, the judge should consider returning the panel to the jury auditorium for use by other judges.

After a jury is selected in the courtroom, the court clerk will determine from the judge when jurors will be needed again and call or send an e-mail message to the jury clerk in the auditorium to determine if jurors are needed to return to the auditorium. If additional jurors are needed in a courtroom, or if jurors are needed for the selection of another trial, the court clerk will call the jury clerk and request the required number be sent to the courtroom. The bailiff will go to Jury Services and escort jurors to the courtroom. Courtroom clerks will update juror attendance.

9. Electronic Devices

Use of electronic devices by jurors is governed by Florida Rule of Judicial Administration 2.451(b).

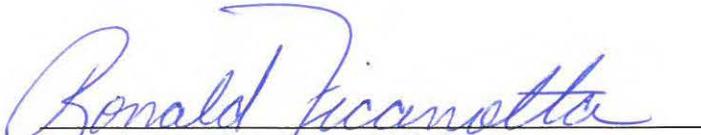
10. Previous Administrative Order Superseded

This administrative order supersedes Administrative Order S-2013-009 (*Jury Management*).

11. Effective Date

This administrative order is effective July 1, 2016.

It is ORDERED in Tampa, Hillsborough County, Florida, on this 10th day of June, 2016.



Ronald N. Ficarrotta, Chief Judge

Administrative Order S-2016-024

Original to: Pat Frank, Clerk of the Court

Copy to: All Judges
David Gee, Sheriff
Jury Services

Panel Size Guidelines

Panel Size Guidelines for Typical Cases			Guidelines for Exempted Cases**
Case Type	Guideline	Acceptable Deviations* (with approval of presiding judge)	
Death penalty cases	No greater than 50	Plus 3 for each additional defendant; or Plus 3 for lengthy trials; or Plus 3 for high profile trials; or Plus 3 for extraordinary circumstances.	Jury Panel Size to be Established by the Presiding Judge and Parties (Prompt notification to jury managers will be required.)
Other 12 person juries (criminal or civil) and life felonies	No greater than 40	Plus 3 for each additional defendant/party; or Plus 3 for lengthy trials; or Plus 3 for high profile trials; or Plus 3 for extraordinary circumstances.	
Sexual battery cases w/ child	No greater than 30	Plus 3 for each additional defendant; or Plus 3 for lengthy trials; or Plus 3 for high profile trials; or Plus 3 for extraordinary circumstances.	
Sexual battery cases no child	No greater than 25	Plus 3 for each additional defendant; or Plus 3 for lengthy trials; or Plus 3 for high profile trials; or Plus 3 for extraordinary circumstances.	
Other circuit criminal cases	No greater than 22	Plus 2 for each additional defendant; or Plus 2 for lengthy trials; or Plus 2 for high profile trials; or Plus 2 for extraordinary circumstances.	
Other circuit civil cases	No greater than 22	Plus 2 for each additional party; or Plus 2 for lengthy trials; or Plus 2 for high profile trials; or Plus 2 for extraordinary circumstances.	
Domestic violence cases	No greater than 16	Plus 2 for each additional party; or Plus 2 for lengthy trials; or Plus 2 for high profile trials; or Plus 2 for extraordinary circumstances.	
Driving under the influence cases	No greater than 16	Plus 2 for each additional defendant; or Plus 2 for lengthy trials; or Plus 2 for high profile trials; or Plus 2 for extraordinary circumstances.	
Other county cases	No greater than 14	Plus 2 for each additional defendant/party; or Plus 2 for lengthy trials; or Plus 2 for high profile trials; or Plus 2 for extraordinary circumstances.	

*These deviations from the guidelines must be approved by the presiding judge. Deviations may be cumulative given case specifics. However, such deviations should not exceed 20 jurors above the guideline. Lengthy trials are those predicted to last more than five days. High profile trials are those receiving a significant amount of publicity as determined by the presiding judge. Extraordinary circumstances are any other factors that may impact the voir dire process as determined by the presiding judge.

**Exemptions may be granted for complex, lengthy, or high profiles cases as determined by the presiding judge.