

Supreme Court of Florida

No. AOSC23-25

IN RE: COVID-19 ADMINISTRATIVE ORDERS

ADMINISTRATIVE ORDER

To mitigate the effects of the Coronavirus Disease 2019 (COVID-19) pandemic on the judicial branch and its participants, the chief justice issued administrative orders implementing temporary measures essential to the administration of justice. Although a number of those administrative orders (or provisions within those administrative orders) have expired, been superseded, or been expressly terminated, some remain in effect. In anticipation of the scheduled end of the federal public health emergency on May 11, 2023, this administrative order comprehensively addresses the status of relevant COVID-19 administrative orders.

This administrative order first addresses the status of *In re: COVID-19 Health and Safety Protocols and Emergency Operational Measures for Florida Appellate and Trial Courts*, Fla. Admin. Order No. AOSC21-17, Amendment 3 (Jan. 8, 2022) (the “COVID-19 Omnibus Order”), the principal extant pandemic-related

administrative order. Most importantly, this administrative order keeps in place the COVID-19 Omnibus Order's civil case management requirements. Then this administrative order identifies extant pandemic-related administrative orders that shall remain in effect until their already-scheduled termination or further order of the chief justice. And finally, this administrative order identifies two extant pandemic-related administrative orders for immediate termination.

I. COVID-19 OMNIBUS ORDER

A. Because they facilitate the resolution of pandemic-generated workload and solidify the State Courts System's commitment to active case management generally, the requirements of COVID-19 Omnibus Order Section II.E.(7) (civil case management within judicial circuits) shall remain in effect.

B. To facilitate recovery from effects of the public health emergency, the following provisions of the COVID-19 Omnibus Order shall remain in effect:

1. Section II.E.(8) (speedy trial in criminal court proceedings; 30-day recapture window and authorization

for extension of time periods under specified exceptional circumstances);

2. Section II.E.(9) (speedy trial in juvenile court proceedings);
3. Section II.E.(11) (defendants arrested on warrant or capias from another Florida jurisdiction); and
4. Section II.E.(12) (speedy trial in noncriminal traffic infraction court proceedings).

C. The following provisions of the COVID-19 Omnibus Order shall terminate effective immediately:

1. Section I (health and safety protocols);
2. Section II.C. (law school practice programs);
3. Section II.E.(6) (case resolution);
4. Section II.E.(10) (incompetence to proceed);
5. Section II.E.(13) (family law forms); and
6. Section II.E.(14) (objections to in-person visitation for children under the protective supervision of the Florida Department of Children and Families).

D. Note that a previous administrative order terminated

provisions of the COVID-19 Omnibus Order relating to remote proceedings. Those provisions had been rendered unnecessary by the Court's adoption of related changes to various rules of procedure.¹

II. ADMINISTRATIVE ORDERS TO REMAIN IN EFFECT

The following administrative orders shall remain in effect until their scheduled termination or until further order of the chief justice:

1. Fla. Admin. Order No. AOSC20-22 (April 1, 2020)
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1. *In re: Termination of Specified COVID-19 Emergency Operational Measures to Account for New Rules on Remote Conduct of Court Proceedings*, Fla. Admin. Order No. AOSC22-51 (Oct. 3, 2022). The chief justice issued the administrative order in response to the Supreme Court's adoption of amendments to multiple rules of procedure and Florida Supreme Court Approved Family Law Forms, which amendments provide permanent and broader authorization for the remote conduct of certain court proceedings. See *In re: Amendments to Florida Rules of Civil Procedure, Florida Rules of General Practice and Judicial Administration, Florida Rules of Criminal Procedure, Florida Probate Rules, Florida Rules of Traffic Court, Florida Small Claims Rules, and Florida Rules of Appellate Procedure*, 346 So. 3d 1105 (Fla. 2022), and *In re: Amendments to Florida Rules of Juvenile Procedure, Florida Family Law Rules of Procedure, and Florida Supreme Court Approved Family Law Forms*, 356 So. 3d 685 (Fla. 2022).

electronic filing);

2. Fla. Admin. Order No. AOSC20-29 (April 29, 2020) (suspension of restrictions on distance learning and conference sponsored continuing judicial education), which is scheduled to expire on June 30, 2023;² and
3. Fla. Admin. Order No. AOSC22-108 (Dec. 19, 2022) (continuing use of communication technologies for certain alternative dispute resolution purposes), which provisions expire on June 30, 2023, or December 31, 2023, as prescribed in the administrative order.

III. TERMINATION OF CERTAIN ADMINISTRATIVE ORDERS

The following pandemic-related administrative orders shall terminate effective immediately:

1. Fla. Admin. Order No. AOSC20-12, Amendment 1 (Sept. 30, 2020) (chief judge and Court Emergency Management Group responsive activities); and
2. Fla. Admin. Order No. AOSC20-14, Amendment 2 (April

2. *See In re: Court Education Comprehensive Plan and Policies Manual*, Fla. Admin. Order No. AOSC23-8 (Feb. 2, 2023), at 3.

1, 2021) (development of policy on personal travel by State Courts System judges, officers, and employees).

IV. CONCLUSION

The termination of pandemic-related provisions under this administrative order is not intended to affect lawful actions taken under the authority of the provisions while they were in effect. Further, the termination of provisions is not intended to affect any authority that chief judges of the district courts of appeal and of the circuit courts have under article V, section 2 of the Florida Constitution and Florida Rules of General Practice and Judicial Administration 2.210 and 2.215, respectively, to respond to emergencies affecting the operation of courts.

DONE AND ORDERED at Tallahassee, Florida, on April 27,
2023.

C. Muñiz
AOSC23-25

Chief Justice Carlos G. Muñiz
AOSC23-25 4/27/2023

ATTEST:

[Signature]
AOSC23-25 4/27/2023

John A. Tomasino, Clerk of Court
AOSC23-25 4/27/2023

