

ADMINISTRATIVE ORDER  
NO. 2020-10-01

IN THE CIRCUIT COURT OF THE  
NINTH JUDICIAL CIRCUIT, IN AND  
FOR ORANGE AND OSCEOLA  
COUNTIES, FLORIDA

**AMENDED TEMPORARY ORDER REGARDING VISITATION**  
**IN ALL DEPENDENCY CASES**

**WHEREAS**, pursuant to Article V, section 2(d) of the Florida Constitution and section 43.26, Florida Statutes, the chief judge of each judicial circuit is charged with the authority and the power to do everything necessary to promote the prompt and efficient administration of justice; and

**WHEREAS**, pursuant to the Chief Judge's constitutional and statutory responsibility for administrative supervision of the courts within the circuit and considering available resources, to create and maintain an organization capable of effecting the efficient, prompt, and proper administration of justice for the citizens of this State, the Chief Judge is required to exercise direction, *see* Fla. R. Jud. Admin. 2.215(b)(2), (b)(3); and

**WHEREAS**, the Centers for Disease Control and the Florida Department of Health have advised people to take precautions in light of the Coronavirus Disease 2019 (COVID-19) outbreak, and specifically noting the best way to prevent illness is to avoid exposure to the virus through such measures as small gatherings and social distancing; and

**WHEREAS**, because of the COVID-19 outbreak, Governor Ron DeSantis declared a State of Emergency on March 1, 2020, the World Health Organization declared a global pandemic on March 11, 2020, Orange County declared a Local State of Emergency on March 13, 2020, and Osceola County declared a Local State of Emergency on March 16, 2020; and

**WHEREAS**, in an effort to achieve the overriding goal of protecting the public in every way possible;

**NOW, THEREFORE, I**, Donald A. Myers, Jr., in order to facilitate the efficient operation of the administration of justice, and pursuant to the authority vested in me as Chief Judge of the Ninth Judicial Circuit of Florida under Florida Rule of Judicial Administration 2.215, hereby order that, **effective immediately**, and to continue **through May 29, 2020 or further order**:

1. The Department of Children and Families and its case management agencies are not obligated to transport children and/or parents for court ordered visitation, whether supervised or unsupervised, should they determine that it is not safe or prudent for them to do so.

2. Unless specifically ordered otherwise in a particular case, ALL supervised in-person visitation is SUSPENDED through May 29, 2020.

3. Any visitation previously ordered which is via electronic communications will proceed as scheduled.

4. In lieu of in-person visitation supervised or assisted by DCF and its agencies, to the maximum extent feasible, visitation between parents and children and visitation among siblings must be conducted by electronic means with video communication preferred and telephonic communication permitted when video communication is not feasible. The Judges assigned to the Ninth Circuit Dependency Divisions may request updates from DCF or an assigned DCF agencies to their good faith efforts to conduct court ordered visitation electronically.

5. The Department of Children and Families (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.

6. The Department is directed to file a memorandum setting out the electronic visitation schedule for each child and family, approved supervisor for such visitation and any known barriers to electronic visitation. Such reports should be filed as soon as practicable but in no event later than 15 days from the date of this Order. The Department shall update the electronic visitation memorandum within 3 days if the Department determines that changes to the schedule or supervisor are required.

7. Parents permitted unsupervised visitation by prior court order shall be permitted unsupervised electronic visitation. The Department is granted discretion to permit unsupervised electronic visitation whenever it determines that unsupervised electronic visitation is reasonably safe and otherwise appropriate.

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 on the filings alone.

9. Stipulated Motions to change visitation in order to accommodate electronic visitation shall be submitted to the Court with a proposed Order.

10. Whether, and if so, to what extent “make-up” visitation will occur is a matter for later consideration if raised by written motion.

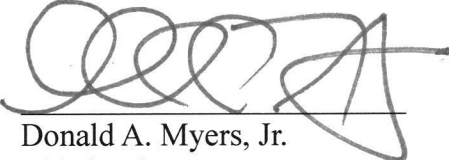
11. This order is not applicable to DCF and its agency’s responsibility to maintain their contact, supervision and visitation with children under their care and supervision.

12. Notwithstanding paragraph 1 above, nothing in this Administrative Order is intended to affect in-person visitations when all parties and the caregiver agree that the visitation can take place in a manner that does not pose a health threat.

13. This Administrative Order shall be subject to modification, addition, and extension as the evolving and fluid nature of the facts and circumstance may require.

14. Administrative Order 2020-10 is vacated and set aside except to the extent that it has been incorporated and/or amended herein. Vacating an Administrative Order that vacates a prior Order does not revive the prior Order.

**DONE AND ORDERED** at Orlando, Florida, this 15<sup>th</sup> day of April, 2020.



Donald A. Myers, Jr.  
Chief Judge

Copies provided to:

Clerk of Court, Orange County  
Clerk of Court, Osceola County  
General E-Mail Distribution List  
<http://www.ninthcircuit.org>