

ADMINISTRATIVE ORDER  
NO. 2020-12

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

**TEMPORARY EMERGENCY PROCEDURES REGARDING USE OF  
ELECTRONIC DEVICES IN REMOTE COURTROOM PROCEEDINGS IN  
THE NINTH JUDICIAL CIRCUIT OF FLORIDA**

**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**, the Supreme Court of Florida promulgated standards of conduct and technology, codified in the Rules of Judicial Administration, subject at all times to the authority of the presiding judge to: (i) control the proceedings before the court; (ii) ensure decorum and prevent distractions; and (iii) ensure the fair administration of justice in the pending cause; and

**WHEREAS**, non-essential hearings that can be effectively conducted remotely through communication equipment without in-person court appearances may proceed remotely, and mission critical court matters shall also be conducted remotely through communication equipment, unless the presiding judge determines that an in-person court appearance is necessary; and

**WHEREAS**, it is necessary to adapt guidelines governing the use of electronic devices in court proceedings for use in remote court proceedings via communication equipment; and

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

**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 until further order:

1. Pursuant to Florida Supreme Court Administrative Order No. AOSC20-23 (Amendment 1), In Re: Comprehensive COVID-19 Emergency Measures for the Florida State Courts, which extends, refines, and strengthens previously enacted temporary remedial measures, the Chief Judge of each judicial circuit is authorized to establish temporary procedures for the use, to the maximum extent feasible, of communication equipment for the conducting of proceedings by remote electronic means, as are necessary in their respective circuits due to the public health emergency. Oaths may be administered remotely via audio-video technology; witnesses may be sworn in via video-conferencing; and any rules limiting the use of audio-video communication can be suspended.

2. During remote court proceedings conducted through communication equipment, electronic devices may not be used by counsel, parties, or non-media observers for photography, videography, or audio recording of the court proceeding unless the individual obtains prior approval from the Presiding Judge. Such devices include, but are not limited to, cell phones, cameras, computers, laptops, tablets, digital voice recorders or similar technical devices.

3. Media representatives, who are in compliance with the registration requirements and other directives contained in Administrative Order 07-96-19-03, may use electronic devices for coverage of court proceedings, with notice to the Presiding Judge.

4. Except for media representatives compliant with Administrative Order 07-96-19-03, no person may use any still image, video or audio recording for any purpose whatsoever including, but not limited to, recording, broadcasting, or posting on a website, chatroom, or blog.

5. No media representative and no member of the public observing any court proceedings remotely are permitted to speak or interrupt the proceedings in any way.

6. Anyone violating this Administrative Order will be subject to the discipline of the Court, including, but not limited to, the Court's contempt authority.

7. For remote access to hearings by the media, as defined by Administrative Order 07-96-19-03, media representatives may contact the Judicial Assistant for the Judge that will be handling the court proceeding at least one day in advance to obtain information regarding access for a specific hearing. For additional information please go to:

<https://www.ninthcircuit.org/news/covid-19-information-and-update>.

For remote access to hearings that are required to be open to the public, members of the public may contact the Judicial Assistant for the Judge that will be handling the court proceeding at least one day in advance to obtain information regarding access for a specific hearing. For additional information please go to:  
<https://www.ninthcircuit.org/news/covid-19-information-and-update>.

8. This Order shall remain in full force and effect until further order of the Court. This Order supplements both Administrative Order 07-96-19-03 and Administrative Order 2014-04-02. All provisions of both Administrative Order 07-96-19-03 and Administrative Order 2014-04-02 remain in full force and effect except where inconsistent with this Order.

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

**DONE AND ORDERED** at Orlando, Florida, this 5th day of May, 2020.

A handwritten signature in blue ink, consisting of several loops and a final vertical stroke, positioned above a horizontal line.

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>