

IN THE CIRCUIT COURT OF THE
NINETEENTH JUDICIAL CIRCUIT,
IN AND FOR INDIAN RIVER, MARTIN,
SAINT LUCIE AND OKEECHOBEE COUNTIES

ADMINISTRATIVE ORDER NO. 85-1

IN RE: CHILD AND SEXUAL ABUSE VICTIMS -)
INTERVIEWS OF YOUNG VICTIMS)
_____)

This Order is issued pursuant to the provisions of Section 7, Chapter 84-86, Laws of Florida, requiring the chief judge to provide by order reasonable limits on the number of interviews that young victims of child abuse must submit to for law enforcement or discovery purposes. This order shall apply to the investigation and prosecution of all cases of child abuse under Sections 794.011, 800.04, 827.03 and 827.04 Florida Statutes when the victim is under the age of sixteen years at the time the interviews are sought.

"Interview" for the purposes of this order means any procedure in which the victim is required to provide an account or demonstration of the nature and circumstances of the abuse, but does not include: a history obtained by a medical or psychological professional for the purposes of medical or psychological diagnosis or treatment, or an initial contact with the victim by law enforcement or the Florida Department of Health and Rehabilitative Services to assess the validity of the complaint or need to take protective measures on behalf of the victim. This "initial contact" shall not include activity generally considered as trial preparation and the contact shall be limited to one episode of time without continuance.

In accord with the foregoing and the need to act in the best interest of child victims of abuse, it is

ORDERED as follows:

1. No victim of child abuse under the statutes listed above who falls within the age guideline of this order shall be required to submit to more than three interviews in the course of investigation and prosecution of an episode of child abuse, except upon order of court as provided below.

2. The three interviews allotted to meet the needs of potential parties are as follows: one interview by HRS and law enforcement jointly held, one by the State Attorney and one by the representative of the person alleged to be responsible for the abuse.

3. Interested parties or agencies shall make every effort to gain all necessary information in the course of the same interview.

4. Interviews shall be conducted in a setting and manner intended to minimize the traumatic effects of the interview on the victim. Stenographic, sound, or TV recordings may be made under the applicable rules.

5. When more than one party or agency participates in an allotted interview, the interview shall be conducted by a single person who shall address the concerns of all parties unless a conflict of interest exists, in which case the Court may authorize more than one person to conduct the interview.

6. Additional interviews shall be allowed only by order of court upon motion for good cause shown. Additional interviews shall be limited in scope to assure minimal impact on the victim. Photo or physical lineups (unless conducted at the initial contact), polygraph examination, and hypnosis techniques may be used only after specific order of court.

7. All questions involving the interpretation and application of this Order shall be addressed to the trial judge presiding over the case and appeals from rulings of the trial judge shall follow normal procedures and not be made to the Chief Judge.

DONE and ORDERED in quadruplicate at Stuart, Martin County, Florida, this the 10~~th~~ day of January, 1985.


Chief Judge C. Pfeiffer Trowbridge