

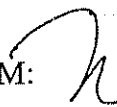
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ADMINISTRATIVE OFFICE OF THE COURTS
INTER-OFFICE
MEMORANDUM

2001-193

TO: Honorable Jeffrey K. Barton
Honorable Marsha Ewing
Honorable Sharon Robertson
Honorable JoAnne Holman

FROM:  Tom Willis, Court Administrator

DATE: September 12, 2001

RE: Administrative Order 2001- 12

Please record the attached original Administrative Order 2001- 12, establishing Emergency Evacuation Procedures and Courthouse Closures.

Please take the time to familiarize yourselves and any appropriate staff with these procedures, as it outlines how the Court is going to react to various emergency situations.

THW/khg

cc: All Circuit and County Judges in the 19th Circuit
Honorable Bruce Colton
Honorable Diamond Litty
All Sheriff's Dept. in the 19th Circuit
Staff Attorneys
All County Attorneys in the 19th Circuit
Law Libraries
Local Bar Presidents

**IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT IN AND FOR
INDIAN RIVER, MARTIN, OKEECHOBEE, AND ST. LUCIE COUNTIES
STATE OF FLORIDA**

ADMINISTRATIVE ORDER 2001-12

RE: EMERGENCY EVACUATION PROCEDURES AND COURTHOUSE CLOSURES

WHEREAS, the courts may be unable to operate under normal rules and procedures during an emergency or disaster situation.

THEREFORE, when a state of emergency is declared by executive order or proclamation of the Governor pursuant to Florida Statute 252.36, or the Board of County Commissioners/County Director of Emergency Management pursuant to Florida Statute 252.38, or in the opinion of the Chief Judge, pursuant to Rule 2.050 of the Florida Rules of Judicial Administration, an emergency or threat to the security and safety of the public is imminent and it is in the interest of the efficient administration of justice to invoke these emergency procedures, this administrative order shall take effect. This administrative order when in effect, shall take precedence over all other administrative orders of the court if in conflict.

Initial Review

Upon one of the above parties declaring a state of emergency, a determination needs to be made identifying whether the state of emergency is due to an actual or impending minor, major, or catastrophic disaster. Evacuation procedures or closure of courthouses shall be implemented on a county by county basis. Due to the make-up of our Circuit, which includes three coastal counties and one in-land county to the west approximately 50 miles, it may not be necessary to close the Circuit as a whole initially.

The Court will coordinate its efforts under the guidance of the Chief Judge or designee, working in conjunction with the Court Administrator's Office and county emergency management offices. Due to court proceedings taking place in county facilities, the Chief Judge will need up-to-date information to assess the degree of the emergency and to be provided with directives by county and emergency management officials as to closure of county buildings and facilities.

Notification of Emergency Status

Immediately upon a state of emergency being declared and this administrative order going into effect, the Chief Judge shall notify the Court Administrator to start implementation of an emergency status. Court Administration will notify all judges of the emergency (which will require all judges providing Court Administration with an up-to-date and current telephone number for after hours) and further plans to provide judicial coverage for emergency court proceedings (first appearance hearings, juvenile detention hearings, juvenile shelter care, and domestic violence injunctions).

Court Administration has assigned telephone number (561) 462-2367 (normally for the Personnel Specialist - Celeste Hartsfield) to be set up with a message advising all court personnel of the emergency situation, the status of court proceedings, and where they should report to assist in dealing with the emergency. The message will be up-dated as needed, at the direction of the Court Administrator. If there is a loss of telephone service, the media will be relied upon for dissemination of information.

At the direction of the Chief Judge or Court Administrator, staff will notify court-related agencies as to the planned status for court operations during the particular emergency. These agencies may include the Clerk of Court, State Attorney, Public Defender, Sheriff's Office, Dept. of Children and Families, Dept. of Juvenile Justice, Dept. of Corrections, Misdemeanor Probation Departments, and those other agencies needing notification and requesting they be added to the list. These agencies will need to provide the name and telephone number of the contact person to be notified of such emergency.

The Court Administrator, at the direction of the Chief Judge, shall be responsible for all press releases to the media regarding court activities. The Court Administrator will coordinate with county administrative offices and county emergency management offices in reference to the operational status of court facilities.

Emergency Status Assignments

The Court Administrator will designate staff to attend county emergency management meetings representing the courts, to insure dissemination of information to the Chief Judge for closure or reduction of court operations if necessary. Seventy-two (72) hours prior to the emergency (if there is available notice-such as in the case of a hurricane), the Court Administrator will place the designated staff on alert for attendance at meetings and will assign cellular telephones or some similar method to insure a timely communication of up-dated information from county officials to court officials.

Seventy-two (72) hours prior to the emergency, the Court Administrator will also assign a staff member as the liaison with the media. All press releases will be sent at the direction of the Court Administrator with approval of the Chief Judge. The media liaison will fax all press releases and the Court Administrator's Office will maintain a list of telephone and fax numbers for local media resources.

Emergency Court Proceedings

Upon a state of emergency being declared, and upon closure of county buildings and facilities (which would include courthouse facilities), the Chief Judge may designate county jail facilities or any other facilities as a temporary court facility. With the exception of first appearance hearings, juvenile detention hearings, domestic violence matters, and any other emergency matters, all routine court proceedings will be suspended during a declared emergency until the Chief Judge has determined that normal court activities can resume.

In a situation of imminent danger (such as a bomb threat), all judicial and court personnel will follow the directions of court security as to the evacuation procedure and safe return to the building.

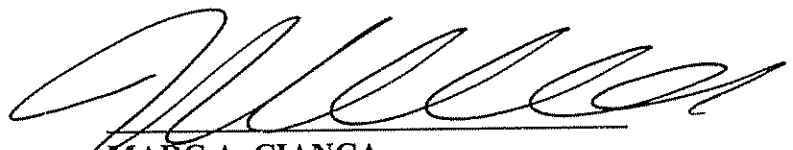
During a declared emergency, the Chief Judge will rely upon the normally assigned duty judge per each county under emergency status, to handle emergency court proceedings at a designated facility. The Sheriff's Office shall provide transportation and possibly accommodations if needed for the duty judge during a declared emergency until normal court proceedings can resume. Other judges may be assigned to assist in these duties by the Chief Judge. If the normally assigned duty judge has to re-locate outside the Circuit, due to residing in a coastal, low-lying, or evacuation area, then that judge will make arrangements with another judge to cover emergency court proceedings. The Sheriff's Office (jail facility) and Clerk's Office will be notified of which judge has agreed to cover the emergency period.

Resumption of Routine Court Proceedings

The Chief Judge shall coordinate with the Court Administrator, county administrative offices and county emergency management officials to determine when court facilities are safe and available for use by court personnel and the public. The media liaison, per the Court Administrator under the direction of the Chief Judge, will send a press release upon court proceedings being resumed. All judicial and court staff are to again telephone the designated court information number (561) 462-2367, for details as to court proceedings and assignments.

The Chief Judge shall petition the Florida Supreme Court for a tolling of all statutory and rule authorized time limits during the time of emergency, until normal court activities can be resumed.

12th **DONE AND ORDERED** in quadruplicate at Ft. Pierce, St. Lucie County, Florida, this
day of *Sept.*, 2001.


MARC A. CIANCA
Chief Judge