

THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT  
THE STATE OF FLORIDA

ADMINISTRATIVE ORDER: A-2021-26

**ADMINISTRATIVE ORDER RE: TEMPORARY EMERGENCY  
OPERATIONS MEASURES**

**WHEREAS**, on June 21, 2021, the Courts of the Fifth Judicial Circuit discontinued operating under the Fifth Judicial Circuit of Florida COVID-19 Public Health and Safety Operational Plan: Phase 2 and resumed normal court operations in compliance with Florida Supreme Court Administrative Order AOSC21-17, issued June 4, 2021; and

**WHEREAS**, the undersigned issued A-2021-19 Fifth Circuit Administrative Order Re: Normalization of Judicial Operations on June 11, 2021, with an effective date of June 21, 2021, including a provision stating “the wearing of face masks and physical distancing are not required during in-person court proceedings.”; and

**WHEREAS**, on July 29, 2021 the Florida Supreme Court issued Administrative Order AOSC21-17, Amendment 1, for the purpose of addressing the most recent COVID-19 related developments, to continue to mitigate the effects of the public health emergency on the judicial branch during the emergency, and to modify and extend previously enacted temporary health and safety protocols and emergency operational measures; and

**WHEREAS**, Florida Supreme Court AOSC-17, Amendment 1, Section I.C. allows the undersigned Chief Judge to require the wearing of face masks by persons in any or all courthouses or any portion thereof when warranted by local health conditions; and,

DBM<sup>th</sup>

**WHEREAS**, recent local COVID-19 positivity and hospitalization data warrant temporary emergency measures;

**IT IS THEREFORE**, pursuant to the authority of the Chief Judge under section 43.26, Florida Statutes, and Florida Rule of General Practice and Judicial Administration 2.215, and pursuant to Florida Supreme Court AOSC-17, Amendment 1;

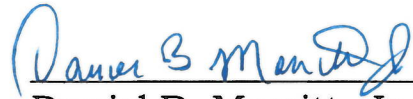
**ORDERED** and **ADJUDGED** as follows:

1. All persons not fully vaccinated entering the Courthouse or attending an in-court proceeding must wear a face mask in all public areas of the courthouse and during in-person court proceedings.
2. All fully vaccinated persons entering the Courthouse or attending an in-person proceeding are encouraged to wear a face mask if they choose. However, they are not required to wear a face mask.
3. If a person chooses to wear a face mask and does not have one, a face mask shall be provided to that person by Court administration in each county.
4. All Baker and Marchman Act proceedings shall be conducted remotely.
5. Each judge shall take all necessary steps to support the remote conduct of other trial court proceedings with the use of technology, in accordance with this administrative order. For purposes of this administrative order, “remote conduct,” or “conducted remotely” means the conduct, in part or in whole, of a court proceeding using telephonic or other electronic means.
6. All jury trials shall be conducted in person, unless consent is provided as directed in Section II.E.(3)a of Florida Supreme Court Administrative Order AOSC21-17, as amended.
7. All Judges may exercise their discretion in determining whether any other proceedings shall be conducted in person or remotely.
8. Appropriate notice and/or signage of the requirements herein regarding masking shall be posted accordingly.

DBMJ

9. This Administrative Order shall remain in effect until further notice or until superseded by further order of this Court or the Florida Supreme Court.

**DONE AND ORDERED** in chamber Brooksville, Hernando County Florida this 3<sup>rd</sup> day of August, 2021.

A handwritten signature in blue ink, reading "Daniel B. Merritt, Jr.", written over a horizontal line.

Daniel B. Merritt, Jr  
Chief Judge  
Fifth Judicial Circuit