IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT OF FLORIDA

ADMINISTRATIVE ORDER NO.:
21-11 2ND AMENDED
SUPERSEDES 21-11 AMENDED

IN RE: ADMINISTRATIVE RULES - COVID-19 PROCEDURES – FACE COVERING REQUIREMENTS AND SELF-CHECK HEALTH SCREENING

WHEREAS, based on the public health emergency declared in response to the COVID-19 pandemic, the Centers for Disease Control and Prevention (CDC) has recommended social distancing and wearing cloth face coverings in public settings where social distancing measures are difficult to maintain.

THEREFORE, by the power vested in the chief judge under article V, section 2(d), Florida Constitution; section 43.26, Florida Statutes; and Florida Rule of Judicial Administration 2.215(b).

IT IS HEREBY ORDERED as follows:

1. Definitions

For purposes of this administrative order, the following terms have the following meanings:

A. *Courthouse facility* means any building in which judicial proceedings are conducted or court system representatives are stationed. However, if judicial proceedings take place in a county jail facility, the term *courthouse facility* will be defined as the actual courtrooms within the facility and not the remainder of the facility.

B. *Court system representative* means a designated representative of one or more of the following offices: Administrative Office of the Courts or Clerk of the Circuit Court.

C. *Face covering* means a mask or other cloth fabric that completely covers the nose and mouth and fits snugly but comfortably around the nose, chin and sides of the face but does not cover the eyes and remains affixed in place without the use of one's hands, compliant with CDC guidelines. Examples of compliant homemade masks may be found at: https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/how-to-make-cloth-face-covering.html. Pursuant to Supreme Court

Administrative Order AOSC20-32 Amendment 6 (December 21, 2020) the use of a face shield is no longer authorized as an alternative to the use of a face mask.

2. Face Covering/Shield Requirement[1]

A. Chambers and Private Offices

Judges and court system representatives do not have to wear face coverings in their private chambers or offices as long as social distancing is maintained. Court system representatives who do not have private offices, and where adequate social distancing is not observed, must wear face coverings at all times.

B. Face Coverings in Courtrooms

Face masks covering the nose and mouth are required for everyone in the courtroom, with no exceptions. Presiding judges and quasi-judicial officers have the discretion to have any individual wearing an indecent or distracting face covering removed from the courtroom, and/or courthouse, if necessary.

C. Clear Face Masks

In Florida Supreme Court Administrative Order *AOSC20-32 Amendment 6*, rendered December 21, 2020, the Chief Justice adopted the findings and recommendations of the COVID-19 Workgroup report which was incorporated by reference. At page 10 of the Workgroup report, it is stated that the chief judge may adopt a policy authorizing the use of clear face masks or cloth face masks that have clear plastic panels. Therefore, all county and circuit judges in the Eighteenth Judicial Circuit shall allow cloth face masks and clear face masks and cloth face masks with clear plastic panels.

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

DONE AND ORDERED this 10th day of May, 2021.

LISA DAVIDSON
LISA DAVIDSON
CHIEF JUDGE

Distribution:
All Circuit and County Judges (Brevard and Seminole Counties)
Court Administration (Brevard and Seminole Counties)
Clerk of Court (Brevard and Seminole Counties)
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Public Defender (Brevard and Seminole Counties)
Sheriff (Brevard and Seminole Counties)
Bar Association (Brevard and Seminole Counties)
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[1] The requirements of this administrative order are not intended to govern activities inside of the separate offices of other constitutional officers.