

IN THE CIRCUIT COURT OF THE
EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR SEMINOLE COUNTY,
FLORIDA

ADMINISTRATIVE ORDER NO.:
12-27-S

**IN RE: JUVENILE DEPENDENCY - DISCOVERY IN ALL CHILD DEPENDENCY CASES
IN THE JUVENILE DIVISION**

Pursuant to Rule 8.245, F.R.Juv.P., a party may make a written demand to participate in discovery in Child Dependency cases.

This court has been informed of an Agreement submitted by the Department of Children and Families Child Legal Services, Jaime Rivera, Esq., the Office of Regional Conflict Counsel, and the Guardian ad Litem Program, to eliminate the necessity of filing a written demand for discovery in each Child Dependency case.

Upon filing a Notice of Discovery with the Clerk of Court of Seminole County Florida, requesting compliance in all Child Dependency cases, this agreement allows The Department of Children and Families Child Legal Services, the Office of Regional Conflict Counsel, the Guardian ad Litem Program, and/or other privately retained counsel to participate in all discovery authorized by Rule 8.245,F.R.Juv.P., except when electing not to participate.

When choosing **not** to participate, a party shall file a "Notice of Intent Not To Participate in Discovery" with the court, the Department of Children and Families Child Legal Services office, the Office of Regional Conflict Counsel and any privately retained counsel making an appearance.

It is therefore **ORDERED:**

1. In all Dependency cases where the Department of Children and Families Child Legal Services, Guardian ad Litem Program, Office of Regional Conflict Counsel and/or privately retained attorneys are involved, except where a party has filed a "Notice of Intent Not to Participate in Discovery", the Department of Children and Families Child Legal Services, Guardian ad Litem Program, Office of Regional Conflict Counsel and/or privately retained attorneys shall, on a reciprocal basis, fully participate in discovery as provided by the Juvenile Rules of Procedure without further request or order on an ongoing basis.
2. The Department of Children and Families Child Legal Services, Guardian ad Litem Program, Office of Regional Conflict Counsel and/or privately retained attorneys shall reciprocally disclose

and permit inspection, copying, testing, and photographing of all material provided for in Rule 8.245, F.R. Juv.P., within the possession or control of the Department of Children and Families Child Legal Services, Guardian ad Litem Program, Office of Regional Conflict Counsel and/or privately retained attorneys within five (5) days after a Petition is filed or after an Answer to Demand for Discovery is filed, whichever occurs first.

3. The Guardian ad Litem Program, Office of Regional Counsel and Office of Regional Conflict Counsel and privately retained attorneys will notify the Department of Children and Families Child Legal Services of its intent to copy all available discovery, and the Department of Children and Families Child Legal Services shall make the same available the next working day by either document, facsimile or other secure electronic means. Discovery materials actually obtained by a secretary for the Guardian ad Litem Program, Office of Regional Conflict Counsel and privately retained attorneys will be deemed to have been demanded and received irrespective of any written notice to the contrary.
4. The Department of Children and Families Child Legal Services, pursuant to F.R. Juv. P. 8.245 and *Brady v. Maryland*, 373 U.S. 83 (1963), shall disclose to the Guardian ad Litem Program, Office of Regional Conflict Counsel and/or privately retained attorneys any material information within their possession or control which tends to negate the evidence or responsibility of the parent or caretaker as to the offense(s) alleged.
5. If, subsequent to compliance with this order, the Department of Children and Families Child Legal Services discovers additional witnesses or material which they would have been under a duty to disclose or produce at the time of such previous compliance, they shall promptly disclose or produce such witnesses or material in the same manner as required under this order for initial discovery.
6. All parties who elect to participate in discovery, either through filing the appropriate notice or by participating in the discovery process outlined in this agreement, shall comply with all requirements of Rule 8.245 (b), F. R. Juv. P.
7. If problems arise which cannot be satisfactorily resolved, suspension of this procedure will become effective upon Court Order pursuant to the filing of written Motion to Suspend the proceedings and notice for hearing with this Court.

This order applies to Seminole County Dependency Cases ONLY.

DONE and ORDERED this 22nd day of August, 2012

ALAN A. DICKEY
ALAN A. DICKEY
CHIEF JUDGE

Distribution:
All Circuit and County Judges (Seminole County)
Court Administration (Brevard and Seminole Counties)
Clerk of Court (Seminole County)
Public Defender (Seminole County)
State Attorney (Seminole County)
Sheriff (Seminole County)
Bar Association (Seminole County)
Law Library (Seminole County)
Office of Regional Conflict Counsel
Guardian ad Litem Program