IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT OF FLORIDA

ADMINISTRATIVE ORDER NO.:
20-20

IN RE: CRIMINAL - INITIAL APPEARANCE DETERMINATION OF INDIGENT STATUS, APPOINTMENT OF PUBLIC DEFENDER, OFFICE OF CRIMINAL CONFLICT AND CIVIL REGIONAL COUNSEL, AND PRIVATE CONFLICT COUNSEL

WHEREAS, pursuant to Article V, section 2(d) of the Florida Constitution and section 43.26, Florida Statutes, the chief judge of each judicial circuit is charged with the authority and the power to do everything necessary to promote the prompt and efficient administration of justice; and

WHEREAS, pursuant to the Chief Judge's constitutional and statutory responsibility for administrative supervision of the courts within the circuit and considering available resources, to create and maintain an organization capable of effecting the efficient, prompt, and proper administration of justice for the citizens of this State, the Chief Judge is required to exercise direction, *see* Fla. R. Jud. Admin. 2.215(b)(2), (b)(3); and

WHEREAS, the Centers for Disease Control and the Florida Department of Health have advised people to take precautions in light of the Coronavirus Disease 2019 (COVID-19) outbreak, and specifically noting the best way to prevent illness is to avoid exposure to the virus through such measures as small gatherings and social distancing; and

WHEREAS, section 27.52(3), Fla. Stat. provides that "[i]f the clerk of court has not made a determination of indigent status at the time a person requests appointment of a public defender, the court shall make a preliminary determination of indigent status, pending further review by the clerk, and may by court order, appoint a public defender, the office of criminal conflict and civil regional counsel, or private counsel on an interim basis."

NOW, THEREFORE, in order to facilitate the efficient operation of the administration of justice, and pursuant to the authority vested in me as Chief Judge of the Eighteenth Judicial Circuit of Florida under Florida Rule of Judicial Administration 2.215, hereby order that, effective immediately, and to continue until further order:

1. At initial appearance at the county jails and at detention review hearings in juvenile delinquency cases, the Court shall not require the defendant to execute and file with the

Clerk of the Court the application form for determination of indigent status prescribed by section 27.52(1) Fla. Stat. as a condition precedent to the appointment of the Public Defender, Office of Criminal Conflict and Civil Regional Counsel, or private conflict-of-interest counsel. Furthermore, the Clerk of Court shall assess the $50 application fee to the Clerk of the Court prescribed by section 27.52(1)(b) Fla. Stat. in the absence of a completed, filed, application form for determination of indigent status.

2. This Order shall remain in effect until further order of the Court.

DONE AND ORDERED this 9th day of April, 2020.

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)
State Attorney (Brevard and Seminole Counties)
Public Defender (Brevard and Seminole Counties)
Sheriff (Brevard and Seminole Counties)
Bar Association (Brevard and Seminole Counties)
Law Library (Brevard and Seminole Counties)
County Attorney (Brevard County)