

Dear colleague:

Attached you will find the new Administrative Order which modifies and extends the earlier order. The order is nearly identical with the exception of a few new additional hearings which, although not critical, need to be addressed (mostly jail hearings). It also addresses issues that some of our partners have asked us to consider.

The order is silent on many things. That is by design. It is impossible for me to incorporate into a short document all possible variations of hearings and needs. Many of you have asked me what kind of hearings can be done that are not mission critical. That is a very fair question and one which I have struggled to answer. This is the best answer I can give you.

You may conduct a non-mission-critical hearing if you follow the following parameters:

1. There are no "in-person" or face-to-face hearings. The hearing must be conducted purely by electronic means.
2. No clerk of court will assist or be present at the hearing. Get the lawyers to prepare orders or memos to memorialize what happened in the hearing.
3. No court digital recording or court reporters are to be used.
4. No case managers or other court personnel are to be used for purposes of the hearing.
5. Attorneys and parties may continue to file documents electronically through the portal or through the any mechanism the clerk of court puts in place for the filing of papers and pleadings.

I know that to some, this may seem to be overly burdensome and restrictive. I have personally adopted the approach that I would rather be overly cautious and be criticized for it, than the opposite.

If we are going to get back to normal as soon as possible, then we need to take the strictest approach now and see if we can stymie the progress of the COVID-19 virus. As always, give me a call if you have questions.

/RAZ/

Raul A. Zambrano
Chief Judge – Seventh Judicial Circuit
251 N. Ridgewood Avenue
Daytona Beach, FL 32114
(386) 239-7791