

IN THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR THE STATE OF FLORIDA

IN RE: HURRICANE PREPAREDNESS

ADMINISTRATIVE ORDER

NO. 2.19

- Amended -

Pursuant to Fla. R. Jud. Admin. 2.215(b), Florida Statute § 43.26 and the inherent authority of this Court to regulate the use of courtrooms throughout the Twentieth Judicial Circuit, the Court hereby adopts a policy for hurricane preparedness for all court facilities and judicial proceedings throughout the Circuit.

The Court is aware that The National Weather Service utilizes two salient terms when advising the public on hurricane preparedness. They are "Hurricane Watch" and "Hurricane Warning."

In the event of a hurricane watch, all judicial personnel, with the exception of limited personnel deemed necessary by the Chief Judge and the Trial Court Administrator as determined on a situational or operational basis, should be prepared to cease operations in the event that the hurricane watch is upgraded to a hurricane warning.

In the event that any coastal or inland area within the boundaries of a county of the Twentieth Judicial Circuit is the subject of a hurricane warning (as that term is used by The National Weather Service), all judicial proceedings within that county will be suspended during the period of any such warning.

This Court recognizes that the Twentieth Judicial Circuit is the largest geographic circuit in the State of Florida. Accordingly, the Court affords to the Circuit Administrative Judge for each county within the Twentieth Judicial Circuit the discretion to determine whether a suspension of judicial activities is warranted due to circumstances within that county that may not be present in another part of the circuit, subject to approval of the Chief Judge or the Chief Judge's designee. The ultimate authority for issuing orders to suspend judicial activities and the evacuation of any or all courthouses or court facilities within the circuit rests with the Chief Judge, or the Chief Judge's designee, pursuant to the authorities cited above. Prior to any such request for the suspension of judicial activities or evacuation of courthouse facilities, the Circuit

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Administrative Judge shall consult with Emergency Management officials in the affected county or counties and the Office of the Trial Court Administrator.

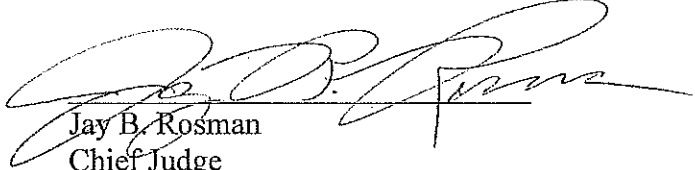
The procedure to be employed in the event of an imminent hurricane landfall is that the Circuit Administrative Judge for any affected county is to report to the Trial Court Administrator the potential need for the suspension of judicial activities or evacuation of courthouse facilities. In such event, the Trial Court Administrator shall advise the public through the Public Information Officer for the Courts. Informational updates will be provided to all local news outlets and will be updated shortly after the 11:00 a.m. and 5:00 p.m. National Weather Service updates.

The purpose of adopting this hurricane preparedness policy is to provide the public with as much advance notice as possible of any closure of court facilities, while at the same time having due regard for the safety and welfare of all court personnel and any others who may be affected by the potential landfall of a hurricane in this area.

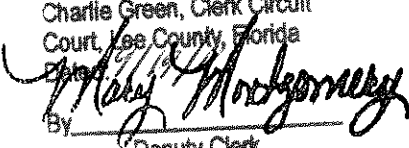
In the event of suspension of judicial proceedings or closure of any courthouses within the Twentieth Judicial Circuit pursuant to this Administrative Order, relief from time deadlines imposed by applicable statutes or rules of procedure may only be granted by the Chief Justice of the Florida Supreme Court pursuant to Fla. R. Jud. Admin. 2.205(a)(2)(B)(iv). It shall be the responsibility of the Chief Judge, or the Chief Judge's designee, to apply to the Chief Justice of the Florida Supreme Court for an appropriate tolling order.

DONE AND ORDERED in Chambers at Fort Myers, Lee County, Florida, this

15 day of Sept, 2011.


Jay B. Rosman
Chief Judge

History. – Administrative Order 2.19 (March 28, 2000); Administrative Order 2.19 (August 20, 2009).

I certify this document to be a true and correct copy of the original on file in my office,
Charlie Green, Clerk Circuit Court, Lee County, Florida

By Mary Montgomery
Deputy Clerk

STATE OF FLORIDA, COUNTY OF LEE
FILED FOR RECORD
This 19 Day of Sept 11 Recorded in Circuit
Book 55 Page 53/57 and Record Verified.
CHARLIE GREEN By M. Montgomery
Clerk Circuit Court Deputy Clerk

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