

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

IN RE: CHILD AND SEXUAL ABUSE)
VICTIMS-LIMITS ON)
INTERVIEWS)

ADMINISTRATIVE ORDER
NO: 3.11

Pursuant to Florida Statute § 914.16, and after consultation with all appropriate persons, this Court finds it necessary to order that reasonable limits be established on the number of interviews that a victim of a violation of Chapters 794, 800, 827, 847 or 39, Florida Statutes, who is under 16 years of age must submit to for law enforcement or discovery purposes.

"Interview" for the purposes of this order means any procedure by which the victim is required to provide a detailed account or demonstration of the nature and circumstances of the child or sexual abuse. "Interview" does not include any of the following:

- (1) A history obtained by any health care professional for the purposes of medical or psychological diagnosis or treatment;
- (2) initial contact with the victim by law enforcement for the purposes of taking a complaint; or,
- (3) initial contact with the victim by the Florida Department of Health and Rehabilitative Services ("HRS") to assess the validity of the complaint or the need to take protective measures on behalf of the victim.

In accord with the foregoing and the need to act in the best interest of victims of child or sexual abuse under the age of 16,

it is

ORDERED AND ADJUDGED as follows:

1. No victim of child abuse or sexual abuse who falls within the age guideline of this order shall be required to submit to more than three interviews in the course of the investigation and prosecution of an episode of child abuse or sexual abuse, except upon order of court as provided below.
2. The court directs that the three interviews be allotted to meet the needs of potential parties as follows:
 - (a) One interview collectively allotted to HRS, law enforcement, and the child protection team;
 - (b) one interview allotted to the State Attorney;
and,
 - (c) one interview allotted to the representative of the person alleged to be responsible for the abuse.
3. Interested parties or agencies shall make every effort to gain all necessary information in the course of the same interview.
4. Interviews shall be conducted in a setting and in a manner designed to minimize the traumatic effects of the interview on the victim.
5. When more than one party or agency participates in a single interview, the interview shall be conducted by a single person who shall address the concerns of all

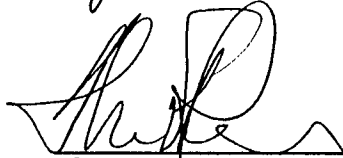
parties in the course of the interview.

6. A prosecuting attorney who intends to call a victim to testify at trial shall have, with the consent of the Guardian Ad Litem or other advocate appointed by the Court, the right to additional interviews for the purpose of trial preparation.
7. The attorney for HRS in any dependency proceeding who intends to call a victim to testify at trial shall have, with the consent of the Guardian Ad Litem or other advocate appointed by the Court, the right to additional interviews for the purpose of trial preparation.
8. When a child is a witness or victim in both a criminal and a dependency case, the representative(s) of the person(s) alleged to be responsible for the abuse will conduct only one deposition of the victim.
9. Additional interviews shall be allowed only by order of court upon motion for good cause shown. Additional interviews shall be limited in scope to assure the minimum possible impact on the victim.

Pursuant to Florida Statute § 914.17, a guardian ad litem or other advocate appointed by the Court to represent a minor in a criminal proceeding regardless of whether the minor is a witness or a victim of child abuse or neglect, has the right to be present at any interview and shall have access to all evidence and reports as provided in the cited statute. Any interested

party or agency may, in the interests of the child and as justice may require, petition the court for a modification of this Order upon motion for good cause shown.

DONE AND ORDERED in Chambers at Fort Myers, Lee County, Florida this 14 day of April, 1993.



Thomas S. Reese
Chief Circuit Judge

History. - New.

STATE OF FLORIDA, COUNTY OF LEE

FILED FOR RECORD

This 26th Day of April 19 93 Record in Cir. Ct. Min.

Book 37 Page _____ and Record Verified.

CHARLIE GREEN
Clerk Circuit Court

By Mark Wood
Deputy Clerk

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.

DATED: April 26, 1993

BY: Mark Wood
Deputy Clerk