



CIRCUIT COURT

NOTICE REGARDING TEMPORARY PROCEDURES IN DIVISION DV-A, FOURTH JUDICIAL CIRCUIT, DUVAL COUNTY, FLORIDA

March 16, 2020

The Governor of Florida has declared a state of emergency exists. The Surgeon General and State Health Officer has declared a public health emergency exists, and mitigating the effects of COVID-19 is a high priority in the Florida State Courts System. Based on this public health emergency, the Court finds good cause to temporarily suspend some procedural requirements that could hinder efforts to mitigate the effects of COVID-19 on the courts, court participants, and all the people of Florida.

In compliance with Administrative Order AOSC20-13 issued by the Supreme Court of Florida, until further order of the Court, the following Temporary Procedures for DV-A, Domestic Violence and Injunctions, are implemented to facilitate “social distancing” and to reduce person-to-person exposure and transmission of COVID-19.

1. **CORRESPONDENCE:** Judicial and court staff may be working remotely, so email is the preferred method of correspondence. Instead of calling the office, please email all requests for hearing time or other requests to Judicial Assistant Ms. Carla Jennings at cjennings@coj.net.
2. **PETITIONS FOR INJUNCTIONS:** The Clerk’s Office will continue to accept petitions for injunctions for protection and will implement procedures to limit person-to-person contact during the application process. Until completion of the imminent public health emergency, hearings on cases not identified as “**Priority Hearings**” (defined herein), will be scheduled within four (4) weeks of issuance of the temporary injunction.
3. **EMAIL ADDRESS REQUIRED:** All parties and his/her counsel shall provide the DV Clerk of Court with a valid email address to facilitate delivery of correspondence and to facilitate receipt of login information for future video/phone conferencing appearance.
4. **HEARINGS:** Due to the public health emergency, and good cause found by the Court, all cases where a temporary injunction for protection was issued, except those listed below as **Priority Hearings**, will be passed for a full hearing within four (4) weeks from date the temporary injunction is issued, and the temporary injunction will remain in full force and effect.

5. **PRIORITY HEARINGS:** In compliance with 741.30 (5)(c), cases where a temporary injunction for protection against domestic violence is issued and the temporary injunction **either limits timesharing between a parent and his or her minor child and/or awards exclusive use of a previously shared residence to one of the parties,** a hearing must be conducted within 15 days; these Priority Hearings shall be heard by the Court as scheduled by the Clerk unless a continuance is granted as set out hereinafter.
6. **REQUESTED CONTINUANCES:**
 - a. **RESPONDENT REQUEST:** Any Motion for Continuance **filed by a Respondent against whom a temporary injunction for protection has been issued** shall be granted by the Clerk of Court, and the temporary injunction shall be extended until the next court date based on good cause established by the current public health emergency.
 - b. **PETITIONER REQUEST:** Any Motion for Continuance **filed by any Petitioner wherein a temporary injunction for protection was issued** may be granted by the Clerk of Court if the case is not a priority hearing or if it is a priority hearing and RESPONDENT CONSENTS to the continuance and is informed the temporary injunction for protection shall remain in place.
7. **VIDEO CONFERENCING:** When video and/or phone conferencing is operational in Division DV-A, the Clerk of Court shall send an email with a link inviting parties to appear using the application at www.zoom.us.
 - a. **Any Respondent who is granted video or telephonic appearance and fails to reach the Court may be subject to a Final Injunction for Protection being issued or shall be subject to an extension of the temporary injunction for protection until further order.**
 - b. **Any Petitioner who is granted video or telephonic appearance and fails to reach the Court may be subject to the dismissal of the temporary injunction based on his or her failure to appear.**
8. **EVIDENCE FOR VIDEO/PHONE APPEARANCE:** Any party seeking to introduce evidence in a hearing shall mail the evidence to the Domestic Violence Clerk's Office, Duval County Courthouse, 501 West Adams Street, Jacksonville, FL 32202 so it is received forty-eight (48) hours in advance of the hearing.
9. **TELEPHONIC APPEARANCE:** Telephonic appearance can be granted for cases which are scheduled for a time certain. The Clerk of Court is authorized to grant a

limited number of requests for a party to appear telephonically contingent upon compliance with the below listed requirements which shall be set out in a written order:

- a. Caller shall place and pay for the telephone call, and if the call is disconnected, caller shall be responsible for calling again.
- b. Caller shall call telephone number **(904) 255-1394** and, if placed on hold, shall remain on the line until the matter is heard by the Court.
- c. The caller shall be in the presence of a Notary Public, who shall have his or her commission number and date of expiration available for the Court.
- d. Caller shall present valid photo identification as required by the Notary Public so the Notary Public can confirm the identity of the Respondent and execute an Oath of Truth prior to Respondent being able to testify. Once Respondent is identified and placed under oath, the Notary Public may depart the hearing.
- e. Any tangible evidence Respondent seeks to admit as evidence must be mailed to the Judge's Chambers and prior to the hearing. All documents must be clearly labeled and marked in numeric order. Respondent shall maintain a full copy of all documents mailed to the Court, and shall mail a full copy to the opposing party's counsel if represented by an attorney.
- f. **Any Respondent who is granted telephonic appearance and either fails to reach the Court or fails to comply with the required procedures may be subject to a Final Injunction for Protection being issued or shall be subject to an extension of the temporary injunction for protection until further order.**
- g. **Any Petitioner who is granted telephonic appearance and either fails to reach the Court or fails to comply with the required procedures may be subject to the dismissal of the temporary injunction based on his or her failure to appear.**

These temporary procedures may be revised or modified to ensure the health and safety of the public while also ensuring the fair and efficient administration of justice for all cases involving allegations of potential violence.

Maureen T. Horkan
Circuit Judge, DV-A