

**IN THE THIRTEENTH JUDICIAL CIRCUIT
HILLSBOROUGH COUNTY, FLORIDA**

ADMINISTRATIVE ORDER S-2020-022

**COVID-19 MITIGATION EFFORTS – JUVENILE FAILURE TO
APPEAR CUSTODY ORDERS**

The Thirteenth Judicial Circuit is currently operating under Administrative Order S-2020-019 to mitigate the effects of the COVID-19 pandemic on the courts by directing in-person hearings be held only for proceedings related to “essential court functions.” The handling of juvenile custody order hearings and detention hearings are considered essential court functions.

Juveniles continue to get arrested on outstanding custody orders for failure to appear (FTA) for a prior properly noticed court hearing, and most of those custody orders contain language that the juvenile is not to be released “until seen by a judge.” Many of these juveniles do not meet the criteria to be held in secure detention based on the “Department of Juvenile Justice Detention Screening Instrument” but would be held in the Hillsborough County Juvenile Detention Center “until seen by a judge” as required by the terms of the custody order that formed the basis for the arrest.

By the power vested in the chief judge under article V, section 2(d) of the Florida Constitution; section 43.26, Florida Statutes; and Florida Rules of Judicial Administration 2.215(b)(2) and (b)(8), it is ORDERED:

1. Detention Screenings

All juveniles arrested on an FTA custody order issued by any judge of the Thirteenth Judicial Circuit will continue to be taken to the Hillsborough County Juvenile Detention Center for detention screening.

2. Release to Parent / Legal Guardian

If a juvenile, after being arrested on an FTA custody order issued by a Thirteenth Judicial Circuit judge and completing detention screening, meets the criteria for secure detention, the juvenile will be transported to the Juvenile Detention Center to be held until the next available custody order / detention hearing where the presiding judge will make a ruling on the need for continued secure detention. If, however, the juvenile does not meet the criteria for secure detention after screening, the juvenile shall be released directly from the Juvenile

Detention Center to the parent or legal guardian under the release conditions as set forth in the “Department of Juvenile Justice Detention Screening Instrument,” notwithstanding any language in the subject custody order indicating “no release until seen by a judge.”

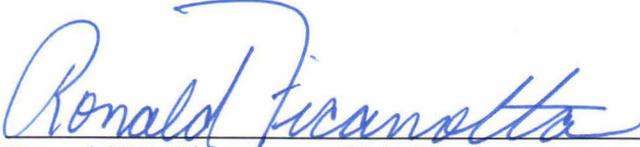
3. Subsequent Teleconference

Any juvenile released directly from the Juvenile Detention Center in accordance with the terms of this administrative order to the juvenile’s parent or legal guardian will be instructed by the Department of Juvenile Justice to participate in the next available custody order / detention hearing by teleconference. The Department will confirm with the juvenile and the parent or legal guardian that they have access to a telephone and will provide the call-in number. Failure of the juvenile to call in for the next available teleconference will result in the issuance of another pick-up order for failure to appear. A juvenile who is arrested on a custody order for failure to appear at a teleconference ordered in accordance with this administrative order will be held in secure detention until seen by a judge.

4. Effective Date

This administrative order is effective immediately and remains in effect until the expiration of Administrative Order S-2020-019, unless extended by further order of the chief judge.

ENTERED in Tampa, Hillsborough County, Florida, on April 6, 2020.



Ronald N. Ficarrota, Chief Judge

Original to: Pat Frank, Clerk of the Court
Copy to: All Juvenile Division Judges
Andrew H. Warren, State Attorney
Julianne Holt, Public Defender
Ita M. Neymotin, Regional Counsel, Second District
Department of Juvenile Justice