

Supreme Court of Florida

No. AOSC03-45

IN RE: EMERGENCY PETITION TO EXTEND TIME
PERIODS FOR SPEEDY TRIAL PROCEDURES
FOR ELEVENTH JUDICIAL CIRCUIT

ADMINISTRATIVE ORDER

WHEREAS, the Free Trade Area of the Americas ("FTAA") Summit and related activities will be held in Miami, Florida from November 17, 2003, through November 21, 2003, and may result in many thousands of individuals participating in demonstrations and marches that will take place in proximity to several court facilities and will significantly impact court operations in the Eleventh Judicial Circuit of Florida in and for Miami-Dade County, Florida; and

WHEREAS, while it is the goal and intention of the Chief Judge of the Circuit to continuously provide access and maintain regular court business in most of the Circuit's court facilities, due to security concerns, unavoidable traffic congestion, and the safety and convenience of residents and court personnel relating to the FTAA, during the week of November 17, 2003, the Chief Judge has taken the precaution of suspending certain court operations in the Circuit Civil, County Civil, Family,

Probate, and Domestic Violence (Criminal and Civil) Divisions located in the Dade County Courthouse and the Lawson E. Thomas Courthouse Center beginning Thursday, November 20, 2003, through Friday, November 21, 2003; and

WHEREAS, notwithstanding the suspension of such court operations in the Dade County Courthouse and the Lawson E. Thomas Courthouse Center, the Chief has directed court personnel in those facilities to serve in the other fully operational court facilities in the Circuit to handle court matters wherever feasible; and

WHEREAS, this suspension of court operations may temporarily impede the ability of attorneys, litigants, witnesses, jurors, and others in the performance of their duties and obligations with respect to many legal processes throughout the State of Florida; and there exists an immediate need to anticipate the problems arising from such circumstances; and

WHEREAS, should the Chief Judge become aware of other circumstances that may arise that may necessitate suspending other court operations and tolling statutory deadlines in addition to those hereinafter set forth in this Administrative Order, the Chief Judge will so advise this Court in order to appropriately respond to those circumstances;

THEREFORE, pursuant to the administrative authority conferred upon me by

article V, section 2 of the Florida Constitution and Florida Rule of Judicial Administration 2.030(a)(2)(B)(iv),

IT IS ORDERED that:

1 In Miami-Dade County, court operations in the Circuit Civil, County Civil, Family, Probate and Domestic Violence (Criminal and Civil) Divisions located in the Dade County Courthouse and the Lawson E. Thomas Courthouse Center will be suspended beginning Thursday, November 20, 2003, through Friday, November 21, 2003.

2. In Miami-Dade County, all time limits authorized by rule and statute affecting the speedy trial procedure in criminal and juvenile proceedings are tolled beginning Monday, November 17, 2003, through Wednesday, November 26, 2003

3. In Miami-Dade County, all time limits as set forth in Chapters 741 and 784 of the Florida Statutes for hearing Domestic Violence Final Injunctions are tolled beginning Monday, November 17, 2003, through Wednesday, November 26, 2003

4. In Miami-Dade County, foreclosure sales scheduled for November 19, 20, and 21, 2003, are tolled.

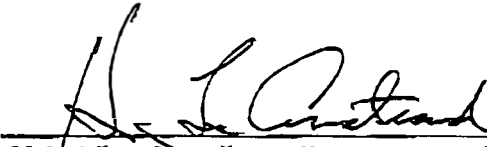
5 In Miami-Dade County, deadlines for Baker Act hearings during the period November 17 through 21, 2003, are tolled.

6. In Miami-Dade County, appellate time limitations for the period during Monday, November 17, 2003, through Friday, November 21, 2003, are tolled.

7. This Court recognizes that there may be instances where, because of this suspension, these and other time limits in Miami-Dade County could not be met even after taking into consideration the tolling periods stated above. If such a claim is made, it shall be resolved by the court wherein jurisdiction lies on a case-by-case basis where a party demonstrates that the lack of compliance with requisite time periods was directly attributable to this situation.

8. The Court likewise recognizes that cases outside Miami-Dade County may also be affected by this situation. Consequently, the tolling of time periods in cases outside of Miami-Dade County shall be permitted only where a party demonstrates that the lack of compliance with requisite time periods was directly attributable to this situation.

DONE AND ORDERED at Tallahassee, Florida, on November 13, 2003.


Chief Justice Harry Lee Anstead

ATTEST:

By: 
Chief Deputy Clerk

Thomas D. Hall, Clerk of Court

