

Supreme Court of Florida

No. AOSC17-46

IN RE: CLOSURE OF FLORIDA STATE COURTS IN PREPARATION
FOR HURRICANE IRMA

ADMINISTRATIVE ORDER

WHEREAS Governor Rick Scott declared a state of emergency due to Hurricane Irma which is unprecedented in scope and predicted to strike the State of Florida; and

WHEREAS Governor Scott has directed that state offices be closed in all 67 Florida counties on Friday, September 8, 2017, in preparation for Hurricane Irma;

WHEREAS the hazards associated with Hurricane Irma may impede the ability of attorneys, litigants, witnesses, jurors, judges, court staff, and others in the performance of their duties and obligations with respect to many legal processes throughout the State of Florida; and

WHEREAS it is the intent of this order to secure the safety of court users, staff, and judicial officers, as well as equitably relieve parties in all pending cases by extending legal time limits that they otherwise would have been unable to meet due to Hurricane Irma; and

WHEREAS it is the intent of this order to suspend the speedy trial procedure during the times stated herein in the manner described in Sullivan v. State, 913 So. 2d 762 (Fla. 5th DCA 2005), and State v. Hernandez, 617 So. 2d 1103 (Fla. 3rd DCA 1993);

NOW THEREFORE, pursuant to the administrative authority conferred by article V, section 2(a) of the Florida Constitution and Florida Rule of Judicial Administration 2.205(a)(2)(B)(iv),

IT IS ORDERED that:

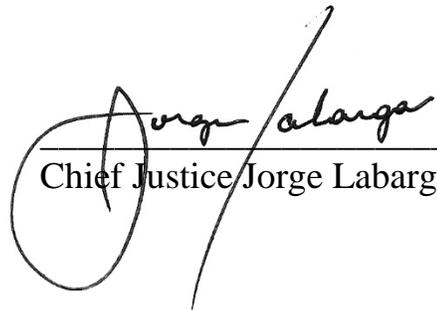
1. The Florida State Courts System shall be closed on Friday, September 8, 2017.
2. Statewide, all time limits prescribed or allowed by rule of procedure, court order, statutes applicable to court proceedings, or otherwise pertaining to court proceedings are extended from the close of business on Thursday, September 7, 2017, until the close of business on Monday, September 11, 2017.
3. Statewide, all time limits involving the speedy trial procedure, in criminal and juvenile court proceedings, are suspended from the close of business on Thursday, September 7, 2017, until the close of business on Monday, September 11, 2017.

4. The extension of time periods under this order shall apply only when the last day of those periods falls within the time extended. The suspension of time limits under the speedy trial procedure restores additional days equal to the number stated herein.
5. This Court recognizes that there may be instances where, because of this emergency, these and other time limits applicable to matters in the state courts could not be met even upon application of the periods stated above. If such a claim is made, it shall be resolved by the court in which jurisdiction is vested on a case-by-case basis when a party demonstrates that the lack of compliance with requisite time periods was directly attributable to this emergency and that equitable remedy is required.
6. Chief judges or judges in their discretion may make exceptions to the closure of courts on a case-by-case basis for matters previously scheduled, or for emergency matters.
7. As more information develops regarding the path of the hurricane, each district and circuit has the authority and responsibility to close and secure offices in order to ensure the safety of court users, staff, and judicial officers, and for protection of court property.

Administrative leave shall be in accordance with personnel regulations.

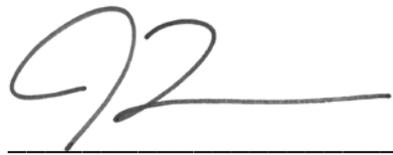
8. Chief judges shall promptly file with the Clerk of the Supreme Court a report briefly describing court closures in their respective jurisdictions and stating whether the particular court is requesting an order extending time limits, the precise length and dates of the times to be extended, and any special problems that need to be addressed in the order.

DONE AND ORDERED at Tallahassee, Florida, on September 6, 2017.



Chief Justice Jorge Labarga

ATTEST:



John A. Tomasino, Clerk of Court

