

IN THE SECOND JUDICIAL CIRCUIT OF FLORIDA
OFFICE OF THE CHIEF JUDGE
ADMINISTRATIVE ORDER NO: 2015-01

IN RE: GADSDEN COUNTY COURTHOUSE SECURITY

WHEREAS, the citizens of Gadsden County as well as all participants and persons rendering service in the judicial system have a reasonable expectation of safety and security while they are involved in a judicial process;

WHEREAS, the safety of Gadsden County citizens and all persons conducting business or providing service within the judicial branch are a primary concern of the Second Judicial Circuit;

WHEREAS, any case in circuit and county court has the potential for violence to participants and spectators;

WHEREAS, thousands of citizens are compelled or choose to visit the Gadsden County Courthouse each year, many to testify or make claims against other parties in contentious civil or criminal matters;

WHEREAS, security of the Gadsden County Courthouse is a county responsibility, to-wit: section 14, Article V, of the Florida Constitution, mandates that "Counties shall be required to fund the cost of ... security of facilities for the trial courts...", while section 29.008(1), Florida Statutes, states that "Counties are required by section 14, Article V of the state constitution to fund the cost of...security... for the circuit and county courts..." and that the term circuit and county courts is further defined by section 29.008(1)(b), Florida Statutes, to include "...all judicial officers, staff, jurors, volunteers of a tenant agency, and the public for the circuit and county courts...";

WHEREAS, section 29.008(1)(e), Florida Statutes, defines security as including, "...but not limited to, all reasonable and necessary costs of services of law enforcement officers or licensed security guards and all electronic, cellular, digital monitoring and screening devices necessary to ensure the safety and security of all persons working in a facility; to provide for security of the facility, including protection of property owned by the county or state; and for security of prisoners brought to any facility. This includes bailiffs while providing courtroom and other security for each judge and other quasi-judicial officers.";

WHEREAS, the Supreme Court of Florida has ordered in its opinion In Re: Report of the Family Court Steering Committee, 794 So.2d 518, 526 (Fla. 2001), that the Chief Judge develop a plan to provide "...adequate and sufficient security personnel and equipment to ensure that family divisions [of court] are safe environments for judges, non-judicial staff, and the public", and child support enforcement hearings and juvenile delinquency court conducted in the Gadsden County Courthouse are considered family court cases;

WHEREAS, all of the courthouses in the Second Judicial Circuit, except for the Gadsden County Courthouse, have reasonable and necessary security screening for firearms, weapons, or destructive devices for the significant number of visitors to those courthouses;

WHEREAS, pursuant to section 30.15(1)(c), Florida Statutes, "Sheriffs, in their respective counties, in person or by deputy, shall ... attend all terms of the circuit court and county court held in their counties...";

WHEREAS, security screening is currently being provided in the Guy Race Judicial Complex and the Gadsden County Courthouse Annex by the Gadsden County Sheriff's Office;

WHEREAS, the Gadsden County Sheriff's Office is a competent and professional law enforcement agency committed to ensuring public safety;

WHEREAS, meetings with the Gadsden County Sheriff's Office resulted in agreement to provide screening as required in the Gadsden County Courthouse to ensure the safety and security of all members of the public seeking a resolution to their disputes or otherwise doing business through the courts, as well as judges, officers of the court, and other court employees;

WHEREAS, despite numerous efforts, initiatives, meetings, and exercises that have been conducted from 2004 through the present to ensure reasonable and necessary security at the Gadsden County Courthouse, security still is deemed by many observers to be less than adequate;

It is therefore **ORDERED** that:

1. This administrative order directs reasonable and necessary security for the Gadsden County Courthouse in order to ensure the safety and security of: (a) all members of the public seeking a resolution to their disputes or otherwise doing business through the courts; (b) judges, officers of the court, and other court employees; and (c) property owned by the county or state.
2. Reasonable and necessary courthouse security is defined in this administrative order as security screening of all visitors entering the Gadsden County Courthouse. All entry ways to the Gadsden County Courthouse, the Guy Race Judicial Complex and the Gadsden County Courthouse Annex shall be closed to public access except through security screening.
3. Security screening shall be sufficient to ensure that no firearms, weapons, or destructive devices shall enter a courthouse, courtroom, hearing room, or chambers. Minimum screening requirements shall include a bailiff to conduct the screening, use of a metal detector, a barrier to restrict unfettered ingress, and a search of personal articles of sufficient size to hide a firearm, weapon, or destructive device.
4. All circuit and county judges, general magistrates, and hearing officers shall have an additional bailiff in personal attendance at all times while conducting hearings in courtrooms, hearing rooms, or chambers, not to include the bailiff conducting the screening. These bailiffs

remain in personal attendance until the docket is completed and they are dismissed by the presiding judge, general magistrate, or hearing officer. Dockets or hearings with a larger number of participants or spectators may require additional bailiffs in personal attendance at the reasonable discretion of the presiding judge, general magistrate, or hearing officer.

5. Adequate security will continue to be provided in the Guy Race Judicial Complex and the Gadsden County Courthouse Annex, with security screening of all visitors to those facilities conducted by the Gadsden County Sheriff's Office.

6. All courthouse facilities in Gadsden County will be staffed with an adequate number of security officers and have properly maintained equipment to ensure that the provisions of this Administrative Order are carried out.

7. This Administrative Order does not supersede Administrative Order 2004-15, In Re: Courthouse Security, except as specifically identified in clauses 1 through 6 of this Administrative Order.

8. This Administrative Order is effective as soon as possible but no later than the 1st day of May, 2015.

DONE AND ORDERED in the Office of the Chief Judge, this 5th day of March, 2015.



Charles A. Francis
Chief Judge

Copies provided to:
Circuit Judges, Second Judicial Circuit
Gadsden County Judge
Gadsden County Sheriff
Clerk of Circuit Court for Gadsden County
Gadsden County Board of County Commissioners
State Attorney, Second Judicial Circuit
Public Defender, Second Judicial Circuit
County Administrator, Gadsden County
Trial Court Administrator, Second Judicial Circuit
Magistrates and Hearing Officers, Second Judicial Circuit