

IN THE CIRCUIT COURT OF THE
EIGHTEENTH JUDICIAL CIRCUIT
OF FLORIDA

ADMINISTRATIVE ORDER NO.:
20-19

IN RE: CRIMINAL - BAIL FOR COVID-19 VIOLATION

WHEREAS, pursuant to Article V, section 2(d) of the Florida Constitution and section 43.26, Florida Statutes, the chief judge of each judicial circuit is charged with the authority and the power to do everything necessary to promote the prompt and efficient administration of justice; and

WHEREAS, pursuant to the Chief Judge's constitutional and statutory responsibility for administrative supervision of the courts within the circuit and considering available resources, to create and maintain an organization capable of effecting the efficient, prompt, and proper administration of justice for the citizens of this State, the Chief Judge is required to exercise direction, *see* Fla. R. Jud. Admin. 2.215(b)(2), (b)(3); and

WHEREAS, the Centers for Disease Control and the Florida Department of Health have advised people to take precautions in light of the Coronavirus Disease 2019 (COVID-19) outbreak, and specifically noting the best way to prevent illness is to avoid exposure to the virus through such measures as small gatherings and social distancing; and

WHEREAS, because of the COVID-19 outbreak, Governor Ron DeSantis declared a State of Emergency on March 1, 2020, the World Health Organization declared a global pandemic on March 11, 2020;

WHEREAS, in an effort to achieve the overriding goal of protecting the public in every way possible;

NOW, THEREFORE, I, Lisa Davidson, in order to facilitate the efficient operation of the administration of justice, and pursuant to the authority vested in me as Chief Judge of the Eighteenth Judicial Circuit of Florida under Florida Rule of Judicial Administration 2.215, hereby order that, **effective immediately**, and to continue until further order:

1. Any person who violates any rule adopted under section 381.00315, Florida Statutes, any isolation or quarantine, or any requirement adopted by the Department of Health pursuant to a declared public health emergency, commits a misdemeanor of the second degree. However, law enforcement is encouraged to use extreme discretion in making such

arrests.

2. Due to the danger to the public health for such a violation, the bond amount is set at No Bond. *See Varholy v. Sweat*, 15 So. 2d 267 (Fla. 1943) (“To grant release on bail to persons isolated and detained on a quarantine order because they have a contagious disease which makes them dangerous to others, or to the public in general, would render quarantine laws and regulations nugatory and of no avail.”). This Order does not preclude the Initial Appearance Judge from modifying bond if appropriate.
3. This Order shall remain in full force and effect until further order of the Court.
4. This Administrative Order shall be subject to modification, addition, and extension as the evolving and fluid nature of the facts and circumstance may require.

DONE AND ORDERED this 6th day of April, 2020.

LISA DAVIDSON
LISA DAVIDSON
CHIEF JUDGE

Distribution:

All Circuit and County Judges (Brevard and Seminole Counties)
Court Administration (Brevard and Seminole Counties)
Clerk of Court (Brevard and Seminole Counties)
State Attorney (Brevard and Seminole Counties)
Public Defender (Brevard and Seminole Counties)
Sheriff (Brevard and Seminole Counties)
Bar Association (Brevard and Seminole Counties)
Law Library (Brevard and Seminole Counties)
County Attorney (Brevard County)