

Pandemic Handbook: A Guide for Attorneys & Litigants

July 1, 2020



CIRCUIT CIVIL DIVISION

Eleventh Judicial Circuit of Florida



**CIRCUIT COURT
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA**

JENNIFER D. BAILEY
CIRCUIT JUDGE

**DADE COUNTY COURTHOUSE
73 WEST FLAGLER STREET
MIAMI, FLORIDA 33130**

June 29, 2020

To the lawyers, litigants and citizens of Miami-Dade County:

As we enter the fourth month dealing with the COVID-19 pandemic, I would like to provide this Circuit Civil Division update as part of our commitment to continued access to justice while protecting public health.

This entails working closely with the Florida Supreme Court and Chief Justice Canady for operational guidance and Miami-Dade County on facility issues to plan how best to serve the citizens of Miami-Dade County through the pandemic.

The Eleventh Circuit is committed to following the science. Every operational decision is reviewed with epidemiologists and infectious disease physicians. We know that the court processes we describe are not what judges, lawyers, litigants and our public are used to. We also recognize that cases must continue to move towards final resolution. Our customers cannot wait until the pandemic is over. The operational plan described below represents the best balance of safety and justice.

Q: When will we return to live hearings?

A: Our Courthouse will remain Virtual for the foreseeable future for public safety. Hearings and evidentiary proceedings, including bench trials will continue on Zoom.

In-person hearings continue to be suspended except in the most exigent of circumstances. If we are able to attempt jury trials, our limited space must be used for that purpose as opposed to routine hearings. There are severe physical limitations due to social distancing throughout the spaces in Dade County Courthouse. Only two persons may ride in an elevator at a time, which makes movement through the courthouse very difficult. Our largest courtroom, 6-1, can hold 37 people with social distancing.

These realities require us to use our Zoom Virtual Courtrooms for our proceedings for the foreseeable future. CourtMAP has enabled judges to digitally access all materials, and our Clerk has developed procedures for the digital handling and marking of evidence. Nearly 8,000 Zoom hearings

have been held by the Circuit Civil Division in order to guarantee that your cases can move forward during the pandemic. We have also pioneered the use of text messaging for Zoom notifications to assure that everyone has access to the hearings. Given the issues with jury trials, this is a unique opportunity to get your special sets scheduled as judges have additional time that otherwise would have been assigned to jury trials.

Q: What about current trial orders and deadlines? How do I keep my case moving towards resolution?

A: Every event that was originally set as a live in-person hearing or trial is subject to COVID-19 limitations and uncertainty. We urge utilization of Case Management Orders as a means to move your case under Florida Rule of Civil Procedure 1.200.

A trial order is an order. It requires you, and your clients, to expend resources to be ready to go to trial on a date certain. But with COVID-19, nothing is certain. Every trial order you receive is subject to the public health precautions at the time it is set to be heard. We don't know when we will be able to resume traditional live jury trials at our normal rate. It seems unlikely that substantial public health solutions will be found before next year. We don't want to force you, through orders, to expend your client's scarce resources preparing for an in-person trial that is unlikely to proceed.

For that reason, we urge use of case management plans and orders to set the necessary deadlines for discovery, depositions and mediation to let parties fully evaluate their cases without waiting for a trial date certain. Our recently concluded Civil Justice Pilot Project proved that case management closes cases earlier and resulted in an 86% increase in cases resolved within time standards. We know that structured case management will help move your cases. If you don't have a case management order, propose a plan and set a conference and ask your judge for an order for your case. This is particularly appropriate where opposing counsel is not cooperating on moving your case or taking depositions.

Only 2% of cases are resolved by jury trial. 98% resolve by other means. COVID-19 forces all of us to acknowledge that it is the deadlines created by a jury trial order, not an actual trial, that produces resolution. For many cases, when it comes to a trial date, it's the date, not the trial. Parties must use interim measures to move, value and resolve their cases during this pandemic.

If you do not prepare your case until we return to "normal"-if you refuse to take depositions or otherwise engage-then your case will become part of a backlog that will take years to clear. This backlog will exist even without considering the avalanche of cases that are expected as a result of current economic circumstances and the cases that job loss and foreclosures and contract breaches will cause, which will make it worse. Now is the time to take advantage of the structure offered by case management and increased access to court time afforded by use of Zoom.

Q: When will Civil Jury Trials resume?

A: We do not anticipate that live civil jury trials will return to "normal" numbers and frequency for the foreseeable future, perhaps even until a vaccine for COVID-19 is developed.

When Civil jury trials do resume, it will be under significant limitations regarding the safety of all concerned, including jurors summoned to the courthouse, which is likely to substantially reduce the number of jury trials we are able to hold at any given time. A pilot trial is in the planning stages; however, the timing and logistics of the pilot are subject to COVID-19 conditions. In addition, we are developing alternatives which we urge parties to consider.

Jury trials are the crown jewel of participatory democracy. We are committed to live jury trials. However, jury trials pose difficult problems in balancing safety and justice and are very limited under the Florida Supreme Court operational guidance.

We are one of five jurisdictions chosen by the Florida Supreme Court to explore how jury trials may proceed in the pandemic environment which requires us to limit the number of people in our courtrooms. The pilot project is currently underway, exploring a Zoom/live hybrid trial, subject to COVID conditions.

After completion of the pilot, we will have a better idea of our ability to schedule additional trials. We are optimistic that lessons will be learned that will help us explore ways to return to jury trials. However, assuming success, jury trials will still be limited by facility issues.

Given the limited availability of in-person jury trials for the foreseeable future, we encourage all to consider creative alternatives that will move your case to resolution. If you have ideas, we are eager to hear them. Currently, we are developing plans for multiple options including bench trials, expedited summary jury trials, and nonbinding arbitration and potentially, judicial settlement conferences. This is an opportunity to creatively explore different avenues to resolution.

The judges and staff of the Circuit Civil Division have done an extraordinary job of continuing the delivery of justice and nimbly pivoting to our new reality. We all want to get back to normal, and we are all exhausted by COVID. We will continue to work with the doctors to protect everyone in the court system. We cannot let our frustration compromise safety or continued access to justice. We will continue to explore every option and look forward to working with all.

Sincerely,



Jennifer Bailey
Administrative Judge
Circuit Civil Division

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Purpose

This handbook is intended to serve as a resource for the Litigants and Attorneys practicing in the Eleventh Judicial Circuit with matters before the **CIRCUIT CIVIL DIVISION** during pandemic. The goal of all stakeholders is to ensure continued justice proceedings while being mindful of public health and the constitutional rights of the citizens of Miami-Dade County.

Current Emergency measures:

1. Suspension of certain time periods set by judicial order, rule, and statute to mitigate the effects of the public health emergency;
2. Suspension of civil jury trials through **August 1, 2020**;
3. Suspension of Writs of possession by the Supreme Court Administrative Order; Foreclosures and eviction matters were suspended pursuant to the CARES ACT and Governor's **Executive Order No. 20-94** through May 18, 2020, which was extended through June 2, 2020, per EO 20-121, **through July 1, 2020, per EO 20-137**, and then **extended again** by EO 20-137 to **August 1, 2020**;
4. Limiting in-person court appearances for mission critical court matters, unless the presiding Judge determines in-person attendance is necessary. Otherwise, hearings are conducted remotely;
5. Implementation of a remote appearance platform (ZOOM) which allows court proceedings to be effectively conducted remotely without in-person court appearances;
6. Authorizing the chief judge of each judicial circuit to establish temporary procedures for the use, to the maximum extent feasible, of communication equipment for the conducting of proceedings by remote electronic means, as are necessary in their respective circuits due to the public health emergency.

Division Overview and Implementation

The Eleventh Judicial Circuit Civil Division Judiciary continues hearing matters and providing access to the Courts by presiding over matters virtually.

Use of CourtMAP

The Circuit Civil Division has been using CourtMAP for submission of proposed orders, agreed orders, and emergency motions. In addition, CourtMAP allows lawyers and parties registered for service on the efilng portal to schedule matters before their judge and submit supporting materials for their case. CourtMAP is also used to email ZOOM hearing details to case participants. CourtMAP will also send text notifications if a party has registered. All civil case submissions should continue to utilize CourtMAP.

Use of Zoom

The Division Judiciary are using Zoom, which is the default platform for all events. The Judge may designate a backup system and may have a set a calendar for that system. For any hearing, the Court may order, or parties may agree to a backup system, with court approval or upon reasonable request, any other appropriate technology the Court can access (e.g., conf. call initiated by one party with court call-in).

Zoom participants will engage remotely through the use of their technology - whether it be a computer, laptop, or tablet. The Judiciary will determine where they will be located in order to participate in the remote court proceeding. Judicial Staff may also participate by phone or computer/tablet in the remote court.

CourtMAP

The Division uses courtMAP which is an online Management and Access Platform. This platform combines eCourtesy with online scheduling, online notification/confirmation, and allows judges to create and e-File orders.

courtMAP also allows parties to self-schedule their case events - motion calendar, special sets, and trials - and attach the documentation previously submitted via eCourtesy.

Click [here](#) to access the Court's courtMap webpage for more information on courtMAP, a list of frequently asked questions, video tutorials and to create an account.

The screenshot shows the courtMAP website interface. At the top left is the logo for the Eleventh Judicial Circuit of Florida. The navigation menu includes 'Resource Center', 'About the Court', 'General Information', and 'Court Events'. The main heading is 'courtMAP' with a 'Login / Create Account' button. A 'Related Information' section lists 'Civil Division'. Below this, a descriptive paragraph states: 'courtMAP is a new online Management and Access Platform built upon technology infrastructure from Broward's Court Management System. courtMAP combines eCourtesy with online scheduling, online notification/confirmation, and allows judges to create and e-File orders. courtMAP also allows parties to self-schedule their case events - motion calendar, special sets, and trials - and attach the documentation previously submitted via eCourtesy.' At the bottom, there are three large buttons: 'courtMAP FAQ' (with a question mark icon), 'User Rules' (with a document icon), and 'Video Tutorials' (with a play button icon).

CourtMAP Text Alerts

Parties will also have the ability to subscribe/unsubscribe a phone number to receive text alerts of upcoming hearing details:

- Hearing Scheduled
- Zoom Meeting Session Details
- Hearing Cancelled
- Hearing Reminders (72 hours before hearing date)

Attorneys and litigants can sign up for alerts by accessing the courts website [here](#):



Civil Case Events

Non-Evidentiary Hearings

In-person court hearings, trials or appearances, are suspended, however Judges will preside over matters virtually. Orders processed will be submitted directly using CourtMap.

Evidentiary Hearings (Including Non-Jury trials)

Refer to instructions delineated in Administrative Memorandum In Re: Introduction of Evidence in Evidentiary Hearings Conducted Remotely During the Pandemic in the Circuit Civil Division. (See below).

Remote Evidentiary Hearing Procedures

- Administrative Memorandum 20-A 24 AF 01

IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT IN AND
FOR MIAMI-DADE COUNTY FLORIDA

ADMINISTRATIVE MEMORANDUM
No. 20-A 24 AF 01

(Court Administration)

IN RE: INTRODUCTION OF EVIDENCE
IN EVIDENTIARY HEARINGS
CONDUCTED REMOTELY DURING THE
PANDEMIC IN THE CIRCUIT CIVIL
DIVISION

WHEREAS, **Under the Florida Supreme Court Chief Justice's Administrative Orders**, chief judges were directed to take all possible steps to facilitate conducting proceedings with the use of technology, and judges who can conduct court business from a remote location are strongly encouraged to do so; and

WHEREAS, in the Eleventh Judicial Circuit and the Circuit Civil Division, court staff and court partners have worked tirelessly to resume all hearings electronically utilizing the Zoom platform; and

WHEREAS, in addition to allowing such remote testimony and swearing in of witnesses as described in Supreme Court and Eleventh Judicial Circuit Administrative orders, as amended, it is necessary that courts and the parties have clear guidance as to how such evidence is presented to the court, the clerk and the parties; and

NOW THEREFORE, pursuant to the authority vested in me by the Chief Judge as Administrative Judge of the Civil Division of the Eleventh Judicial Circuit of Florida and Rule 2.215, Florida Rules of Judicial Administration, this memorandum shall set forth procedures for introduction and use of documentary evidence through remote means in Circuit Court civil evidentiary hearings (including non-jury trials):

1. This procedure applies only to the electronic use and entry of documentary, photographic, audiovisual and other evidence reasonably able to be provided and shared electronically; and

2. This procedure does not apply to physical evidence not stipulated or agreed by the parties (parties should seek guidance before the hearing from the Court, if applicable); and

3. All Counsel or self-represented parties must meet and confer (meet and confer herein meaning by telephone, email, or videoconference) prior to an evidentiary hearing during which they should endeavor to stipulate to as much as practicable regarding authenticity and admissibility; and

4. meaning by telephone, email, or videoconference) prior to an evidentiary hearing during which they should endeavor to stipulate to as much as practicable regarding authenticity and admissibility; and

5. At least five business days before an evidentiary hearing conducted by remote means, each counsel shall file all evidence sought to be introduced. All exhibits should be pre-marked for identification and shall include an index listing all proposed exhibits with the exhibit numbers or letters. Where possible, counsel should seek to file jointly, but in the absence of a joint filing, counsel must file unilaterally at least five days in advance.

6. Counsel should meet and confer in connection with the evidence submissions and where an exhibit is stipulated to be admitted, counsel shall so indicate in the manner the exhibit is marked both on the exhibit and on the index.

7. **Nothing in this procedure limits the trial court's ability to designate supplemental procedures** (for example, requiring copies to the Court in advance of the hearing); and

8. Similarly, nothing in this procedure **limits the trial court's discretion to admit, admit for a limited purpose, or deny entry or use of such evidence, or fashion whatever relief is appropriate under the circumstances, based on lack of compliance with these procedures;** and

9. After the hearing, counsel must work promptly to prepare a corrected index of exhibits which have been introduced in evidence marked in the manner designated by the Court or the Clerk at the hearing (unless the Clerk prepared an index during the hearing); and

10. To the extent exhibits were not filed before the hearing and were considered by the Court, counsel shall file such exhibits forthwith; and

11. In settings where the Court must review a document, but it is not being admitted as evidence (for example, **showing a driver's license** to verify identity) the party need not file the document in advance but may present the document to the camera for the **Court's** review during the hearing; and

12. If the parties comply in good faith with this procedure but technological issues prevent a meaningful review of the evidence through remote means, the Court may reset the matter.

This Administrative Memorandum shall take effect immediately and shall remain in effect until further order of the Court.

DONE AND ORDERED in Chambers at Miami-Dade, Florida, this 14 day of April 2020.

/s/ **Jennifer D. Bailey**
JENNIFER BAILEY, ADMINISTRATIVE
JUDGE CIRCUIT CIVIL DIVISION

- Submission of Evidence - Handling Evidence Remotely
 - In advance of an evidentiary hearing or trial, parties shall e-file their proposed evidence so that the Clerk's office will then have access to them to upload to Odyssey in compliance with division Administrative Memoranda
 - In certain circumstances, the evidence may be e-mailed to the Judicial Assistant who will then forward the documents to the Judge. The Judge will then e-mail any evidence to the Court Clerk who will in turn upload it into Odyssey.
 - When a Judge introduces evidence, it should be specifically identified so that the Court Clerk will be able to recognize it, as well as to keep the exhibit list accurate.

- Filing of Evidence – **Clerk's EDP Filing Process** & DEMO Link
 - e-Portal Process
 1. Filer must go to the eFiling Portal;
 2. Click on "File Pleading in Existing Case;"
 3. Enter Case Number;
 4. Once Case populates, go to the documents tab;
 5. Click on Add;
 6. Once Search Bar appears, type Evidentiary and hit enter;
 7. Check Off Evidentiary Hearing Received;
 8. Then hit Browse which allows you to select the respective document to be uploaded;
 9. Click Save.
 - Prior to hearing
 10. The Clerk's Office will process all proposed Evidence Filed via the ePortal which will then be processed through EDP. Once processed, the proposed evidence will appear individually on the docket viewable via Odyssey and on the On-Line Case Search.
 - Process During Remote Evidentiary Hearing (Zoom):
 11. Clerk will enter the Case Number in the EDP system which will populate all evidence submitted for the hearing;

12. During the hearing, the parties will identify the piece of evidence being introduced. The Clerk will then bring up the proposed evidence. The Judge and Parties will discuss admissibility of the proposed evidence and the Judge will make his or her ruling;
13. Once ruled upon, the Clerk will mark the same for identification;
14. If the document is admitted as evidence, the Clerk will affix the stamp on the evidence with the appropriate number or letter which signifies that it was admitted and then it is automatically accepted into Odyssey. If it is not admitted into evidence, no further stamp will be affixed (so only the identifying number will be on it) and it will be accepted into Odyssey. This ensures a complete record of all documents submitted to the Clerk of Courts.
15. The Clerk will also prepare an Exhibit List that corresponds to the evidence that has been admitted by the Judge and then docket the same in Odyssey.

Each Proposed Evidence must be submitted individually via the ePortal and no other pleadings should be filed via this process. For example, Exhibit A on its own, Exhibit B on its own, etc. up until eFiling Portal size limit.

Each Proposed Evidence must be submitted individually via the ePortal and no other pleadings should be filed via this process. For example, Exhibit A on its own, Exhibit B on its own, etc. up until eFiling Portal size limit.

IMPORTANT: TO ENSURE THAT DOCUMENTS WILL BE PROCESSED TIMELY, ALL PROPOSED EVIDENCE MUST BE UPLOADED AS EXPLAINED ABOVE AT LEAST FIVE (5) DAYS BEFORE AN EVIDENTIARY HEARING OR TRIAL.

Link to Clerk of Court Procedure DEMO:

<https://miamidade.webex.com/recording-service/sites/miamidade/recording/play/a669bbd4a1b243da838e4ad359a100fd>

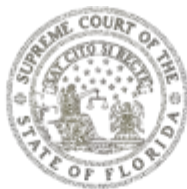
Workgroup on Continuity of Court Proceedings

Chief Judge Bertila Soto serves on a Florida Supreme Court Workgroup established to assist judges in managing various challenges that may arise with proceedings during the pandemic.

The Workgroup on Continuity of Court Operations and Proceedings During and After COVID-19 has developed best practices on the following related topics:

- Jury Management Considerations
- Jury Trials
- Management of Evidence in Remote Hearings in Civil and Family Cases
- Facilitating Pro Se Litigants with Remote Appearance Technology
- Representing Yourself and Using Remote Appearance Technology with the Courts

- Florida Supreme Court Chief Justice's Memorandum on Guidance and Best Practice Materials



Supreme Court of Florida

500 South Duval Street
Tallahassee, Florida 32399-1925

CHARLES T. CANADY
CHIEF JUSTICE
RICKY POLSTON
JORGE LABARGA
C. ALAN LAWSON
CARLOS G. MUÑIZ
JUSTICES

JOHN A. TOMASINO
CLERK OF COURT

SILVESTER DAWSON
MARSHAL

MEMORANDUM

TO: Chief Judges of the Circuit Courts
Trial Court Administrators

FROM: Chief Justice Charles T. Canady *Char. T. Canady*

DATE: June 16, 2020

SUBJECT: Guidance and Best Practice Materials

To assist judges in managing various challenges that may arise with proceedings during the pandemic, the Workgroup on Continuity of Court Operations and Proceedings During and After COVID-19 has developed guidance and best practices material on the following topics:

- Jury management considerations that identify operational challenges to managing juries in a pandemic and offer suggestions to ensure the safety of jurors and others when returning to the courthouse;
- The priority in which to resume civil and criminal jury trials when resumption becomes authorized pursuant to *In re: Comprehensive COVID-19 Emergency Measures for the Florida State Courts*, Fla. Admin. Order No. AOSC20-23, Amendment 4 (June 16, 2020); and
- Management of evidence in remote pretrial hearings in criminal cases and links to other resources generally addressing remote hearings.

Chief Judges of the Circuit Courts
Trial Court Administrators
June 16, 2020
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Please distribute the attached materials to all judges and the appropriate court staff in your respective jurisdiction and encourage them to make appropriate use of these helpful documents.

CTC:aqj

Attachments

cc: Workgroup on the Continuity of Court Operations and Proceedings During and After COVID-19

- Jury Management Considerations Recommendations from the Court Operations Subgroup



Jury Management Considerations

Recommendations from the Court Operations Subgroup

May 28, 2020¹

Introduction²

Due to the unique nature of jury proceedings, special attention must be provided to ensure the safety of jurors and others involved in this important civic responsibility. In-person jury proceedings, including even the most extraordinary or pressing ones, should not begin until a court can demonstrate the proceeding can be safely conducted in accordance with current health guidance and court safety requirements. *In re: COVID-19 Public Health and Safety Precautions for Phase 2*, Fla. Admin. Order No. AOSC20-32, Amendment 1 (June 16, 2020), provides important requirements and guidance for the development of operational plans designed to safeguard all those visiting a courthouse building, including jurors. In assessing readiness to begin jury trials, courts should also consider current local medical guidance and the capacity of other justice partners to resume jury trials. If a court meets all Phase 2 requirements, it is anticipated that limited in-person jury trials could resume in that phase. Courts are encouraged to reserve in-person proceedings for trials to allow for appropriate social distancing and juror circulation that minimizes contact with others. It is recommended that large-scale jury orientations or trials that require significant jury pools not occur until smaller trials have been conducted thereby allowing the court an opportunity to address any procedural, resource, or logistical concerns that may be identified.

The jury resumption suggestions offered below are considerations only and are not intended to limit a court's authority or ability to conduct court business. The subgroup recognizes that differences in courthouse size, layout, and other conditions may affect the manner in which a court resumes jury proceedings.

Jury Trial Planning

1. Resume only the most critical jury proceedings as courts begin limited in-person proceedings.
2. Identify alternate facilities, if necessary, to allow for jury assembly and jury trials with appropriate social distancing (e.g., other county government buildings, conference centers, schools, etc.).
3. Consider courtroom audio and the necessary equipment to enable jurors and digital/stenographic court reporters to hear in a courtroom while observing the necessary social distancing guidelines. Consider equipment necessary to stream the proceeding and the multiple video-sharing channels that may be needed. In all instances, ensure that ADA accommodations are considered.
4. Consider transportation issues if using a location other than the courthouse along with other logistical challenges (e.g., security, food delivery, parking, etc.) that may need to be addressed when using a remote venue.

¹ On June 16, 2020, this report was updated to reflect the latest citation information for the administrative orders referenced on pages 1 and 2.

² Many of the jury management considerations identified in this report were adapted from Arizona's *COVID-19 Continuity of Court Operations During a Public Health Emergency Workgroup Best Practice Recommendations*, May 1, 2020.

<https://www.azcourts.gov/Portals/216/Pandemic/050120CV19COOPRecommendations.pdf?ver=2020-05-06-150156-047>

5. Review local administrative orders that govern jury selection or jury service for changes that may be necessary to comport with recent Florida Supreme Court directives and public health guidance in a pandemic.
6. Consult with the clerks, attorneys involved in the cases, local law enforcement, and justice partners to ensure they have the capacity to proceed with jury trials in accordance with current health and safety guidelines.
7. Plan to conduct jury trials in such a manner as to maintain social distancing and protect the health of jurors and others entering and exiting courthouse buildings.
8. Anticipate lower jury yields due to COVID-19 concerns and the time that will be necessary to summons jurors in advance of a trial date.
9. Determine scheduling processes for jury assembly and jury trials to minimize the number of jurors in a single location at a given time. This may include staggering start and end times as well as breaks to minimize the number of jurors sharing elevators, bathrooms, hallways, and other common areas.
10. Plan to cancel in-person proceedings after they have begun if further restrictions on in-person proceedings become necessary (such as due to an exposure within the courthouse or deteriorating health conditions within the local community).
11. Develop a plan for managing media requests and media access, while maintaining social distancing and limiting the number of people in a courtroom. Consider use of a media pool to limit the number of visitors in the courthouse. It is likely that the early in-person jury and other proceedings will attract media attention.
12. Consider the appropriate length of a jury trial. The court, after conferring with the parties, may impose reasonable time limits on the trial or portions thereof.
13. Consider use of remote options for all or part of civil jury proceedings following the evaluation of the remote civil jury trial pilot program, as authorized in Fla. Admin. Order No. AOSC20-31, Amendment 1 (June 8, 2020). See “Innovations” section, below.

Juror Communication

1. Keep the public informed about jury service and the precautionary measures taken to prevent the spread of COVID-19 in the courthouse. This information should be widely communicated to potential jurors, jurors, and court staff.
2. Include information about safety precautions on jury summonses and other communication outlets, including:
 - Public service announcements, media advisories, and press releases
 - Court websites and social media platforms
 - Juror call-in messages
 - Courthouse signage
 - Other technologies, including text messaging and email
3. Advise jurors, in advance, of courthouse building screening protocols.
4. Provide jurors information ahead of time on what is and is not available, so they can come prepared (for example, whether water, vending machines, etc., will be available).
5. Convey important messages as jury operations resume, such as: a) assure prospective jurors that courts take public health and safety seriously and have implemented policies to prevent the risk of infection; b) show what the courts are doing to ensure confidence in those efforts; and c) publicly acknowledge that jurors are critically important participants in the administration of justice. See “Specific Juror Messaging Suggestions” section, below.
6. Create public service announcements delivered by trusted individuals and other materials (signage, flyers, etc.) describing the court’s efforts to keep jurors safe.

Changes in Juror Response

1. Anticipate changes in prospective juror response rates (i.e., no show, undeliverable, disqualified, exempt, excused, postponed, etc.).
2. Ensure trials are not continued due to a lack of potential jurors secured or, alternatively, that more potential jurors than are needed do not appear.
3. Evaluate requests for excusals and deferrals based on statewide guidance.
4. Review local jury service policies, including viewing deferral as a preference to excusal from service.
5. Excuse jurors who may be at high-risk or have other appropriate reason to not report (lack of childcare, caring for a high-risk person, etc.) in advance of them reporting to the courthouse.
6. Recognize that failure to appear rates may be higher notwithstanding the best efforts of prospective jurors. Specific excusal and deferral guidance should be provided on circuit forms about the automatic excusal or deferral for potential jurors who meet specified criteria.

Juror Reporting

1. Minimize the number of jurors at each stage of jury service.
2. Stagger reporting times for smaller groups of potential jurors.
3. Direct jurors to report directly to a designated courtroom instead of a single jury assembly room.
4. Space jurors throughout the courthouse building for voir dire to facilitate social distancing.
5. Manage voir dire beginning with enhanced questionnaires to identify those in the potentially at-risk category. Give special consideration to a juror seeking relief from jury duty if the juror establishes that they are "at-risk."
6. Provide masks to jurors throughout their service, if they do not have their own readily available. Additional masks may need to be provided as they become soiled, lost, or otherwise need replacing.
7. Provide jurors with gloves, hand sanitizer, sanitizing spray, and wipes during their service, as needed.
8. Consider a separate entrance for jurors and plan for necessary juror movement throughout the building (e.g., designated/reserved elevator and restroom).
9. Encourage judges to collaborate with their local clerks to address excuses and deferrals. Consider assigning a duty judge to address issues affecting a person's ability to serve that are beyond the authority of the clerk to resolve.

Health and Safety in Jury Areas

1. Wipe down essential workspaces (countertops, tables, armchairs, doorknobs, kiosks, etc.) frequently during the day and overnight.
2. Avoid the direct exchange of papers, writing instruments, or other potentially contaminated items among persons in the courtroom. If direct exchange is unavoidable, staff or jurors (or both) should wear gloves. Individual copies of papers or photographs should be provided.
3. Provide training to staff and the public on the correct way to utilize personal protective equipment to avoid cross-contamination.
4. Restrict access to common areas and remove courtesy amenities previously offered that are not appropriate during a pandemic (coffee, microwaves, refrigerators, puzzles, games, books, magazines, etc.).
5. Escort jurors, in small numbers, to a reserved set of elevators and then to a waiting area outside of the courtroom.
6. Minimize touchpoints, such as doorknobs, throughout the courthouse and courtroom to the extent possible while maintaining adequate privacy and security.
7. Develop a procedure or protocol for handling a potential COVID-19 exposure in a courtroom. Ensure it anticipates the potential exposure of a juror and the deliberation area. It should also include contact tracing, reporting instructions, notification parameters, and disinfecting the space.

8. Consider limiting jury related functions to the first floor or lower floors, where possible, to limit complications caused by elevators.

Maintaining Physical Distancing in the Courtroom

1. Seat jurors in a cordoned-off section of the courtroom gallery in addition to the jury box, to comply with social distancing while ensuring equity in jurors' ability to access and absorb testimony and other evidence.
2. Consider clear partitions to provide a physical barrier for jurors.
3. Instead of a small jury deliberation room, utilize a larger courtroom, conference room, or training area for trial recesses and deliberations.
4. Limit in-person attendance in the courtroom to the clerk, attorneys, parties, witnesses, security officers, and other individuals necessary to the proceedings as determined by the presiding judge.
5. Provide extra cleaning and disinfecting to courtrooms or other spaces where jurors are meeting.
6. Prohibit jurors from touching evidence prior to deliberations; attorneys should publish evidence by walking it past the jurors or displaying it on a screen.
7. Provide potential jurors with a safe area to eat lunch that they order for delivery or bring from home.
8. To reduce jurors in attendance, place alternate jurors on standby by telephone.
9. Stagger reporting times, breaks, and other activities to minimize the number of jurors being screened through security and using shared restrooms and areas of circulation.

Innovations

1. Explore paging and texting technology to communicate with jurors regarding the location and time they should appear in a designated location.
2. Use an app-based or online questionnaire for advance screening of health-related questions, part of voir dire, or both. Scan and email or upload to a file sharing location the juror questionnaires to the judge, judicial assistant, and attorneys of record.
3. Use videoconferencing to conduct some or all of voir dire in civil cases.
4. Stream court events online or to a public viewing area in the courthouse (such as unused courtrooms) to minimize the non-essential persons in a courtroom during a proceeding.
5. Use texting or another messaging medium for staff in various courtrooms to communicate about breaks or changes in schedules so juror and public circulation can be monitored.
6. Consider multiple small panels for a single case to reduce the number of individuals in a room at one time, still using struck method of jury selection (as opposed to strike and replace), and using technology for remote initial questioning.
7. Offer a uniform virtual juror background for remote jury trials to help standardize the virtual environment and reduce distractions for those participating in the trial.

Specific Juror Messaging Suggestions³

1. Statewide communication strategy will include:
 - A statewide video on steps taken to return to jury trials, with instructions on customizing for individual jurisdictions.
 - A statewide animated video on common requirements to return to more open courthouses focused on procedures.

³ A joint working group of members from the Office of the State Courts Administrator, the Florida Court Clerks and Comptrollers, and The Florida Bar are creating standard health/safety message templates that will be customizable to address local concerns. The group will also recommend preferred delivery mechanisms and channels for the standard messages. Please direct inquiries and requests to OSCAmedia@flcourts.org.

- A unified messaging program with graphics, messaging, and social media. Options to customize will be included.
2. Important message elements:
 - Convey the specific measures taken to assure the health and safety of everyone who comes to the courthouse, with a particular focus on those who are compelled to do so.
 - Provide complete information on the required procedures and practices in place and how best to navigate them.
 3. Communication considerations:
 - Precision and brevity are hallmarks of effective communications.
 - Uncluttered design, plain language, and straightforward typography should be used.
 - Repetition helps get a message across.
 - Collaboration with partners and stakeholders amplifies messages.
 - Make messages useful to local audiences with specific utilitarian information.
 4. Examples/Information:
 - Court Communication Plan for the Judicial Branch of Florida: <https://www.flcourts.org/content/download/216628/1965714/2016-Judicial-Branch-Court-Communication-Plan.pdf>
 - Palm Beach County: <https://pbc.sharefile.com/share/view/s189e1ee2eb847e19>
 - Arizona: <https://youtu.be/9IC9mnTDNdE>

- Jury Trials Recommendations for the Priority in Which to Resume Civil and Criminal Jury Trials



Jury Trials

Recommendations for the Priority in Which to Resume Civil and Criminal Jury Trials

June 16, 2020

Introduction

This report provides the Workgroup's recommendations for the priority in which civil and criminal jury trials should resume when resumption becomes authorized pursuant to *In re: Comprehensive COVID-19 Emergency Measures for the Florida State Courts*, Fla. Admin. Order No. AOSC20-23, Amendment 4 (June 16, 2020).

Priority for the Resumption of Civil and Criminal Jury Trials

The Workgroup makes the following recommendations for the priority in which civil and criminal jury trials should be resumed. The Workgroup recognizes, however, that priorities may change from case to case and over the life of a case, based on real-time events, needs, the status of the parties or witnesses, available resources, or other matters. Chief Judges must have significant discretion, which may be delegated to a presiding judge, to make a priority decision based on the aforementioned factors. With that caveat, circuits may wish to consider the following priority when determining the cases in which to first conduct jury trials:

1. Speedy trials (if speedy trial is no longer suspended)
2. Circuit criminal trials for capital or life felonies and for in-custody defendants charged with a first-degree felony
3. Circuit and county criminal trials with an in-custody defendant
4. Circuit jury trials for juveniles being tried as an adult
5. Circuit and county criminal trials with an out-of-custody defendant
6. Circuit civil jury trials
7. County civil jury trials¹

¹ This recommendation is an excerpt from the report titled *Joint Report – Recommendations from the Civil and Criminal Subgroups for the Resumption of Jury Proceedings*, dated May 27, 2020, which was approved by the Workgroup on the Continuity of Court Operations and Proceedings During and After COVID-19 on May 28, 2020.

- Best Practices Management of Evidence in Remote Hearings in Civil and Family Cases



BEST PRACTICES

Management of Evidence in Remote Hearings in Civil and Family Cases

May 5, 2020

Introduction

This guide sets forth best practices with respect to the management of evidence during remote hearings in civil and family cases, provides an overview of the requirements for the conduct of in-person and remote hearings specified in [Florida Supreme Court Administrative Order 20-23, Amendment 1](#), and provides links to other resources generally addressing remote hearings.

Best Practices for Remote Evidentiary Hearings

Local administrative orders (AOs) should establish procedures for the filing and management of exhibits and the taking of witness testimony in remote hearings. Issues that a Florida judicial circuit may wish to address include specifying:

1. Procedures that distinguish between requirements for:
 - a. Parties represented by counsel and self-represented parties, if appropriate; and
 - b. Physical exhibits, exhibits capable of being provided electronically, and witness testimony.
2. Requirements for the parties to exchange exhibits and confer remotely before the hearing for the purpose of stipulating, as much as practicable, to the authenticity and admissibility of the exhibits. With respect to physical evidence, parties could be directed to exchange pictures of the evidence.
3. Requirements for the parties to file with the court any objections to exhibits by a specified deadline and procedures for the setting of hearings to resolve all such objections before the evidentiary hearing.
4. Requirements for the parties to:
 - a. Exchange witness lists that include the witnesses' names, email addresses, and cell and landline phone numbers before the hearing;
 - b. Ensure their witnesses who will lay the predicate for evidence have a copy of the evidence;
 - c. Ensure their witnesses have the necessary technology to participate in the remote hearing and, if not, specify requirements for the provision of an affidavit from the party explaining and attesting to the inability for the witness to access such resources;

- d. Ensure their witnesses are aware of the witness testimony protocol discussed below.
 - e. Meet specified deadlines for the provision of the witness lists to the court along with the identification of any witness for whom an interpreter or an accommodation under the Americans with Disabilities Act will be required or for whom they request sequestration. The name of the interpreter should be included in the witness list.
5. Requirements for the marking and indexing of exhibits, filing methods, e.g., via the clerk or ePortal, email to the presiding judge, or upload to a cloud storage service, and filing deadlines.
 - a. With respect to physical evidence, the local AO could direct the parties to contact the presiding judge on a case-by-case basis and to indicate whether there is agreement among the parties as to how the physical evidence will be filed. Options for submission might include filing a picture of the physical evidence or submitting the evidence in a sealed, clear plastic bag.
 - b. Consider advising parties that documents or other items that the presiding judge must review during the hearing, but which are not being submitted as evidence, e.g., a driver's license to verify identity, do not have to be provided to the judge in advance and may be presented to the judge during the hearing using the camera.
6. Any applicable limits on the time that will be allotted for the hearing.
7. Provisions indicating that:
 - a. Discovery, evidence, and other rules of procedure still apply, unless suspended or amended by the Florida Supreme Court, as does the right to due process in all court proceedings; however, the courts and parties are encouraged to use flexibility during the public health emergency for the equitable resolution of cases.
 - b. As such, nothing in the local AO limits the presiding judge's discretion to:
 - i. Establish other procedures consistent with the AO;¹
 - ii. Admit or deny evidence in the case or determine other relief appropriate under the circumstances; and
 - iii. Reset the hearing if technological issues prevent the meaningful review of evidence, where the parties have complied in good faith with the procedures, to use more appropriate electronic means or, if authorized

¹ In all cases, the presiding judge should ensure that any procedure independently established by the judge is equitable and does not result in an advantage to one party over the other.

under Florida Supreme Court AOSC 20-23, Amendment 1, for an in-person hearing.²

8. Provisions notifying parties that they should contact the presiding judge's office to determine whether the judge has established additional procedures for a remote hearing.
9. Provisions notifying parties of the suspension of certain rules, court orders, and opinions by Florida Supreme Court AOSC 20-23, Amendment 1, relating to remote hearings and remote administration of oaths.
10. Procedures that ensure the public's right of access to court hearings while maintaining any confidentiality that may apply to information in exhibits or witness testimony.³
11. Responsibilities of the parties for providing for the transcription of the record and indicating that court reporters may remotely participate in the hearing.
12. Post-hearing procedures for the filing of exhibits not filed before the hearing, for a corrected index of exhibits introduced in evidence, and for the parties to retain copies of evidence admitted or denied admission by the presiding judge until the resolution of the case and exhaustion of any appeal.
13. Sanctions applicable to a party's failure to comply with the requirements of the local AO. Consider including these sanctions in the presiding judge's standing order or order setting the hearing.

For examples of recent AOs on this topic, see [Eleventh Judicial Circuit Administrative Memoranda](#).

Best Practices for Witnesses

With respect to witnesses, additional evidentiary issues for which the presiding judge of a remote hearing may wish to prepare include:

1. Advising witnesses at the beginning of the hearing or before their testimony of the following protocol for their testimony: they must be alone in a quiet room during their

² Under AOSC 20-23, Amendment 1, in-person hearings may be conducted only for essential proceedings. Additionally, under the AO, non-essential proceedings must be conducted remotely unless one of the two exceptions discussed in Footnote 4, below, apply.

³ For a discussion of the strong presumption of openness for all court proceedings and of confidentiality requirements applicable in the judicial branch, see the [Government-In-The-Sunshine-Manual](#), 2020 Edition, by the Office of the Attorney General, at pages 12-13 and 63-68, respectively. Although the public has a right of access, it does not have the right to participate in the proceeding.

testimony, may not use a virtual background, and are ordered, subject to contempt of court, to turn off all electronic devices except for the device enabling participation in the hearing and to refrain from exchanging any electronic messages during their testimony.

2. Requiring witnesses to remain in a Zoom waiting room until they are called to testify and removing them from the hearing following their testimony. To enable this function, the presiding judge or clerk must host the Zoom hearing. This functionality is critical in the event that a witness must remain in a waiting room because he or she is sequestered. If sequestration is necessary, one of the following options will be needed:
 - a. The posting of a video of the proceeding after the hearing, rather than the live streaming the proceeding; or
 - b. Determination of some other mechanism that ensures the witness is unable to view the live-streamed proceeding.
3. Confirming that the witness is alone by requiring him or her to use his or her camera to scan the room before and after testimony and noting this for the record.

Florida Supreme Court Administrative Order 20-23, Amendment 1

[Florida Supreme Court Administrative Order 20-23, Amendment 1](#) requires the trial courts to conduct:

- Essential and critical proceedings in a manner that employs all methods feasible to minimize risk of COVID-19 exposure to all; and
- Non-essential and non-critical court proceedings using electronic means unless a judge determines that remote conduct of the proceeding is subject to an exception.⁴

Included within the categories of proceedings above are requirements for the conduct of certain proceedings in civil and family cases:

Civil and Family Essential Proceedings - <i>must be conducted remotely or in-person</i>	Civil and Family Non-Essential Proceedings – <i>must be conducted remotely</i>
Juvenile dependency shelter hearings	Alternative dispute resolution proceedings
Juvenile delinquency detention hearings	Status, case management, and pretrial conferences
Hearings on petitions for injunctions relating to safety of an individual	Non-evidentiary and evidentiary motion hearings
Hearings on petitions for risk protection orders	Hearings in juvenile delinquency cases

⁴ The exceptions are that the remote conduct of the proceeding would be: (a) inconsistent with the United States or Florida Constitution, a statute, or a rule of court that has not been suspended by administrative order; or (b) infeasible because the court, the clerk, or other participant in a proceeding lacks the technological resources necessary to conduct the proceeding or, for reasons directly related to the state of emergency or the public health emergency, lacks the staff resources necessary to conduct the proceeding.

Hearings on petitions for the appointment of an emergency temporary guardian	Hearings in noncriminal traffic infraction cases
Hearings to determine whether an individual should be involuntarily committed under the Baker Act or the Marchman Act	Problem-solving court staffings, hearings, and wellness checks
Hearings on petitions for extraordinary writs as necessary to protect constitutional rights	Non-jury trials, except for juvenile delinquency and termination of parental rights petitions in dependency cases unless the parties in those cases agree to remote conduct

To facilitate the remote conduct of proceedings, the AO:

- Authorizes chief judges to establish temporary procedures for the use, to the maximum extent feasible, of communication equipment for the conduct of remote proceedings.
- Authorizes the remote administration of oaths by audio-video communication technology for witnesses.
- Suspends all rules of procedure, court orders, and opinions applicable to:
 - Court proceedings that limit or prohibit the use of communication equipment for conducting proceedings by remote electronic means; and
 - Remote testimony, depositions, and other legal testimony that limit or prohibit the use of audio-video communications equipment to administer oaths remotely or to witness the attestation of family law forms.

Other Resources Generally Addressing Remote Hearings

1. Florida:
 - a. [Video of a Remote Mock Trial](#), Seventeenth Judicial Circuit, posted May 1, 2020.
 - b. [Benchguide Checklist for Procedural Safeguards During Hearings for Judges](#), Eleventh Judicial Circuit, May 4, 2020: checklist addressing items that a judge should consider before and during a remote hearing conducted via Zoom.
 - c. [Zoom Script for Judge](#), Eleventh Judicial Circuit, May 4, 2020: script for judges that establishes ground rules for a Zoom hearing.
2. National Center for State Courts
 - a. [Checklist for judges in virtual proceedings](#), April 22, 2020: short checklist indicating issues to be considered by judges when conducting remote hearings.
3. [Michigan's Virtual Court Resources](#): contains a variety of remote hearing resources, including:
 - a. [Trial Courts Virtual Courtroom Standards and Guidelines](#), April 17, 2020: guidance for the Michigan judiciary on the best practices for conducting remote hearings.

- b. [Remote Proceedings Checklist](#), April 20, 2020: step-by-step guidance for the use of Zoom to set up and conduct a remote hearing.
 - c. [Frequently Asked Questions Regarding Expansion of Remote Proceedings](#), April 30, 2020: helpful, extensive list of questions regarding the expanded use of remote hearings.
4. [Texas Electronic Hearings with Zoom](#), Texas Judicial Branch: contains a variety of helpful resources for conducting remote hearings using Zoom.



BEST PRACTICES

Facilitating Pro Se Litigants with Remote Appearance Technology

May 6, 2020

Introduction

This guide sets forth best practices and logistical considerations with respect to facilitating pro se litigants with remote appearance technology.

The court should be mindful of the following considerations:

1. Ensure the technology is sufficient to allow the court to preside over and resolve the matter effectively.
2. Leverage remote appearance solutions that present little or no cost to pro se litigants.
3. Recognize costs to the litigants of using phone minutes and/or data if free and stable Wi-Fi is not readily available to them.
4. Verify the required equipment needed for all participants, ease of use, and the ability to access the solution remotely.
5. Control access to the proceeding for participants and determine the necessary level of privacy required for the event.
6. Ideally, use the same mode of remote appearance technology for all parties participating in the court event.
7. Account for ADA requirements and web content accessibility standards.

Match each proceeding with the remote appearance medium that (1) complies with due process standards and general law, and (2) reliably achieves the purpose of the proceeding. In many instances a phone conference will satisfy the purpose of a court event, in others, a video conference may be required or preferable.

Best Practices for Judges

Planning for the Proceeding

1. Explore the full functionality of the remote appearance platform (i.e. waiting rooms) and attend regular training for the platform and other related technologies.
2. Allow for proper spacing and allotment of time for hearings, as pro se litigants may need extra time to present their case and work through any technology issues.
3. Ensure clear public information about the availability of non-confidential court proceedings via live streaming or other access.
4. When possible, obtain reliable email addresses for the parties, and verify their ability to access a stable internet connection if a video conference is to be used.
5. Determine whether any language interpretation will be needed by any participant, and the effect that need might have on effective participation via remote appearance technology. Schedule and group hearings to optimize the use of interpreter resources.

Noticing for the Proceeding

6. Provide notice to the litigant of the intent to use Zoom or similar free remote appearance platform along with connection instructions.
7. Require that notices of hearing contain a phone number and a link to the Zoom hearing, or similar free remote appearance platform, for the specified date and time.

Starting the Proceeding

8. Start each hearing by laying the ground rules. Describe how the hearing will be conducted and how the platform will be used.
9. Announce the case number prior to commencement of the proceeding and require all parties to announce themselves to assist with the court record, tagging, and transcription.
10. Address parties on the record to verify that they are waiving their right to be present in the courtroom for the proceedings. In addition, if there is a victim involved, ensure that the victim's rights are addressed on the record.
11. Assure all sides they will be heard, but that the use of the technology requires a rigid rule of speaking one-at-a-time. The judge will invite comment from each person and allow opportunities to respond. The judge runs the hearing and by name invites testimony, argument, etc. from each person so the record is clear and the hearing is orderly.
12. Despite not being physically in the courtroom, the court should continue to remind participants the proceeding is live, is being recorded, and that courtroom decorum rules apply.
13. The court should advise participants if the proceeding is being recorded and note restrictions on the unauthorized recording of the proceeding.

During the Proceeding

14. Judges should encourage the use of gallery view in the remote video settings, allowing all parties and participants to see each other in the hearing.
15. Be prepared to postpone the hearing if the pro se litigant has issues using the technology.
16. Finalize orders and file and serve through the CAPS Viewer or E-Portal.

Logistics

Contact Information / Procedures

1. Provide extra notice of hearings. Consider mailing the virtual hearing information to the pro se litigant with clear instructions on how to contact the court to arrange remote participation.
2. Provide a telephone option, toll-free if possible, as an alternative for video appearance if appropriate.

Procedural Practices

3. Judges and/or court staff must act as hosts to control remote meetings. Appoint the case manager or other staff as co-host so that they can help manage the waiting room and rename participants as needed.

Document Handling

4. Consider the need for an electronic signature workflow solution, with detailed instructions, when responding or filing.
5. Provide the capability for all parties to deliver all potential evidence to the court in advance.

Consider attaching the companion best practices guide, [Representing Yourself and Using Remote Appearance Technology with the Courts](#), to pro se litigant communications. The companion guide has been posted to many court and clerk websites and shared with justice stakeholders.

Technology Features of the Remote Appearance Platform

6. When hosting hearings, the court should enable the "Waiting Room" function in Zoom. The "Waiting Room" allows the host to control who is admitted to the hearing and prevent participation by individuals who are not litigants in that case.
7. Train self-help staff and/or all staff so that they can troubleshoot with the pro se litigants. Provide a Zoom Procedure Guide to all staff.



BEST PRACTICES

Representing Yourself and Using Remote Appearance Technology with the Courts

May 6, 2020

Remember, even though your hearing is happening over the phone or through the internet, it is a court proceeding. You should act the way you would if you were in the courtroom in person. Court rules and standards apply.

Please review the following tips:

Do:

- Do let the court know if you don't have a phone or access to the internet. The court may be able to help you find a way to participate or may postpone the hearing.
- Do visit the video call website (such as [Zoom](#)) or a video sharing website ([YouTube](#)) for guides, helpful videos, and additional information.
- Do prepare for your virtual hearing. If you plan to participate in your hearing by video, download the video application before your scheduled hearing. Be sure to test your speaker, microphone, and camera before the hearing. Video call software websites often provide a test link to try your equipment before the actual event (Zoom test example [here](#)).
- Do dress appropriately, like you would if actually going to the courthouse.
- Do limit distractions during your hearing. Put all pets and other things that may be a distraction in a different room. Find a quiet place to participate in the hearing.
- Do keep your device on mute when not speaking. Keeping your phone, mobile device, or computer on mute unless speaking reduces feedback and limits background noise.
- Do call the court in advance if you want to present evidence. If you have documents or witnesses you want available for your hearing, check the judge's website or call the court for more information.
- Do make sure others using your Wi-Fi network minimize their usage during your hearing so you have the best possible connection.

Don't:

- Don't ignore the virtual hearing. If you cannot make the hearing or have a conflict, notify the court.
- Don't talk over others, it makes it hard for the judge and others to hear. Wait to speak until asked to by the judge.
- Don't do other things while on the call. Just like in an actual courtroom, you must pay attention to make sure you don't miss something important that is said or something the judge asks you to do.

Practice Tips and Suggestions

Letter from Administrative Judge to the Civil Bar



April 2, 2020

To the attorneys and staff of our Civil bar:

Thank you for your patience over the last two weeks as we have acquired the necessary licenses, bandwidth, and equipment to set up our Virtual Courtrooms in the Circuit Civil Division on the Zoom platform. We have begun training our judges and staff, and while there will be bumps in the road as we deploy on such short notice, these bumps are a result of our commitment to reopen as quickly as possible instead of waiting for ideal circumstances. The deployment of this new remote appearance technology, the Zoom platform, is essential to protect public health while continuing to deliver justice to the fullest extent possible.

There are rumors of confusion, however, as to the original “non-essential” hearing language used by Florida Supreme Court Chief Justice Canady and Chief Judge Soto in the administrative orders. I have been given to understand that lawyers may be arguing about what hearings are essential or non-essential in the Civil Division. For clarification, the essential-non-essential analysis no longer applies. The original language was intended to assist the Circuit in executing those mission critical tasks that were not constitutionally required but were deemed critical, such as domestic violence. In the meantime, our civil bench has continued to work on the CourtMAP platform handling orders and matters submitted. However, other than emergencies over the past two weeks, there are no essential/non-essential hearings in civil. There are just hearings, which we are gradually ramping up to hold in our Zoom Virtual Courtrooms. You will receive notice for Zoom meetings as we move all of our work to the remote platform upon which our Virtual Courtrooms are built. If you have what you believe to be an emergency, follow your presiding judge’s instructions on their [webpage](#) for emergencies. The current information about the judge’s procedures will be on their [webpage](#).

Some seem to be further confused that “essential” hearings will be granted live appearance. Please understand that for the safety of our community, there will be no live hearings with in-person attendance in the Circuit Civil Division of the Eleventh Judicial Circuit for the foreseeable future until we are on the other side of this pandemic. The only live hearings being held anywhere circuit-wide are those that are impossible to hold remotely due to technology limitations and we are working to acquire those abilities for those matters. Jury trials have been cancelled under Chief Justice Canady’s current Administrative Order. We do not know when jury trials will resume.

The judges of our circuit, and particularly your Civil Circuit Division judges, have worked very hard very quickly to become familiar with the Zoom platform and to be able to offer you hearings, as have all of our staff and administrative office personnel. We are still on the learning curve. Please be courteous and patient as we work on our reopening. We understand that these circumstances are painful for those who work in our courts and the clients they represent. It is no less painful to our Circuit, which is

committed to delivering justice to those we serve. We understand that these constrained operations affect lives and our legal service economy. However, the danger from COVID-19 is real, and we are equally committed to protecting the health of Miami-Dade's citizens.

We therefore encourage everyone to take full advantage of the many tutorials offered on the Zoom platform. If you cannot participate by video conference, you can participate by phone, and we are committed to the same procedural fairness and opportunity to be heard no matter how you appear. We are taking every step to make sure that all receive the Zoom meeting information. You can help us by encouraging all self-represented litigants to register for service through the [e-Filing Portal](#) so we can ensure communication most effectively.

We expect, now more than ever, that Miami-Dade's lawyers will conduct themselves with courtesy and professionalism. If this gets worse, lawyers will need to help one another with professional courtesies. Failure to do so in face of the current crisis is likely to be frowned upon. In other words, be kind and thoughtful to each other, and respect what each person may be going through. Be decent to one another. If you cannot conduct yourself with grace because it is the right thing to do, then do it for self-interest—because the CDC statistics are suggesting that you or your family could be next.

We are living through a historic moment. Americans are strong, resilient, and hopefully sensible enough to stay safe at home until the coronavirus risk abates. We will persevere. Please take care and stay safe.

Judge Jennifer D. Bailey
Administrative Judge, Circuit Civil Division
11th Judicial Circuit
Miami-Dade County Courthouse
73 W. Flagler St., Room 635
Miami, FL 33130
(305)349-7152

Suggestions from FAWL: *Zoom Baby!* Article

ZOOM BABY! WHAT LITIGATORS NEED TO KNOW ABOUT VIRTUAL COURT HEARINGS

April 16, 2020

By: Elisa D'Amico

We are living in strange times, on lockdown at our homes because of the novel coronavirus pandemic. But lawyers have set up home offices and we continue to serve our clients and our community. Thanks to the strong leadership of the Honorable Bertila Soto, the Eleventh Judicial Circuit has gone virtual and is up and running. Non-emergency hearings are taking place on the Zoom platform for the first time. Now, more than ever, litigators need to do more than prepare substantively: they need to become facile with technology and able to present persuasive arguments before the court, while sitting at home.

As an internet/tech/social media lawyer, I'm not frightened by the virtual world. In my opinion, one silver lining to all of this is that we are all learning and embracing new technologies, advancing the practice of law and access to justice. I know some people don't have the same kind of love for technology as I do. So, in an effort to learn more about how virtual courtrooms work and how lawyers can set themselves up for success, I spent some time speaking to some judges and even participated in a mock hearing to test the technology. Here's what I learned, which I think is worth sharing. You may not agree with everything, but my guess is that you will agree with at least something:

GETTING STARTED

- Make sure to check the court website to become familiar with the administrative orders (<https://www.jud11.flcourts.org/coronavirus/AO>), and make sure you are quoting the correct one.
- You need a webcam and a microphone, which most laptops have. You can also use Zoom on your smartphone. You don't need to create an account in order to attend a hearing or a meeting, but you'll want to download the Zoom app on your phone and/or visit zoom.us on your laptop or desktop.
- If you wish to create your own account, a basic account is free. I recommend doing this so you can spend some time getting familiar with the platform, but it's not a requirement.
- If you want a more detailed guide, read up [here](#).

WILL THE JUDGE BE ON THE BENCH?

- Virtually, yes. Judges will be dressed in their robes, and though they'll be presiding from home, they'll appear in front of a standardized backdrop with the seal of the state of Florida, our state

flag, and the American flag.

· If you're still curious, [here](#) is an article (with video) of Miami's first Zoom hearing in criminal court, before Judge de la O.

DRESS FOR SUCCESS

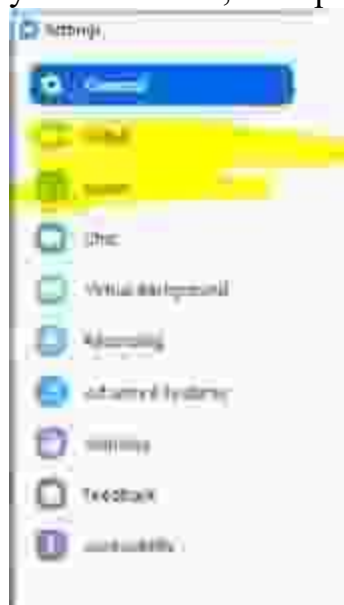
· Even though you will be at home, you will still be appearing in court. You should dress in courtroom-appropriate attire. If you're sitting at your desk for the hearing, whether you remain in your slippers is on you. And, [this](#) should not have to be said, but please wear a shirt.

WAITING ROOM

· Once you connect to the hearing, you most likely will be in the virtual "waiting room." Wait here until the judge is ready, at which time she or he will let you into the virtual courtroom. The judge may also set up a "breakout room" for you to wait along with opposing counsel.

SOUND CHECK

· Before attending a hearing (or any meeting for that matter), make sure you test your audio and video. The last thing you want is to get in front of the judge only to find out your microphone doesn't work or that nobody can see you. If you don't see the prompt to test when you first log in to Zoom, go into Settings and you can do it from there. You can play a test sound to make sure you can hear it, and speak to make sure your mic is working.



- You should consider whether using a headset provides you better sound quality. This will depend on what hardware you're working with. Shut down any programs that may interfere with your hearing, and try as best you can to keep background noise to a minimum.
- When you check your video, take a look at what you see in the frame. No judge wants to see a pile of laundry on top of your bed. (In fact, no judge wants to see your bed--try a different room). Think about lighting (which should be behind the webcam, not behind you). If you don't trust me, trust [Tom Ford](#). And pay attention to your backdrop. It may be worthwhile to rearrange a few books or plants to make your workspace look more professional. Another option is to use Zoom's virtual background feature, which allows you to upload a photo and use that as your backdrop. So, if your home office isn't all you want it to be, you may want to test out some other office backdrops. (West Elm has some for free [here](#).) If you use this virtual background feature, however, make sure that you have an appropriate background; the one you used for last night's happy hour is not the appropriate background.



UNMUTED IS THE NEW REPLY ALL

- Mute your line and be ready to unmute if asked. When you connect to the platform, realize that you will not be the only person on the line and it is very likely that your hearing is not the only one on the calendar. If you aren't on mute, even something that seems quiet to you--like typing on a laptop--can be extremely loud and distracting to the judge, staff, and other lawyers.
- Most judges will understand that we are all working from home, many of us with young children. While complete silence is not an option, make an effort to do the best you can.

WAIT YOUR TURN BUT PAY ATTENTION · If yours isn't the first hearing up, the judge may let you know that you are welcome to leave the screen, but that you should listen and pay attention so that you are ready for your hearing when you are called.

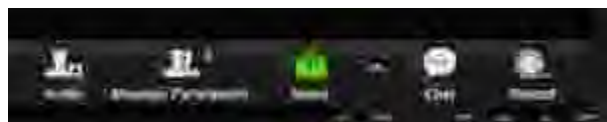
- Once the hearing begins, the judge may ask you to state your appearance orally *or* may ask you to raise your hand to confirm you are on the line. Be prepared for either. If you are asked to state an oral appearance, make sure to unmute.

EVIDENCE, EXHIBITS, & SCREEN-SHARING

- Virtual hearings may still require the presentation of documentary evidence, so you should stay abreast of the administrative orders being issued, particularly as to the presentation of evidence at hearings. ([Administrative Memorandum No. 20-A](#).) Plan to file your documentary evidence, along with an index, at least 5 business days in advance of your hearing.
- Spend some time thinking about how you want to present that evidence, including checking to

see what your judge's preferences are.

- If you are presenting evidence by referring to the docket number (because you filed your exhibits in advance), remember that this may require the judge to click over to another window to view the evidence in courtMAP instead of viewing the Zoom window. Some judges have dual monitors but many are operating on one monitor without the ability to split screens. For that reason (and also because it's incredibly easy), I recommend learning how to use Zoom's screen-sharing function, which is very simple.
- To use screen sharing, once connected, move your cursor to the bottom of your screen and you'll see a pop-up, which includes "Share." If you click on that green button, you'll have the option to share your entire monitor or just one open window/program (i.e., the entirety of what you see on your screen or just a single PDF/photograph that you have open). When you share your screen, you'll see whatever you are sharing as a large window, and you'll see smaller windows for each of the participants--this will allow you to put eyes on the document you are referring to, but you'll still be able to keep your eyes on the judge and opposing counsel. To end screen sharing, click on the red button on top of the screen (you'll only see this while you are sharing your screen). You should consider practicing this before your hearing so you don't run into any technical difficulties.



DISCONNECT; I REPEAT, DISCONNECT

- Remember that you must completely disconnect from Zoom when you are finished. Do not skip this step. This is even more critical if you connect from a smartphone: minimizing the window *does not* shut the program down. Trust me, you don't want to have your video and mic still connected after your hearing ends. Make sure to disconnect and double (or even triple) check.

A VIEW FROM THE BENCH

I connected with some of the wonderful judges from the Eleventh Judicial Circuit to see what tips they have for practicing lawyers who appear before them in virtual hearings. Here's what they had to say:

- o Take a look at your judge's website to see if she or he has any special procedures or dial-in codes for Zoom hearings.
- o There is a new administrative memorandum that concerns evidentiary hearings in civil cases; make sure you refer to it when you are setting an evidentiary hearing via Zoom.
- o Call in early.
- o Be patient. The judicial assistants and bailiffs are new to Zoom and are learning just like you are.
- o Make sure your mic is muted when you are not speaking and eliminate all background noise.
- o Confirm you have a strong internet connection.

- o Sometimes you will have a bad connection and will have to try to rejoin the Zoom meeting.
- o Be ready with a backup dial-in phone in case of technological failure.
- o If your judge has a breakout room for motion calendar, you will likely be in there with opposing counsel while you wait for the judge to take your case. Use this time to talk about your case just as you would if you were in the hallway in the courthouse.
- o Resist the urge to use the waiting room to chat with the other people on the Zoom. The judge may be waiting and listening.
- o When you connect, make sure that you are ready to go.
- o Look at your webcam when you are talking, not at your screen.
- o Repeat critical points or testimony and ask if everyone heard.
- o Good lighting is important.
- o Don't sit too close from the camera; don't sit too far away from the camera.

Suggestions from ABOTA: Sample Forms

- Sample Form 1: Order on Remote Video Conference Depositions

IN THE CIRCUIT COURT OF THE 11TH JUDICIAL CIRCUIT
IN AND FOR MIAMI-DADE COUNTY, FLORIDA

[],

CASE NO.:

Plaintiffs,

v.

[],

Defendants.

_____ /

ORDER ON REMOTE VIDEO CONFERENCE DEPOSITIONS

This cause having come before the court on the matter of taking remote video conference depositions, it is hereby, ordered and adjudged that the following rules shall apply to the taking such depositions:

1. All Florida rules of civil procedure and Florida rules of professional responsibility governing the practice of law remain in place and in full force and effect and shall be followed at all times. This includes, but is not limited to, the prohibition on speaking objections and prohibited contact with a witness during the course of a deposition.
2. The court reporter for a deposition conducted via video conference, in accordance with supreme court of Florida's AOSC 20-16 issued on March 18, 2020, may administer the oath or affirmation to the deponent remotely.
3. The witness may elect to physically exclude any person from any room where the witness is physically present during the taking of the deposition. Any counsel of record or party so excluded by the witness may participate in the deposition by means of video conference.
4. No other attendees other than the parties to the subject lawsuit, their representative counsel, and counsel for the witness, shall be allowed to participate in the video conference deposition without prior consent of all counsel. This includes appearing individually within the video conference platform and/or being present within the room where the attendee is viewing the video conference deposition.
5. The court reporter's transcript shall serve as the official record of the witness's testimony. Should circumstances arise which renders the court reporter's transcript unavailable, then a new transcript can be created by use of the video recording of the deposition.

6. Any deposition taken by means of video conference shall be conducted using zoom or a similar videoconferencing platform equipped with the ability to video record the deposition. The court reporter shall serve as the host of the video conference as provided by the videoconferencing platform.
7. As the host of the video conference, the court reporter shall video record the witness using the recording function of the videoconferencing platform. Alternatively, if a videographer is provided by the court reporting service, such videographer may control the recording function of the platform. The court reporter or videographer, as the case may be, shall also announce each time he/she has activated and deactivated the record function on the videoconferencing platform. In addition, any party may at its discretion arrange for an independent videographer to video record the deposition by means other than the video-recording function of the platform. The party hiring any such independent videographer is responsible for the costs of doing so and must make copies of the video recording available to all counsel at their expense.
8. The video recording of the deposition created by use of the recording function of the videoconferencing platform shall be deemed the equivalent of a video recording made by a videographer, and shall be available for use in trial as though prepared by a videographer.
9. No participant in the deposition may utilize the “chat” function (or similar private communication function) of the video-conference platform, except to facilitate the sharing of documents during the deposition. In no event shall the “chat” function be used for any counsel to communicate directly with the witness.
10. At no time during the deposition shall any counsel text, message, email, or transmit any messages to the witness(es) in order to help respond to any and all questions.
11. Before the witness is sworn, all cellphones shall be placed in the silent mode. All parties and counsel will disable notifications on their devices to avoid disruption of the audio and video stream during the deposition.
12. The witness and all counsel or parties appearing on the record shall state their appearances clearly for the record, and they shall not disable their cameras during the deposition unless there is a break or unless they are necessarily appearing by telephone.
13. All documents or other exhibits, except those to be used for impeachment, shall be shared with all counsel no later than three (3) days prior to the deposition and said documents shall be bate-stamped, marked as exhibits, or both. As to non-party witnesses served with a subpoena duces tecum, counsel or their designee for all parties are permitted to confer with the witness for the exclusive purpose of securing any and all documents or other relevant evidence responsive to the subpoena duces tecum. This shall take place no later than five (5) days prior to the scheduled deposition. No later than one (1) business day prior to the deposition all documents shall be provided to the court reporting service. Those documents or other exhibits used for impeachment must be shared with all participants when introduced on the record via the share screen, or similar feature on the zoom or similar platform and attached as an exhibit to the deposition.
14. In the unlikely event that a witness cannot access the Zoom or similar platform or if the connection is lost, the deposition may proceed via Zoom and the witness participate telephonically.

DONE AND ORDERED in Chambers in Miami-Dade County this day of , 2020.

CIRCUIT JUDGE

- Sample Form 2: Notice of Taking Remote Video Conference and Videotaped Deposition

IN THE CIRCUIT COURT OF THE 11TH JUDICIAL CIRCUIT
IN AND FOR MIAMI-DADE COUNTY, FLORIDA

[],

CASE NO.:

Plaintiffs,

v.

[],

Defendants.

_____ /

NOTICE OF TAKING REMOTE VIDEO CONFERENCE AND VIDEOTAPED DEPOSITION

[DUCES TECUM]

PLEASE TAKE NOTICE THAT THE UNDERSIGNED ATTORNEY WILL TAKE
THE REMOTE VIDEOTAPED DEPOSITION OF:

NAME:

DATE AND TIME:

LOCATION:

Via VTC/ZOOM Cloud or similar
platform, meetings US Legal
(other court reporter)

US Legal (other court reporter)
will provide ZOOM link one
day prior to the deposition.

At the above time and place, the Plaintiff will take the remote videotaped deposition by oral examination for purposes of discovery, for use at trial, and for the use as evidence in said cause or both.

Said remote videotaped deposition will be taken before a Notary Public or any officer authorized to administer oaths by the laws of the State of Florida and a person who is neither a relative nor employee nor attorney nor counsel of any of the parties nor of such attorney or counsel and who is not financially interested in the action.

Said videotaped deposition is to be taken pursuant to the Florida Rules of Civil Procedure in such cases as provided. The said oral examination will continue from hour to hour and from day to day until completed.

WHEREAS, Florida Rule of Civil Procedure 1.310(b) permits a deposition to be taken by videotape.

WHEREAS, The Supreme Court of Florida, in accordance with AOSC20-16 issued on March 18, 2020, allows a notary or other person qualified to administer an oath in the State of Florida to swear a witness remotely by audio-video communication technology from a location within the State of Florida, provided they can positively identify the witness, and if a witness is not located in the State of Florida, a witness may consent to being put on oath via audio-video communication technology by a person qualified to administer an oath in the State of Florida.

WHEREAS, AOSC20-16 is hereby incorporated by reference herein and/or is attached to this Notice.

WHEREAS, due to the present COVID-19 pandemic, as well as various state and federal emergency declarations and orders, and the need to adhere to social-distancing requirements and recommendations;

WHEREFORE, the undersigned Plaintiff's counsel will follow the protocol described herein for the remote deposition of [NAME] in this case:

1. All Ethical Rules of Civil Procedure and Rules of Professional Conduct governing the practice of law remain in place and in full force and effect and shall be abided to at all times. This includes, but is not limited to, the prohibition on speaking objections and prohibited contact with a witness during the course of a deposition.
2. The court reporter, in accordance with Supreme Court of Florida's AOSC20-16 issued on March 18, 2020, may administer the oath or affirmation to the deponent remotely.
3. The court reporting service will arrange, coordinate, and host the deposition through a secure and password protected videoconference technology, such as ZOOM or a functional equivalent; in the case of non-party witnesses it is the responsibility of the lawyers setting the deposition to ensure that the witness has available a device compatible with ZOOM technology or a similar platform, including required audio, webcam, and a quality WiFi connection; plaintiff's counsel shall ensure any non-party healthcare providers have available a device compatible with ZOOM technology or similar platform, including the required audio, webcam, and a quality WiFi connection. The parties may mutually agree to follow an alternative procedure.
4. The court reporting service will provide technical information, including the online link, to the deponent, counsel, and the parties to be able to participate in the remote deposition.
5. Upon request, the court reporting service will be available to test the videoconference technology the prior business day or another time before the deposition so that any technical issues can be identified and resolved in advance of the deposition.
6. The witness shall be instructed that no one shall be physically present in the same room as the witness during the taking of the deposition except for counsel of record, the parties, or both, as well as counsel retained by the witness, if acceptable to the witness and following all regulations to ensure the safety of the witness.

7. The court reporter's transcript shall serve as the official record of the deponent's testimony; provided that should circumstances arise which renders the court reporter's transcript unavailable then a new transcript can be created by use of the video recording of the deposition.
8. As the host of the videoconference, the court reporter shall video-record the deponent while on the record; the court reporter will announce each time he/she has activated the record function and each time he/she has deactivated the record function, however any party may at their discretion arrange for an independent videographer to record the deposition in addition to the recording function of the ZOOM or similar platform, The party hiring the videographer is responsible for the costs of doing so and must make copies of the video recording available to all counsel at their expense.
9. The video-recording of the deposition created by the court reporter using the videoconference technology shall be deemed the equivalent of a video-recording made by a videographer, and shall be available for use in trial as though prepared by a videographer.
10. As the host of the videoconference, and with agreement of counsel, the court reporter may disable the video technology's "chat" function (or similar private communication function); however, the "chat" function may be used to facilitate the sharing of documents during the deposition. In no event shall the "chat" function be used for any counsel to communicate directly with the witness.
11. All cellphones shall be placed in the silent mode. All parties and counsel will disable notifications on their devices to avoid disruption of the audio and video stream during the deposition.
12. The deponent and all counsel or parties appearing on the record at the remote deposition shall state their appearances clearly for the record, and they shall not disable their cameras during the deposition unless there is a break or unless they are necessarily appearing by telephone.
13. Counsel shall confer and agree in regard to the utilization of the camera and whether it shall be focused only on the witness or on some combination of the witness and the lawyer asking the questions or other lawyers participating through the use of a shared screen.
14. All documents or other exhibits, except those to be used for impeachment, shall be shared with all counsel no later than (3) days prior to the deposition and said documents shall be
bate-stamped, marked as exhibits, or both. As to non-party witnesses served with a subpoena duces tecum, counsel or their designee for all parties are permitted to confer with the witness for the exclusive purpose of securing any and all documents or other relevant evidence responsive to the subpoena duces tecum. This shall take place no later than 5 days prior to the scheduled deposition. No later than one business day prior to the deposition all documents shall be provided to the court reporting agency. Those documents or other exhibits used for impeachment must be shared with all participants when introduced on the record via the share screen, or similar feature on the ZOOM or similar platform and attached as an exhibit to the deposition.
15. In the unlikely event that a witness cannot access the ZOOM or similar platform or if the connection is lost, the deposition may proceed via ZOOM and the witness participate telephonically.
16. If there are any objections to this notice, they must be filed within 5 days of receipt of the notice and simultaneously set the objections for hearing on the next available date on the judge's motion calendar or at the time so designated by the court.

- Sample Form 3: Subpoena for Deposition

IN THE CIRCUIT COURT OF THE
11TH JUDICIAL CIRCUIT IN AND
FOR MIAMI-DADE COUNTY,
FLORIDA

CIRCUIT CIVIL

DIVISION CASE NO.

[],

CASE NO.:

Plaintiffs,

v.

[],

Defendants.

_____ /

SUBPOENA FOR DEPOSITION

THE STATE OF FLORIDA:

TO:

YOU ARE HEREBY COMMANDED to appear via VTC/ZOOM Cloud or a similar platform before a person authorized by law to take depositions, at **(Home or Business Address)** on **(Date)**, at **(Time)** for the taking of your deposition on a remote basis in the above-styled cause. On the day prior to the deposition, you will receive notification by e-mail, text, or phone regarding the link to access to appear for the deposition. If you do not have a personal computer, laptop, or mobile device and a quality Wi-Fi connection these items will be provided for your use.

If you fail to appear, you may be in contempt of Court. You are subpoenaed to appear by the

following attorneys and unless excused from this subpoena by these attorneys or the Court, you shall respond to this Subpoena as directed.

*If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact **Attorney, address, phone**, within two (2) working days of your receipt of this Subpoena; if you are hearing or voice impaired, call 1-800-955-8771.*

DATED this__day of__.

Attorney's Signature For the Court

Florida Bar No.

FIRM
Attorneys for
Address
Phone

- Sample Form 4: Subpoena for Deposition Duces Tecum

IN THE CIRCUIT COURT OF THE
11TH JUDICIAL CIRCUIT IN AND
FOR MIAMI-DADE COUNTY,
FLORIDA

CIRCUIT CIVIL

DIVISION CASE NO.

[],

CASE NO.:

Plaintiffs,

v.

[],

Defendants.

_____ /

SUBPOENA FOR DEPOSITION DUCES TECUM

THE STATE OF FLORIDA:

TO:

YOU ARE HEREBY COMMANDED to appear via VTC/ZOOM Cloud or a similar platform before a person authorized by law to take depositions, at **(Home or Business Address)** on **(Date)**, at **(Time)** for the taking of your deposition on a remote basis in the above-styled cause. On the day prior to the deposition, you will receive notification by e-mail, text, or phone regarding the link to access to appear for the deposition. If you do not have a personal computer, laptop, or mobile device and a quality Wi-Fi connection these items will be provided for your use.

You are to bring with you:

At least 5 days prior to the deposition you shall have all documents responsive to this subpoena available to all counsel of record and transmit them electronically or make arrangements for them to be provided as hard copies. Counsel of record will coordinate the production with you.

If you fail to appear, you may be in contempt of Court. You are subpoenaed to appear by the following attorneys and unless excused from this subpoena by these attorneys or the Court, you shall respond to this Subpoena as directed.

*If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact **Attorney, address, phone**, within two (2) working days of your receipt of this Subpoena; if you are hearing or voice impaired, call 1-800-955-8771.*

DATED this _____ day of _____.

Attorney's Signature _____ For the Court

Florida Bar No.

FIRM
Attorneys for
Address
Phone

Help for Self-Represented Litigants/Helpful Links

Instructions to Court Staff managing cases with Self-Represented Litigants

In any case with a Self-Represented Litigant, Counsel is directed to immediately send out by mail or, if available, email the Instructions for Portal registration.

If talking on the phone or emailing with a party, particularly self-represented litigants, chambers staff should make sure the party is registered with the Portal and has a valid email and phone number contact.

Self-represented litigants may be willing and financially or technologically able to use Zoom or conference call service. However, if there is an issue, consider appropriately their reasonable access issues in the conference call setting. Many companies will waive fees upon request of the JA (who should only make such request after consultation with judge) or consider another solution such as traditional conference call.

FOR ADDITIONAL INSTRUCTIONS, REFER TO [HELP FOR SELF REPRESENTED LITIGANTS SECTION](#) on the next page below. This helpful Self Represented Litigant handbook was prepared and provided by Judge Jason Dimitris's Judicial Assistant Hanh Nguyen.

HOW TO ACCESS COURT DURING THE COVID-19/CORONAVIRUS PANDEMIC IF YOU ARE A SELF-REPRESENTED LITIGANT

GETTING STARTED

- **Helpful Links**

- Visit the Eleventh Judicial Circuit Court webpage: www.jud11.flcourts.org
- Learn about the Family Self-Help Program
 - o www.jud11.flcourts.org/Family-Court-Self-Help-Program
- General help from Florida Courts: <https://www.flcourts.org/>
- Judicial Directory:
 - o www.jud11.flcourts.org/About-the-Court/Judges/Judicial-Directory
- Clerk of Court website: www.miami-dadeclerk.com
- E-filing Portal: www.myflcourtsaccess.com

- **How do I find the contact information for the Judge assigned to my case?**

Please visit the Judicial Directory to locate the Judge for your case and find information such the Judge's courtroom number, phone number and Judicial Assistant information.

- **What do I do if I need an Interpreter or have an American with Disabilities Act (ADA) accommodation request?**

- To request an interpreter, please visit: www.jud11.flcourts.org/Interpreter-Request
- For information on ADA requests for Accommodations, please visit: www.jud11.flcourts.org/ADA-Request-for-Accommodations

- **How can I file documents, motions, and pleadings while court is closed?**

- Self-represented litigants will be able to file through the Florida Courts E-Filing Portal, a free service that allows parties to file documents and pleadings online, as well as receive electronic communications from the courts about their cases.
- TO REGISTER FOR THE E-FILING PORTAL, PLEASE VISIT: www.myflcourtsaccess.com

- For video tutorials on how to use the e-filing portal, please visit: www.jud11.flcourts.org/Florida-Courts-eFiling-Portal
 - **What If I don't have internet to use the e-filing portal?**
 - The Clerks of Courts remains open with limited services and hours. Please visit the Clerk of Courts website for more information. www.miami-dadeclerk.com
 - Please also contact the Judicial Assistant for any additional questions regarding the e-filing process.
 - **Responsibilities specific to self-represented litigants**
 - All self-represented litigants will need to provide updated contact information (mailing address, cell phone, home phone and e-mail address), follow statutory deadlines for filings, follow all rules of the court and appear for court remotely (by video) as instructed in the notice of hearing.
 - You must contact the Judge's Chambers to obtain information on how to attend VIRTUAL COURT.
 - **What if I need more time to get ready for a Court Hearing?**
 - CONTACT THE JUDICIAL ASSISTANT TO SEE WHETHER YOUR CASE HAS BEEN RESCHEDULED DUE TO COVID-19. IF YOUR HEARING IS NOT RESCHEDULED, SEE YOUR OPTIONS BELOW:
 - OPTION 1- You may request for your case to be rescheduled:
 - You can ask the other parties if they agree to reschedule the case and then contact the Judicial Assistant by email to see whether this is an option.
 - You will need to cc: the other side in your case and any and all attorneys on your case as well.
 - If you're not sure whether your case has already been heard, please contact the Judicial Assistant.
 - OPTION 2- You may request a continuance:
 - A continuance changes the date of a court hearing or trial to a later date. Please contact the Judicial Assistant for assistance with how to file a motion for continuance.

VIRTUAL COURT

- **How will I attend my hearing if the courthouse is closed due to coronavirus/covid-19**

CONTACT

- You can attend VIRTUAL COURT using video conference or by telephone.

- The Court is using a service called ZOOM, that allows the Judge to see and hear you through a computer with a video camera and microphone, and you can also see and hear the Judge from wherever you are if you are on a computer with a video camera and microphone, and/or by cell phone video.

- **What is Zoom?**

- ZOOM is a video-conference service, similar to Skype, Facetime, etc.
- ZOOM is FREE to use and you do not need an account to use ZOOM.
- You are not required to download ZOOM (but it is free).
- You may use a cellphone, tablet, or computer with a camera and microphone.

- **What if I do not have internet?**

- Please contact the Judicial Assistant for help.
- You can use Zoom with any phone and appear via telephone (audio only).

- **What is Virtual Court?**

- VIRTUAL COURT is how you can attend Court hearings in your case that we can hold remotely via video or phone conference using ZOOM.
- You will receive an email or “ZOOM Invite” from the Court if we are proceeding with your hearing with the information you need to attend Virtual Court. To participate by video, you must click on the weblink you received in the email invitation at the time your hearing is scheduled or call the phone number listed in the invitation to participate by phone. You do not need to download anything or set up an account in order for you to participate in a ZOOM hearing.
- It is important for you to know that video appearance is required for any participant whose testimony is necessary so the Judge can administer the oath to swear you in to testify.

- **How do you know if you have court by Zoom?**

- If your case is scheduled, you should have received a ZOOM Invite to the phone number, email address, or physical address you provided. Please make sure you have provided your most updated information.
- Please have your case number ready. You will be asked for an email or phone number and physical address where the Court can send you information about your case.
- The Judicial Assistant will provide you with specific instructions how to use ZOOM and appear for

your hearing.

- If you do not speak English and need a Court Interpreter, depending on the type of case you have, the Court may provide one at no cost to you. Let the Judicial Assistant know so that he/she can arrange to have a Court Interpreter present at your ZOOM hearing if allowed by law.

- Can I practice using Zoom before my hearing?

- Yes! We encourage you to practice so you are prepared for your hearing. Please see the following links below.
- Test your connection and setup with ZOOM by testing your connection with a test meeting: <https://www.zoom.us/test>
- For ZOOM Video Tutorials, please visit: <https://support.zoom.us/hc/en-us>

- What will my Zoom invite look like?

The ZOOM Invite you will be receiving will generally look this. It will also contain information about the date and time of your hearing. Please keep this information confidential and in a safe location. If you need to confirm any details, please contact the Judicial Assistant.

The diagram illustrates a Zoom invite for a virtual court hearing. It features a central text block representing the invite, with three callout boxes providing additional context:

- Top Callout:** Points to the meeting link, stating: "This link gives you access to the virtual court hearing if you are using".
- Middle Callout:** Points to the Meeting ID, stating: "IMPORTANT- this number is the Meeting ID. You need this number to access your virtual court hearing. If there is a PASSWORD, it will usually be listed here below".
- Bottom Callout:** Points to the phone instructions, stating: "PHONE INSTRUCTIONS Local Caller: DIAL +1-786-635-1004, then enter your Meeting ID, followed".

Zoom Invite Content:

Judge Jason Dimitris- Virtual Court Information

Join Zoom Meeting
<https://zoom.us/j/3056791752>

Meeting ID: 305 679 1752

One tap mobile
 +17866351003,,3056791752# US (Miami)
 +16465189805,,3056791752# US (New York)

Dial by your location

- +1 786 635 1003 US (Miami)
- +1 646 518 9805 US (New York)
- +1 646 558 8656 US (New York)
- +1 312 626 6799 US (Chicago)
- +1 470 250 9358 US (Atlanta)
- +1 470 381 2552 US (Atlanta)
- +1 669 900 9128 US (San Jose)
- +1 720 928 9299 US (Denver)
- +1 971 247 1195 US (Portland)
- +1 213 338 8477 US (Los Angeles)
- +1 253 215 8782 US
- +1 267 831 0333 US
- +1 301 715 8592 US
- +1 346 248 7799 US (Houston)
- +1 602 753 0140 US (Phoenix)
- +1 651 372 8299 US
- +1 669 219 2599 US (San Jose)

Meeting ID: 305 679 1752
 Find your local number: <https://zoom.us/u/aveiJVrx>

- Court Hearing Video Conferencing Tips will my Zoom invite look like?

- Do your best to have a stable internet connection. Ask others in your house or office to avoid large data use (game streaming, video streaming, etc.) while on a video conference call.
- Test the speaker, camera and microphone before joining a meeting.
- Please arrive at least 5 minutes before your scheduled hearing time.
- If you will be late to the hearing, please contact the Judge's Chambers or Judicial Assistant as soon as possible.
- Dress and look like you are going to court.
- Please behave like you are in court.
- Display your full name on your ZOOM profile.
- If you want to keep your phone number on ZOOM confidential and you need assistance, please contact the Judicial Assistant.
- Please make sure you are in a quiet and private area.
- Avoid eating, drinking or moving around during the virtual court hearing.
- Identify yourself for the Judge and the Court Reporter when the hearing begins. Please have a photo ID to show the Court if asked.
- Mute the microphone on your device when you are not speaking.
- Speak loudly, clearly, and slowly.
- If someone is speaking, do not interrupt them.
- Identify yourself each time you speak.
- If there is a Court Interpreter on the ZOOM call, speak slowly in short segments and pause in between thoughts to give the Interpreter a chance to interpret what you are saying into English.

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE JUDGE'S CHAMBERS,

OR VISIT WWW.JUD11.FLCOURTS.ORG

CourtMAP Text Alerts

CourtMAP is the Court's online case management and scheduling system for the Circuit Civil Division.

The text message feature provides litigants, attorneys and other interested parties with a method of keeping track of future hearings in a case.

Parties have the ability to subscribe/unsubscribe a phone number to receive text alerts of the following upcoming hearing details:

- Hearing Scheduled
- Zoom Meeting Session Details
- Hearing Cancelled
- Hearing Reminders (72 hours before hearing date)

Attorneys and litigants can sign up for alerts by accessing the courts website [here](#):



Workgroup on Continuity of Court Proceedings

Chief Judge Bertila Soto serves on a Florida Supreme Court Workgroup established to assist judges in managing various challenges that may arise with proceedings during the pandemic.

The Workgroup on Continuity of Court Operations and Proceedings During and After COVID-19 has developed best practices on the following related topics:

- Jury Management Considerations
- Jury Trials
- Management of Evidence in Remote Hearings in Civil and Family Cases
- Facilitating Pro Se Litigants with Remote Appearance Technology
- Representing Yourself and Using Remote Appearance Technology with the Courts

- Florida Supreme Court Chief Justice's Memorandum on Guidance and Best Practice Materials



Supreme Court of Florida

500 South Duval Street
Tallahassee, Florida 32399-1925

CHARLES T. CANADY
CHIEF JUSTICE
RICKY POLSTON
JORGE LABARGA
C. ALAN LAWSON
CARLOS G. MUÑIZ
JUSTICES

JOHN A. TOMASINO
CLERK OF COURT

SILVESTER DAWSON
MARSHAL

MEMORANDUM

TO: Chief Judges of the Circuit Courts
Trial Court Administrators

FROM: Chief Justice Charles T. Canady *Char. T. Canady*

DATE: June 16, 2020

SUBJECT: Guidance and Best Practice Materials

To assist judges in managing various challenges that may arise with proceedings during the pandemic, the Workgroup on Continuity of Court Operations and Proceedings During and After COVID-19 has developed guidance and best practices material on the following topics:

- Jury management considerations that identify operational challenges to managing juries in a pandemic and offer suggestions to ensure the safety of jurors and others when returning to the courthouse;
- The priority in which to resume civil and criminal jury trials when resumption becomes authorized pursuant to *In re: Comprehensive COVID-19 Emergency Measures for the Florida State Courts*, Fla. Admin. Order No. AOSC20-23, Amendment 4 (June 16, 2020); and
- Management of evidence in remote pretrial hearings in criminal cases and links to other resources generally addressing remote hearings.

Chief Judges of the Circuit Courts
Trial Court Administrators
June 16, 2020
Page 2

Please distribute the attached materials to all judges and the appropriate court staff in your respective jurisdiction and encourage them to make appropriate use of these helpful documents.

CTC:aqj

Attachments

cc: Workgroup on the Continuity of Court Operations and Proceedings During and After COVID-19

- Best Practices Facilitating Pro Se Litigants with Remote Appearance Technology



BEST PRACTICES

Facilitating Pro Se Litigants with Remote Appearance Technology

May 6, 2020

Introduction

This guide sets forth best practices and logistical considerations with respect to facilitating pro se litigants with remote appearance technology.

The court should be mindful of the following considerations:

1. Ensure the technology is sufficient to allow the court to preside over and resolve the matter effectively.
2. Leverage remote appearance solutions that present little or no cost to pro se litigants.
3. Recognize costs to the litigants of using phone minutes and/or data if free and stable Wi-Fi is not readily available to them.
4. Verify the required equipment needed for all participants, ease of use, and the ability to access the solution remotely.
5. Control access to the proceeding for participants and determine the necessary level of privacy required for the event.
6. Ideally, use the same mode of remote appearance technology for all parties participating in the court event.
7. Account for ADA requirements and web content accessibility standards.

Match each proceeding with the remote appearance medium that (1) complies with due process standards and general law, and (2) reliably achieves the purpose of the proceeding. In many instances a phone conference will satisfy the purpose of a court event, in others, a video conference may be required or preferable.

Best Practices for Judges

Planning for the Proceeding

1. Explore the full functionality of the remote appearance platform (i.e. waiting rooms) and attend regular training for the platform and other related technologies.
2. Allow for proper spacing and allotment of time for hearings, as pro se litigants may need extra time to present their case and work through any technology issues.
3. Ensure clear public information about the availability of non-confidential court proceedings via live streaming or other access.
4. When possible, obtain reliable email addresses for the parties, and verify their ability to access a stable internet connection if a video conference is to be used.
5. Determine whether any language interpretation will be needed by any participant, and the effect that need might have on effective participation via remote appearance technology. Schedule and group hearings to optimize the use of interpreter resources.

Noticing for the Proceeding

6. Provide notice to the litigant of the intent to use Zoom or similar free remote appearance platform along with connection instructions.
7. Require that notices of hearing contain a phone number and a link to the Zoom hearing, or similar free remote appearance platform, for the specified date and time.

Starting the Proceeding

8. Start each hearing by laying the ground rules. Describe how the hearing will be conducted and how the platform will be used.
9. Announce the case number prior to commencement of the proceeding and require all parties to announce themselves to assist with the court record, tagging, and transcription.
10. Address parties on the record to verify that they are waiving their right to be present in the courtroom for the proceedings. In addition, if there is a victim involved, ensure that the victim's rights are addressed on the record.
11. Assure all sides they will be heard, but that the use of the technology requires a rigid rule of speaking one-at-a-time. The judge will invite comment from each person and allow opportunities to respond. The judge runs the hearing and by name invites testimony, argument, etc. from each person so the record is clear and the hearing is orderly.
12. Despite not being physically in the courtroom, the court should continue to remind participants the proceeding is live, is being recorded, and that courtroom decorum rules apply.
13. The court should advise participants if the proceeding is being recorded and note restrictions on the unauthorized recording of the proceeding.

During the Proceeding

14. Judges should encourage the use of gallery view in the remote video settings, allowing all parties and participants to see each other in the hearing.
15. Be prepared to postpone the hearing if the pro se litigant has issues using the technology.
16. Finalize orders and file and serve through the CAPS Viewer or E-Portal.

Logistics

Contact Information / Procedures

1. Provide extra notice of hearings. Consider mailing the virtual hearing information to the pro se litigant with clear instructions on how to contact the court to arrange remote participation.
2. Provide a telephone option, toll-free if possible, as an alternative for video appearance if appropriate.

Procedural Practices

3. Judges and/or court staff must act as hosts to control remote meetings. Appoint the case manager or other staff as co-host so that they can help manage the waiting room and rename participants as needed.

Document Handling

4. Consider the need for an electronic signature workflow solution, with detailed instructions, when responding or filing.
5. Provide the capability for all parties to deliver all potential evidence to the court in advance.

Consider attaching the companion best practices guide, [Representing Yourself and Using Remote Appearance Technology with the Courts](#), to pro se litigant communications. The companion guide has been posted to many court and clerk websites and shared with justice stakeholders.

Technology Features of the Remote Appearance Platform

6. When hosting hearings, the court should enable the "Waiting Room" function in Zoom. The "Waiting Room" allows the host to control who is admitted to the hearing and prevent participation by individuals who are not litigants in that case.
7. Train self-help staff and/or all staff so that they can troubleshoot with the pro se litigants. Provide a Zoom Procedure Guide to all staff.



BEST PRACTICES

Representing Yourself and Using Remote Appearance Technology with the Courts

May 6, 2020

Remember, even though your hearing is happening over the phone or through the internet, it is a court proceeding. You should act the way you would if you were in the courtroom in person. Court rules and standards apply.

Please review the following tips:

Do:

- Do let the court know if you don't have a phone or access to the internet. The court may be able to help you find a way to participate or may postpone the hearing.
- Do visit the video call website (such as [Zoom](#)) or a video sharing website ([YouTube](#)) for guides, helpful videos, and additional information.
- Do prepare for your virtual hearing. If you plan to participate in your hearing by video, download the video application before your scheduled hearing. Be sure to test your speaker, microphone, and camera before the hearing. Video call software websites often provide a test link to try your equipment before the actual event (Zoom test example [here](#)).
- Do dress appropriately, like you would if actually going to the courthouse.
- Do limit distractions during your hearing. Put all pets and other things that may be a distraction in a different room. Find a quiet place to participate in the hearing.
- Do keep your device on mute when not speaking. Keeping your phone, mobile device, or computer on mute unless speaking reduces feedback and limits background noise.
- Do call the court in advance if you want to present evidence. If you have documents or witnesses you want available for your hearing, check the judge's website or call the court for more information.
- Do make sure others using your Wi-Fi network minimize their usage during your hearing so you have the best possible connection.

Don't:

- Don't ignore the virtual hearing. If you cannot make the hearing or have a conflict, notify the court.
- Don't talk over others, it makes it hard for the judge and others to hear. Wait to speak until asked to by the judge.
- Don't do other things while on the call. Just like in an actual courtroom, you must pay attention to make sure you don't miss something important that is said or something the judge asks you to do.

APPENDICES

Appendix 1 - Eleventh Judicial Circuit of Florida Administrative Orders

- [AO 20-13 In Re: Covid19 Emergency Procedures, Court Operations Reverting to Phase 1](#)
- [AO 20-11 In Re: Covid-19 Emergency Procedures and Continued Closure of Courthouse Facilities](#)
- [AO 20-10 In Re: Evictions Under The "Coronavirus Aid, Relief, And Economic Security Act"](#)
- [AO 20-08 A1 Emergency Procedures Amending Suspension of Time Periods Set Forth in AO No. 20-08](#)
- [AO 20-08 Emergency Procedures Amending Suspension of Time Periods Set Forth in AO NOS. 20-04 and 20-05](#)
- [AO 20-05 Emergency Procedures Establishing Remote Platform to Hear Court Proceedings in the Eleventh Judicial Circuit](#)
- [AO 20-04 A1 Amendment to AO 20-04 Regarding COVID-19 Emergency Procedures](#)
- [AO 20-04 Closure of courthouse proceedings - COVID-19](#)
- [AO 20-03 Closure of courthouse proceedings - COVID-19 - Exceptions](#)
- [AO 20-02 A1 Closure of Courthouse](#)
- [AO 20-02 Closure of courthouse - Covid-19 - March 17th -27th 2020](#)

- AO 20-13 In Re: Covid19 Emergency Procedures, Court Operations Reverting to Phase 1

**THE ELEVENTH JUDICIAL CIRCUIT
MIAMI-DADE COUNTY, FLORIDA**

**CASE NO. 20-1
(Court Administration)**

**ADMINISTRATIVE ORDER
NO. 20-13**

**IN RE: COVID-19 EMERGENCY PROCEDURES, COURT
OPERATIONS REVERTING TO
PHASE 1 IN THE ELEVENTH JUDICIAL CIRCUIT OF
FLORIDA**

WHEREAS, the Eleventh Judicial Circuit of Florida has issued several administrative orders implementing temporary measures essential to the administration of justice during the COVID-19 pandemic, while mitigating the transmission and effects of COVID-19 on the community; and

WHEREAS, pursuant to Administrative Order No. 20-12, the Eleventh Judicial Circuit Court transitioned into Phase 2 because it met the benchmark criteria as set forth in the Court Operations Subgroup Report titled “Requirements, Benchmarks, and Guidelines Governing the Transition to Limited In-Person Contact (Phase 2)(herein after “Report”); and

WHEREAS, on June 24, 2020, Florida confirmed 5,511 additional cases of Covid-19, breaking a previous record of newly confirmed cases and Miami-Dade added 957 cases and 24 deaths in one day; and

WHEREAS, following consultation with medical experts due to the rise in Covid-19 cases throughout the State and in Miami-Dade, and in accordance the Florida Supreme Court Administrative Orders and the Report, the Eleventh Judicial Circuit Court must return court operations to Phase 1 to protect the health and safety of the community and court staff.

NOW, THEREFORE, pursuant to the authority vested in me as Chief Judge of the

Eleventh Judicial Circuit of Florida, pursuant to Rule 2.215, Florida Rules of Judicial Administration, it is hereby **ORDERED**:

1. As of June 24, 2020, the Eleventh Judicial Circuit Court Operations reverted to Phase 1 of the Pandemic as identified by the Florida Supreme Court.
2. Public access to court facilities will remain closed, except as otherwise provided in the Eleventh Judicial Circuit Court's Administrative Order No. 20-11.
3. To the extent possible, all court proceedings will continue to take place remotely, where participants appear via telephone or video technology.
4. The following Covid-19 safety procedures will be enforced at all times at all Miami- Dade court locations: Wearing face masks, social distancing (maintaining 6 feet from each other), and undergoing health screening questions and temperature check prior to entry into a courthouse.

DONE AND ORDERED in Chambers in Miami-Dade County, Florida, this ²⁵ _____ day of June
2020.



BERTILA SOTO, CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA

- AO 20-11 In Re: COVID-19 Emergency Procedures and Continued Closure of Courthouse Facilities

**THE ELEVENTH JUDICIAL CIRCUIT
MIAMI-DADE COUNTY, FLORIDA**

**CASE NO. 20-1
(Court Administration)**

**ADMINISTRATIVE ORDER
NO. 20-11**

**IN RE: COVID-19 EMERGENCY PROCEDURES
AND CONTINUED CLOSURE OF COURTHOUSE
FACILITIES TO THE PUBLIC IN THE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA**

WHEREAS, the Eleventh Judicial Circuit of Florida has issued several administrative orders implementing temporary measures essential to the administration of justice during the COVID-19 pandemic, while mitigating the transmission and effects of COVID-19 on the community; and

WHEREAS, due to the COVID-19 pandemic, such measures initially included cancellation of all non-emergency proceedings, and closure of the court facilities to the public, except for mission critical matters; and

WHEREAS, subsequently, non-essential hearings that could be effectively conducted remotely through communication equipment without the necessity of in-person court appearances were no longer suspended, and remote court proceedings commenced without the necessity of in-person court appearances; and

WHEREAS, pursuant to AOSC20-23 Amendment 2, the Supreme Court extended its limits on in-person hearings in the Florida State Court System to ensure public health and safety of the lives of Floridians; and

WHEREAS, since the COVID-19 pandemic continues to have an effect upon the operations of the Eleventh Judicial Circuit Court and the lives of the residents of Miami-Dade County, it is necessary to extend the temporary closure of the court facilities to the public, unless authorized below, to ensure the health and safety of the community.

NOW, THEREFORE, pursuant to the authority vested in me as Chief Judge of the Eleventh Judicial Circuit of Florida, pursuant to Rule 2.215, Florida Rules of Judicial

Administration, it is hereby **ORDERED**:

1. Public access to court facilities will continue to be permitted for mission critical matters, and by memorandum of the administrative judge in circumstances that are required in the interest of justice. Public access will also be permitted for payment of registry deposits with the clerk of court.
2. All methods to minimize the risk of COVID-19 exposure must be utilized at all times by individuals involved in in-person proceedings or the general public entering the courthouse. This includes, but is not limited to, wearing face masks, complying with social distancing by staying at least six feet from other people, and undergoing required temperature checks.
3. Except as otherwise provided above, no public access to court facilities will be permitted until further order of this court.

DONE AND ORDERED in Chambers in Miami-Dade County, Florida, this 29 day of May 2020.



BERTILA SOTO, CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA

- AO 20-10 In Re: Evictions Under The "Coronavirus Aid, Relief, And Economic Security Act"

**THE ELEVENTH JUDICIAL CIRCUIT,
MIAMI-DADE COUNTY, FLORIDA**

CASE NO. 20-1

(Court Administration)

ADMINISTRATIVE ORDER NO. 20-10

**IN RE: EVICTIONS UNDER THE
"CORONAVIRUS AID, RELIEF, AND
ECONOMIC SECURITY ACT" (THE
CARES ACT)**

WHEREAS, the World Health Organization has declared the Coronavirus Disease 2019 (COVID-19) a pandemic, the Governor of Florida has declared that a state of emergency exists, and the Surgeon General and State Health Officer have declared a public health emergency exists, and the Florida State Courts have taken steps to mitigate the effects of COVID-19 on legal proceedings and participants in those legal proceedings; and

WHEREAS, on April 2, 2020, the Governor of Florida issued Governor’s Executive Order No. 20-94, which in part suspends and tolls “any statute providing for an eviction cause of action under Florida law solely as it relates to non-payment of rent by residential tenants due to the COVID-19 emergency for 45 days from the date of this Executive Order, including any extensions,” but does not suspend and toll evictions for other reasons; and

WHEREAS, on March 27, 2020, the President signed the “Coronavirus Aid, Relief, and Economic Security Act” (the CARES Act), and section 4024 of the CARES Act imposes an eviction moratorium for tenants living in covered properties, which are certain properties with a federal subsidy or where the landlord has a federally backed mortgage (FHA, VA, USDA, Fannie Mae, or Freddie Mac), including mortgages later purchased or securitized by those agencies; and

WHEREAS, section 4024(b) of the CARES Act, titled “MORATORIUM” provides, in part that “[d]uring the 120-day period beginning on the date of enactment of this Act, the lessor of a covered dwelling may not . . . make, or cause to be made, any filing with the court of jurisdiction to initiate a legal action to recover possession of the covered dwelling from the tenant for nonpayment of rent or other fees or charges”; and

WHEREAS, 120 days from the enactment of the CARES Act on March 27, 2020 is July 25, 2020; and

WHEREAS, section 4024(c) of the CARES Act, titled “NOTICE,” provides that “[t]he lessor of a covered dwelling unit--(1) may not require the tenant to vacate the covered dwelling unit before the date that is 30 days after the date on which the lessor provides the tenant with a notice to vacate; and (2) may not issue a notice to vacate under paragraph (1) until after the expiration of the period described in section (b)”;

WHEREAS, 30 days after July 25, 2020 is August 23, 2020;

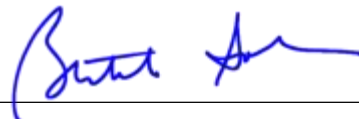
NOW, THEREFORE, pursuant to the authority vested in me, as Chief Judge of the Eleventh Judicial Circuit of Florida, under Florida Rule of Judicial Administration 2.215, it is hereby **ORDERED**:

1. In order for the Court to comply with the CARES Act requirement regarding evictions, and in order for the Court to receive competent evidence on whether the CARES Act applies to a property, consistent with a Court’s ability to question witnesses,¹ the Court adopts the following requirements only as to residential eviction cases for nonpayment of rent or other fees or charges.
2. All Plaintiffs in residential eviction cases for nonpayment of rent or other fees or charges, filed on or after March 27, 2020, shall file a declaration under penalty of perjury verifying whether or not the property which the eviction case is seeking to recover possession of has a Federally backed mortgage loan, a Federally backed multifamily mortgage loan, or is otherwise a “covered dwelling” under section 4024 of the CARES Act.
3. No judgment, including a default judgment, shall be issued in an eviction case in favor of the Plaintiff until a declaration under penalty of perjury verifying that the property the eviction case is seeking to recover possession of is not a “covered dwelling” under the CARES Act is filed with the Court.
4. The sworn declaration under penalty of perjury verifying that the property the eviction case is seeking to recover possession of is not a “covered dwelling” under the CARES Act may be filed at any time between the time of filing the plaintiff’s petition until filing of a motion for judgment.
5. Attached to this order is a sample declaration under penalty of perjury verifying that the property the eviction case is seeking to recover possession of is not a “covered dwelling” under the CARES Act.

1. See K.R. v. State, 45 Fla. L. Weekly D42 (Fla. 3d DCA Jan. 2, 2020); Y.V. v. Dep’t of Children & Families, 271 So. 3d 1160, 1161 (Fla. 3d DCA 2019); Lee v. State, 264 So. 3d 225, 226 (Fla. 1st DCA 2018), reh’g denied (Feb. 26, 2019).

6. This Administrative Order shall be effective immediately and shall remain in effect until August 23, 2020, unless such time period is modified by subsequent Administrative Order.

DONE AND ORDERED in Chambers at Miami-Dade, Florida, this 13 day of May 2020.



Bertila Soto, Chief Judge
Eleventh Judicial Circuit of Florida

IN THE COUNTY COURT OF THE ELEVENTH
JUDICIAL CIRCUIT IN AND FOR MIAMI DADE
COUNTY, FLORIDA

[insert name of Landlord]
Plaintiff,

CIVIL DIVISION

vs.

Case No. _____
[insert case number assigned by
Clerk of the Court]

[insert name of Tenant]
Defendant.

_____ /

**VERIFICATION OF APPLICABILITY OF SECTION 4024 OF THE CARES ACT
IN RESIDENTIAL EVICTIONS FOR NON-PAYMENT OF RENT
(DECLARATION UNDER PENALTY OF PERJURY)**

My name is: _____,
First Middle Last

and I am the legal owner of the property that is the subject of the eviction case described at the top of this page. I am capable of making this declaration. The facts stated in this declaration are within my personal knowledge and are true and correct.

I verify that the property that is the subject of this eviction action (*check one*):

is a “covered dwelling” as defined by Section 4024(a)(1) of the CARES Act.

or

is not a “covered dwelling” as defined by Section 4024(a)(1) of the CARES Act.

(“covered dwellings” include property that is occupied by a tenant pursuant to a residential lease and has a Federally backed mortgage loan or a Federally backed multifamily mortgage loan, but see section 4024 of the CARES Act for a full definition of “covered dwelling,” a copy of which is attached to this form.)

In this eviction action, Plaintiff is seeking to recover possession of the following property:

Name of Apartment Complex (if any)

Street Address & Unit No. (if any)

City

County

State ZIP

FORM CONTINUED ON NEXT PAGE

FORM CONTINUED ON NEXT PAGE

If I have indicated above that this property is not a “covered dwelling” as defined by Section 4024(a)(1) of the CARES Act, the facts on which I base my conclusion are as follows.

(Please identify which database or the other information you have used to determine that the property does not have a federally backed mortgage loan or federally backed multifamily mortgage loan.)

(If the property does not have a federally backed mortgage loan or federally backed multifamily mortgage loan, please state whether (1) the property is a Low Income Housing Tax Credit (LIHTC) property, (2) the property is federally subsidized under any HUD program, or (3) the property leases to persons with Section 8 vouchers.)

Declaration: Under penalties of perjury, I declare that I have read the foregoing document and that the facts stated in it are true.

[your signature]

[date signed]

[your printed name]

[your address]

A declaration filed pursuant to this Administrative Order is subject to Florida Statute section 92.525(3), which provides that a “person who knowingly makes a false declaration . . . is guilty of the crime of perjury by false written declaration, a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.” The Court may also find Plaintiff in contempt of Court and impose any additional sanctions it deems appropriate.

CARES Act

Public Law 116-136

Sec. 4024 TEMPORARY MORATORIUM ON EVICTION FILINGS.

(a) DEFINITIONS.—In this section:

(1) COVERED DWELLING.—The term “covered dwelling” means a dwelling that—

(A) is occupied by a tenant—

(i) pursuant to a residential lease; or

(ii) without a lease or with a lease terminable under State law; and

(B) is on or in a covered property.

(2) COVERED PROPERTY.—The term “covered property” means any property that—

(A) participates in—

(i) a covered housing program (as defined in section 41411(a) of the Violence Against Women Act of 1994 (34 U.S.C. 12491(a)));

or

(ii) the rural housing voucher program under section 542 of the Housing Act of 1949 (42 U.S.C. 1490r); or

(B) has a—

(i) Federally backed mortgage loan; or

(ii) Federally backed multifamily mortgage loan.

(3) DWELLING.—The term “dwelling”—

(A) has the meaning given the term in section 802 of the Fair Housing Act (42 U.S.C. 3602); and

(B) includes houses and dwellings described in section 803(b) of such Act (42 U.S.C. 3603(b)).

(4) FEDERALLY BACKED MORTGAGE LOAN.—The term “Federally backed mortgage loan” includes any loan (other than temporary financing such as a construction loan) that —

(A) is secured by a first or subordinate lien on residential real property (including individual units of condominiums and cooperatives) designed principally for the occupancy of from 1 to 4 families, including any such secured loan, the proceeds of which are used to prepay or pay off an existing loan secured by the same property; and

(B) is made in whole or in part, or insured, guaranteed, supplemented, or assisted in any way by any officer or agency of the Federal Government or under or in connection with a housing or urban development program administered by the Secretary of Housing and Urban Development or a housing or related program administered by any other such officer or agency, or is purchased or securitized by the Federal Home Loan Mortgage Corporation or the Federal National Mortgage Association.

(5) FEDERALLY BACKED MULTIFAMILY MORTGAGE LOAN.—The term “Federally backed multifamily mortgage loan” includes any loan (other than temporary financing such as a construction loan) that—

(A) is secured by a first or subordinate lien on residential multifamily real property designed principally for the occupancy of 5 or more families, including any such secured loan, the proceeds of which are used to prepay or pay off an existing loan secured by the same property; and

(B) is made in whole or in part, or insured, guaranteed, supplemented, or assisted in any way, by any officer or agency of the Federal Government or under or in connection with a housing or urban development program administered by the Secretary of Housing and Urban Development or a housing or related program administered by any other such officer or agency, or is purchased or securitized by the Federal Home Loan Mortgage Corporation or the Federal National Mortgage Association.

(b) MORATORIUM.—During the 120-day period beginning on the date of enactment of this Act, the lessor of a covered dwelling may not-

(1) make, or cause to be made, any filing with the court of jurisdiction to initiate a legal action to recover possession of the covered dwelling from the tenant for nonpayment of rent or other fees or charges; or

(2) charge fees, penalties, or other charges to the tenant related to such nonpayment of rent.

(c) NOTICE.—The lessor of a covered dwelling unit-

(1) may not require the tenant to vacate the covered dwelling unit before the date that is 30 days after the date on which the lessor provides the tenant with a notice to vacate; and

(2) may not issue a notice to vacate under paragraph (1) until after the expiration of the period described in subsection (b).

- AO 20-08 A1 Emergency Procedures Amending Suspension of Time Periods Set Forth in AO No. 20-08

**CASE NO. 20-1
(Court Administration)**

**ADMINISTRATIVE
ORDER NO. 20-08 A1
(Amending AO No. 20-08)**

**IN RE: COVID-19 EMERGENCY
PROCEDURES AMENDING SUSPENSION OF
TIME PERIODS SET FORTH IN
ADMINISTRATIVE ORDER NO. 20-08 IN THE
ELEVENTH JUDICIAL CIRCUIT OF
FLORIDA**

WHEREAS, the Eleventh Judicial Circuit of Florida has issued several administrative orders implementing temporary measures essential to the administration of justice during the COVID-19 pandemic; and

WHEREAS, due to the COVID-19 pandemic, such measures initially included cancellation of all non-emergency proceedings. Subsequently, non-essential hearings that could be effectively conducted remotely through communication equipment without the necessity of in-person court appearances were no longer suspended; and

WHEREAS, upon the implementation and utilization of a remote appearance platform and other communication equipment, the court has commenced with remote court proceedings without the necessity of in-person court appearances; and

WHEREAS, in light of the commencement of remote court proceedings, the suspension of the time periods set forth in Administrative Order No. 20-08 require revision to ensure the efficient and proper administration of justice.

NOW, THEREFORE, pursuant to the authority vested in me as Chief Judge of the Eleventh Judicial Circuit of Florida, pursuant to Rule 2.215, Florida Rules of Judicial Administration, it is hereby **ORDERED** that Administrative Order No. 20-08, is hereby **AMENDED** as follows:

1. The Chief Judge has determined that non-emergency court proceeding may

effectively be conducted remotely, as determined on a division by division basis. If a presiding judge has scheduled a matter to be heard, then the judge has determined that it can effectively be conducted remotely and it shall proceed. These matters include special set hearings, non-jury trials, evidentiary hearings, and all calendars, including, but not limited to, motions, pretrial motions, uncontested divorces, and case management conferences.

2. No proceedings or other court events, other than mission critical matters and proceedings critical to the state of emergency or the public health emergency, previously identified in earlier administrative orders, shall be conducted through in- person hearings.
3. Writs of possession have been suspended by the Supreme Court Administrative Order No. AOSC20-23, and foreclosures and eviction matters have been addressed by the Governor's Executive Order No. 20-94 signed on April 2, 2020.
4. All time periods authorized by judicial order, rule and statute applicable to civil (inclusive of circuit and county), family, domestic violence, dependency, probate, small claims, traffic, bond forfeiture, and appellate proceedings will be suspended as follows:
 - Any time deadlines that become due prior to the close of business on April 20, 2020 shall be further extended from the deadline set forth in Administrative Order No. 20-04 and become due on June 1, 2020, unless the presiding judge has issued a different time deadline by court order issued after March 17, 2020. Any party may seek a different time deadline by filing the appropriate motion with the presiding judge.
 - Any time deadlines that become due after the close of business on April 20, 2020 through the close of business on Monday, June 1, 2020 shall be extended and become due on June 1, 2020, unless the presiding judge has issued a different time deadline by court order issued after March 17, 2020. Additionally, any party may seek a different time deadline by filing the appropriate motion with the presiding judge.
 - Any time deadlines that become due after the close of business on Monday,

June 1, 2020 shall be subject to the regular time periods as set forth by judicial order, rule or applicable statute. However, if the Supreme Court issues an additional Administrative Order further extending the suspension of the time periods, the new time deadline will be the last day of the suspension as set forth in the Supreme Court Administrative Order, unless the presiding judge has issued a different time deadline by court order. Additionally, any party may seek a different time deadline by filing the appropriate motion with the presiding judge.

Except as otherwise amended herein, all terms and provisions set forth in Administrative Orders Nos. 20-04 and 20-05 remain in effect.

DONE AND ORDERED in Chambers in Miami-Dade County, Florida, this 13th day of April, 2020.

**BERTILA SOTO, CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA**

- AO 20-08 Emergency Procedures Amending Suspension of Time Periods Set Forth in AO NOs 20-04 and 20-05

**THE ELEVENTH JUDICIAL CIRCUIT
MIAMI-DADE COUNTY, FLORIDA**

**CASE NO. 20-1
(Court Administration)**

**ADMINISTRATIVE ORDER
NO. 20-08**

**IN RE: COVID-19 EMERGENCY
PROCEDURES AND FURTHER
SUSPENSION OF TIME PERIODS SET
FORTH IN ADMINISTRATIVE ORDER
NOS. 20-04 AND 20-05 IN THE
ELEVENTH JUDICIAL CIRCUIT OF
FLORIDA**

WHEREAS, the Supreme Court of Florida has issued several administrative orders implementing temporary measures essential to the administration of justice during the COVID-19 pandemic; and

WHEREAS, on April 6, 2020, the Supreme Court of Florida issued Administrative Order No. AOSC20-23, to extend, refine, and strengthen the previously enacted temporary measures and to further suspend time periods to mitigate the effects of the current public health emergency on the judicial branch and its participants; and

WHEREAS, since the COVID-19 pandemic continues to have a massive effect upon the operations of the Eleventh Judicial Circuit Court system and the lives of the residents of Miami-Dade County, it is necessary to extend the temporary measures implemented in Administrative Order No. 20-04 and 20-05.

NOW, THEREFORE, pursuant to the authority vested in me as Chief Judge of the Eleventh Judicial Circuit of Florida, pursuant to Rule 2.215, Florida Rules of Judicial Administration, it is hereby **ORDERED**:

1. Except for court proceedings and events that can be effectively conducted remotely without the necessity of in-person appearance, all non-emergency court proceedings, including, but not limited to, special set hearings, trials¹, and all calendars, including,

¹ Except those trials authorized by Administrative Order No. 20-02 A1, Eleventh Judicial Circuit Court.

- but not limited to, motions, pretrial motions, foreclosures, writs of possession, uncontested divorces, and case management conferences, will continue to be postponed through close of business on Friday, May 29, 2020.
2. All time limits set by judicial order and/or authorized by rule and statute applicable to civil (inclusive of circuit and county), family, domestic violence, dependency, probate, small claims, traffic, bond forfeiture, and appellate proceedings are further suspended until the close of business on Monday, June 1, 2020.
 3. The suspension of time periods above restores additional days equal to the number stated in Administrative Order Nos. 20-03, 20-04 and this Order. The suspension period began the close of business on Friday, March 13, 2020 and is extended through the close of business on Monday, June 1, 2020. Any deadlines falling within that time period shall be extended eighty (80) days from the original deadline.

Except as otherwise amended herein, all terms and provisions set forth in Administrative Orders Nos. 20-04 and 20-05 remain in effect.

DONE AND ORDERED in Chambers in Miami-Dade County, Florida, this 7th day of April, 2020.

**BERTILA SOTO, CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA**

- AO 20-07 Use of Electronic Devices in Remote Courtroom Proceedings

**THE ELEVENTH JUDICIAL CIRCUIT
MIAMI-DADE COUNTY, FLORIDA**

**CASE NO. 20-1
(Court Administration)**

**ADMINISTRATIVE
ORDER NO. 20-07**

**IN RE: COVID-19 EMERGENCY PROCEDURES
REGARDING USE OF ELECTRONIC DEVICES IN
REMOTE COURTROOM PROCEEDINGS IN THE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA**

WHEREAS, the Supreme Court of Florida promulgated standards of conduct and technology, codified in the Rules of Judicial Administration (Rules), subject at all times to the authority of the presiding judge to: (i) control the proceedings before the court; (ii) ensure decorum and prevent distractions; and (iii) ensure the fair administration of justice in the pending cause; and

WHEREAS, pursuant to Administrative Order Nos. 20-04 and 20-05, non-essential hearings that can be effectively conducted remotely through communication equipment without in-person court appearances are no longer suspended, and mission critical court matters shall also be conducted remotely through communication equipment, unless the presiding judge determines that an in-person court appearance is necessary;

WHEREAS, it is necessary to adapt the guidelines set forth in Administrative Order No. 14-02, governing the use of electronic devices in court proceedings, for use in remote court proceedings via communication equipment;

WHEREAS, the definitions stated in Administrative Order No. 14-02 are hereby

incorporated by reference;

WHEREAS, usage of electronic devices by certain individuals, including media attendees, involved in or attending court proceedings is necessary in order to perform their professional obligations or to record such proceedings for further legal proceedings, guidelines should be established for such usage.

NOW, THEREFORE, pursuant to the authority vested in me as Chief Judge of the Eleventh Judicial Circuit of Florida, pursuant to Rule 2.215, Florida Rules of Judicial Administration, it is hereby **ORDERED**:

1. **Limitations on use of Electronic Devices During Remote Court Proceedings.** Subject at all times to the authority and prior approval of the Presiding Judge:

- a. During remote court proceedings conducted through communication equipment, electronic devices may not be used by anyone for photography, videography, or audio recording of the court proceeding unless the individual has prior approval from the Presiding Judge. Such devices include, but are not limited to cell phones, cameras, computers, laptops, tablets, digital voice recorders or similar technical devices.
- b. Media, court staff, attorneys, court liaisons, police officers on duty, and members of the public should be allowed to use certain electronic devices (i.e., cellphones) for sending and receiving written information only (i.e., email, text messages, instant messages). All cell phones and electronic recording devices must be turned off or switched to silent or vibrate mode. The privilege of using a cellphone or other devices may be revoked at any time by the Presiding Judge if such use becomes disruptive in any way.
- c. In addition to laptops or tablets with virtual, silent keyboards, laptops or tablets with

regular keyboards should be allowed so long as they do not create distracting noise.

The Presiding Judge shall have the exclusive authority to determine whether the sound from the laptop or tablet is distracting.

2. **Media Access.** Media, Professional Journalists, and persons acting in a news gathering capacity who do not meet the definition of professional journalist set forth in AO 14-02, should contact the Court's Public Information Officer at least one day in advance to obtain information for access to remote court proceedings being conducted through communication equipment.
3. **Public Access.** For remote access to hearings that are required to be open to the public, members of the public may contact the Presiding Judge's Chambers at least one day in advance to obtain information regarding access for a specific hearing.
4. **Violations and Enforcement.** Anyone violating this Administrative Order will be subject to the discipline of the Court, including, but not limited to, the Court's contempt authority.

DONE AND ORDERED in Chambers in Miami-Dade County, Florida, this 3rd day of April 2020.

**BERTILA SOTO, CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA**

- AO 20-05 Emergency Procedures Establishing Remote Platform to Hear Court Proceedings

**THE ELEVENTH JUDICIAL CIRCUIT
MIAMI-DADE COUNTY, FLORIDA**

**CASE NO. 20-1
(Court Administration)**

**ADMINISTRATIVE
ORDER NO. 20-05**

**IN RE: COVID-19 EMERGENCY
PROCEDURES ESTABLISHING REMOTE
PLATFORM TO HEAR COURT
PROCEEDINGS IN THE ELEVENTH
JUDICIAL CIRCUIT OF FLORIDA**

WHEREAS, pursuant to Administrative Order No. 20-04, entered on March 25, 2020, non-essential court proceedings were to commence as soon as practicable upon the implementation of a remote appearance platform which allows proceedings to be effectively conducted remotely without in-person court appearances; and

WHEREAS, subsequent to the issuance of Administrative Order No. 20-04, a remote appearance platform has been implemented through use of the communication equipment, Zoom, a modern enterprise video communication platform.

NOW, THEREFORE, pursuant to the authority vested in me as Chief Judge of the Eleventh Judicial Circuit of Florida, pursuant to Rule 2.215, Florida Rules of Judicial Administration, it is hereby **ORDERED**:

1. Only non-essential hearings that can be effectively conducted remotely through communication equipment without in-person court appearances are no longer suspended.
2. Mission critical court matters shall also be conducted remotely through communication equipment, unless the presiding judge determines that an in-person court appearance is required.
3. All persons who appear in a courthouse facility should maintain at least a 6-foot social distance from each other, and practice other safety measures as recommended by the Centers for Disease Control and Prevention (CDC) and the Florida Department of

Health.

4. The suspension of time periods set forth in Administrative Order No. 20-04 remains in effect.

DONE AND ORDERED in Chambers in Miami-Dade County, Florida, this 30th day of March 2020.

**BERTILA SOTO, CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA**

- AO 20-04 A1 Amendment to AO 20-04 Regarding COVID-19 Emergency Procedures

**THE ELEVENTH JUDICIAL CIRCUIT
MIAMI-DADE COUNTY, FLORIDA**

**CASE NO. 20-1
(Court Administration)**

**ADMINISTRATIVE
ORDER NO. 20-04 A1
(Amending AO 20-04)**

**IN RE: AMENDMENT TO
ADMINISTRATIVE ORDER NO. 20-04
REGARDING COVID- 19 EMERGENCY
PROCEDURES IN THE ELEVENTH
JUDICIAL CIRCUIT OF FLORIDA**

WHEREAS, pursuant to Administrative Order No. 20-04 entered on March 25, 2020, it was necessary to further suspend time periods and make other changes to meet the needs of the Coronavirus Disease 2019 (COVID-19) crisis; and

WHEREAS, subsequent to the issuance of Administrative Order No. 20-04, it was determined that Termination of Parental Rights Advisory Hearings should be removed from the list of mission critical court matters at this time.

NOW, THEREFORE, pursuant to the authority vested in me as Chief Judge of the Eleventh Judicial Circuit of Florida, pursuant to Rule 2.215, Florida Rules of Judicial Administration, it is hereby **ORDERED**:

Termination of Parental Rights Advisory Hearings are not considered mission critical court matters at this time.

DONE AND ORDERED in Chambers in Miami-Dade County, Florida, this 30th day of March 2020.

BERTILA SOTO, CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA

- AO 20-04 Closure of courthouse proceedings - COVID-19

**THE ELEVENTH JUDICIAL CIRCUIT
MIAMI-DADE COUNTY, FLORIDA**

**CASE NO. 20-1
(Court Administration)**

**ADMINISTRATIVE
ORDER NO. 20-04**

**IN RE: COVID-19 EMERGENCY
PROCEDURES AND FURTHER
SUSPENSION OF TIME PERIODS SET
FORTH IN ADMINISTRATIVE ORDER NO.
20-03 IN THE ELEVENTH JUDICIAL
CIRCUIT OF FLORIDA**

WHEREAS, pursuant to Administrative Order No. No. 20-03 entered on March 17, 2020, it was necessary to set forth emergency procedures for the cancellation of all non-emergency proceedings, except mission critical court matters, from March 17, 2020 through March 27, 2020; and

WHEREAS, subsequent to the execution of Administrative Order No. 20-03, it was brought to the Court's attention that additional information was needed regarding mission critical court matters and filings for such matters; and

WHEREAS, on March 24, 2020, the Supreme Court of Florida issued Administrative Order No. AOSC20-17, to combine and extend the temporary measures implemented in three previous administrative orders and to further suspend time periods and make other changes to meet the needs of the Coronavirus Disease 2019 (COVID-19) crisis;

WHEREAS, since the COVID-19 pandemic continues to have a massive effect upon the operations of the Eleventh Judicial Circuit Court system and the lives of the residents of Miami- Dade County, it is necessary to combine and extend the temporary measures implemented in Administrative Order No. 20-03 and set forth additional procedures regarding all non-emergency procedures and mission critical court matters.

NOW, THEREFORE, pursuant to the authority vested in me as Chief Judge of the Eleventh Judicial Circuit of Florida, pursuant to Rule 2.215, Florida Rules of Judicial Administration, it is hereby **ORDERED**:

1. All non-emergency court proceedings, including, but not limited to, special set

hearings, trials¹, and all calendars, including, but not limited to, motions, pretrial motions, foreclosures, writs of possession, uncontested divorces and case management conferences, will continue to be postponed through Friday, April 17, 2020, except for mission critical matters and other court proceedings and events that can be effectively conducted remotely without the necessity of in-person appearances.

2. Mission critical court matters include:

- Pretrial Release and First Appearances (Bond hearings);
- Arraignment hearings for in-custody defendants. However, defendant's presence is not needed. If there is a written plea, the case will be set for trial. If there is no written plea, the arraignment hearing will be reset;
- Baker Act and Marchman Act (Substance Abuse) hearings;
- Injunctions for Exploitation of a Vulnerable Adult;
- Hearings on petitions for the appointment of an emergency temporary guardian;
- Juvenile Dependency, Shelter and Arraignment hearings;
- Juvenile Detention hearings;
- Termination of Parental Rights advisory hearings;
- Petitions for Judicial Waiver of Notice pursuant to Section 390.01114(4), Florida Statutes;
- Filing of Emergency Petitions for Temporary Injunctions (domestic violence, dating, stalking, repeat and sexual violence and risk protection orders). All final hearings pursuant to these injunctions will be cancelled and reset. All temporary injunctions will be extended and remain in full force and effect until the next hearing date;
- Extraordinary Writs;
- Proceedings related to the state of emergency or public health emergency, including, but not limited to, proceedings related to violation of quarantine or isolation; violation of orders to limit travel; violations of orders to close public or private buildings; and enforcement of curfew orders; and
- Emergency proceedings set by the presiding judge. Emergency proceedings will be conducted remotely wherever possible as directed by the individual judge.

¹ Except those trials authorized by Administrative Order No. 20-02 A1, Eleventh Judicial Circuit Court.

3. All filings pertaining to mission critical court matters shall be accepted by the Clerk of Courts.
4. All time limits set by judicial order and/or authorized by rule and statute applicable to civil (inclusive of circuit and county), family, domestic violence, dependency, probate, small claims, traffic, bond forfeiture, and appellate proceedings are further suspended until the close of business day on Monday, April 20, 2020.
5. The suspension of time periods above restores additional days equal to the number stated in Administrative Order No. 20-03 and this Order. The suspension period began the close of business day Friday, March 13, 2020 and is extended through the through the close of business day Monday, April 20, 2020. Any deadlines falling within that time period shall be extended thirty-eight (38) days from the original deadline.
6. Although time periods have been suspended as stated above, non-essential court proceedings will commence as soon as practicable upon the implementation of a remote appearance platform which allows proceedings to be effectively conducted remotely without in-person court appearances.
 - Each judicial officer will communicate the procedures and access instructions for remote proceedings in their respective divisions by webpage, CourtMap email, and any other means identified as effective.
 - Each judicial officer will post procedures, including procedures for the exchange of evidence in anticipation of a hearing, on their respective divisional webpages.

DONE AND ORDERED in Chambers in Miami-Dade County, Florida, this 25th day of March 2020.

**BERTILA SOTO, CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA**

- AO 20-03 Closure of courthouse proceedings - COVID-19 - Exceptions

**THE ELEVENTH JUDICIAL CIRCUIT
MIAMI-DADE COUNTY, FLORIDA**

**CASE NO. 20-1
(Court Administration)**

**ADMINISTRATIVE ORDER
NO. 20-03**

**IN RE: COVID-19 EMERGENCY PROCEDURES;
CANCELLATION OF ALL NON-EMERGENCY
PROCEEDINGS, EXCEPT MISSION CRITICAL
COURT MATTERS, FROM MARCH 17-27, 2020
IN THE ELEVENTH JUDICIAL CIRCUIT OF
FLORIDA**

WHEREAS, Supreme Court Administrative Order No. AOSC20-13 sets forth COVID-19 Emergency Procedures in the Florida State Courts.

WHEREAS, pursuant to Administrative Order No. 20-02 and No. 20-02 A1, entered on March 16, 2020, emergency procedures for temporary closure of Court facilities to the public were established to mitigate the transmission of COVID-19, and the Eleventh Judicial Circuit Court implemented its Continuity of Operations Plan.

WHEREAS, due to the public health emergency, it is necessary to set forth additional procedures regarding all non-emergency proceedings and mission critical court matters.

NOW, THEREFORE, pursuant to the authority vested in me as Chief Judge of the Eleventh Judicial Circuit of Florida, pursuant to Rule 2.215, Florida Rules of Judicial Administration, it is hereby **ORDERED**:

1. All non-emergency court proceedings, including, but not limited to, special set hearings, trials¹, and all calendars, including, but not limited to, motions, pretrial motions, foreclosures, uncontested divorces and case management conferences, will be cancelled during the time period from March 17 through March 27, 2020, except for mission critical matters.
2. Mission critical court matters include:
 - First Appearances (Bond hearings);

¹ Except those trials authorized by Administrative Order No. 20-02 A1, Eleventh Judicial Circuit Court.

- Arraignment hearings for in-custody defendants. However, defendant's presence is not needed. If there is a written plea, the case will be set for trial. If there is no written plea, the arraignment hearing will be reset;
 - Baker Act and Marchman Act (Substance Abuse) hearings;
 - Juvenile Shelter and Detention hearings;
 - Filing of Emergency Petitions for Temporary Injunctions (domestic violence, dating, stalking, repeat and sexual violence and risk protection orders). All final hearings pursuant to these injunctions will be cancelled and reset. All temporary injunctions will be extended and remain in full force and effect until the next hearing date;
 - Emergency proceedings set by the presiding judge. Emergency proceedings will be conducted remotely wherever possible as directed by the individual judge.
3. In light of the public health emergency and the doctrine of impossibility, all time limits set by judicial order and/or authorized by rule and statute applicable to civil (inclusive of circuit and county), family, domestic violence, probate, small claims, and appellate proceedings are suspended from the close of business day Friday, March 13, 2020 until the close of business day on Monday March 30, 2020.

DONE AND ORDERED in Chambers in Miami-Dade County, Florida, this 17th day of March 2020.

**BERTILA SOTO, CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA**

- AO 20-02 A1 Closure of Courthouse

**THE ELEVENTH JUDICIAL CIRCUIT
MIAMI-DADE COUNTY, FLORIDA**

**CASE NO. 20-1
(Court Administration)**

**ADMINISTRATIVE ORDER
NO. 20-02 A1
(Amending AO No. 20-02)**

**IN RE: AMENDMENT TO ADMINISTRATIVE ORDER
NO. 20-02 CLARIFYING COVID-19 EMERGENCY
PROCEDURES**

WHEREAS, pursuant to Administrative Order No. 20-02 entered on March 16, 2020, it was necessary to set forth COVID-19 emergency procedures for temporary closure of Court facilities to the public; and

WHEREAS, subsequent to the execution of Administrative Order No. 20-02, it was brought to the Court's attention that clarification was needed regarding access for emergency filings; and

NOW, THEREFORE, pursuant to the authority vested in me as Chief Judge of the Eleventh Judicial Circuit of Florida, under Rule 2.215, it is hereby **ORDERED** that Administrative Order No. 20-02 is hereby amended to read:

1. Public access to court facilities is permitted for First Appearances, Baker Act and Substance Abuse (Marchman Act) proceedings, Juvenile Shelter and Detention proceedings, and emergency proceedings noticed by the presiding judge.
2. Additionally, the public will be permitted to access Self Help and the clerk's office for emergency filings, to include, but not limited to, filing petitions for temporary injunctions against domestic violence pursuant to Chapter 741, and dating, stalking, repeat and sexual violence pursuant to Chapter 784, and Risk Protection Orders pursuant to Chapter 790, Florida Statutes. All final hearings pursuant to injunctions on Chapters 741, 784 and 790, will be cancelled and reset. All Temporary

Injunctions will be extended and remain in full force and effect until the next hearing date.

3. A proceeding that has been commenced prior to Supreme Court Administrative Order No. AOSC20-13 may proceed to completion if the presiding judge, with approval of the Chief Judge, determine that completion of the proceedings without delay is required without the interests of justice.
4. Except for the above proceedings, no public access will be allowed at any of the Eleventh Judicial Circuit's courthouses beginning Tuesday, March 17 through Friday, March 27, 2020.

DONE AND ORDERED in Chambers in Miami-Dade County, Florida, this 16th day of

March 2020.

**BERTILA SOTO, CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA**

- AO 20-02 Closure of courthouse - COVID-19 - March 17th -27th 2020

**ELEVENTH JUDICIAL CIRCUIT
MIAMI-DADE COUNTY, FLORIDA**

**CASE NO. 20-1
(Court Administration)**

ADMINISTRATIVE ORDER NO. 20-02

**IN RE: COVID-19 EMERGENCY PROCEDURES
TEMPORARY CLOSURE OF COURT FACILITIES TO
THE PUBLIC IN THE ELEVENTH JUDICIAL
CIRCUIT OF FLORIDA FROM MARCH 17-27, 2020.**

WHEREAS, Supreme Court Administrative Order No. AOSC20-13 sets forth COVID-19 Emergency Procedures in the Florida State Courts.

WHEREAS, mitigating the transmission of COVID-19 is a high priority, and due to the imminent danger posed by this severe acute respiratory illness that can spread among humans by way of respiratory transmission throughout Miami-Dade County, the Eleventh Judicial Circuit Court has implemented its Continuity of Operations Plan.

NOW, THEREFORE, pursuant to the authority vested in me as Chief Judge of the Eleventh Judicial Circuit of Florida, under Rule 2.215, Florida Rules of Judicial Administration it is hereby

ORDERED:

1. Public access to court facilities is permitted for First Appearances, Baker Act and Substance Abuse (Marchman Act) proceedings, Juvenile Shelter and Detention proceedings, and emergency proceedings noticed by the presiding judge.
2. Except for the above proceedings, no public access will be allowed at any of the Eleventh Judicial Circuit's courthouses beginning Tuesday, March 17 through Friday, March 27, 2020.

DONE AND ORDERED in Chambers in Miami-Dade County, Florida, this 16th of March 2020.

**BERTILA SOTO, CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA**

Appendix 2 - Florida Supreme Court Statewide Orders, Rules, & Advisories

- [Amendment 4 to AOSC20-23 - Order on COVID emergency procedures](#) (6/16)
- [Amendment 1 to AOSC20-32 - COVID public health & safety precautions in the state courts for Phase 2](#) (6/16)
- [Florida Supreme Court Issues Best Practices Guidelines Developed by COVID-19 Workgroup](#)
- [Florida Supreme Court Issues Administrative Order AOSC20-23 Amendment 1 Extending the Suspension of all Jury Proceedings through July 2, 2020](#) (5/5)
- [AOSC20-28 - Order creating Court Continuity Workgroup on pandemic response](#) (4/21) | [Continuity Workgroup webpage](#)
- [AOSC20-23 - Order extending COVID emergency procedures through May](#) (4/6)
- [AOSC20-17 - Order extending suspension of jury trials & related matters](#) (3/24)
- [Press Release: More COVID Emergency Orders to Follow](#) (3/19)
- [AOSC20-16 - Order on administering oaths via remote audio-video equipment](#) (3/18)
- [AOSC20-15 - Order on essential & critical trial court proceedings](#) (3/17)
- [AOSC20-14 - Order on self-quarantine for some travelers](#) (3/16)
- [AOSC20-13 - Order on jury trials](#) (3/13)
- [Case SC20-346 - Rule on public health emergencies](#) (3/13)
- [AOSC20-12 -Order on monitoring and planning in response to COVID-19](#) (3/11)

Appendix 3 - Executive Orders

Office of The Governor Executive Order Number 20-94

STATE OF FLORIDA

OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NUMBER 20-94

(Emergency Management - COVID-19 - Mortgage Foreclosure and Eviction Relief)

WHEREAS, Novel Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that can spread among humans through respiratory transmission and presents with symptoms similar to those of influenza; and

WHEREAS, on March 1, 2020, I issued Executive Order number 20-51 directing the Florida Department of Health to issue a Public Health Emergency; and

WHEREAS, on March 1, 2020, the State Surgeon General and State Health Officer declared a Public Health Emergency exists in the State of Florida as a result of COVID-19; and

WHEREAS, on March 9, 2020, I issued Executive Order 20-52 declaring a state of emergency for the entire State of Florida as a result of COVID-19; and

WHEREAS, on March 18, 2020, President Donald J. Trump announced that the Department of Housing and Urban Development ("HUD") authorized the Federal Housing Administration ("FHA") to implement an immediate foreclosure and eviction moratorium for FHA-insured single-family mortgages for 60 days due to the COVID-19 emergency; and

WHEREAS, on March 18, 2020, the Federal Housing Finance Agency ("FHFA") directed Fannie Mae and Freddie Mac to suspend foreclosures and evictions for Enterprise-backed single-family mortgages for at least 60 days due to the COVID-19 emergency; and

WHEREAS, I find that this emergency has impacted the ability of many Floridians with single-family mortgages to make their mortgage payments; and

WHEREAS, I find that providing targeted, temporary relief to Floridians with single-family mortgages is in the best interest of the state and its people; and

WHEREAS, I find that this emergency has impacted the ability of many Floridians with residential tenancies to make their rent payments; and

WHEREAS, I find that providing targeted, temporary relief to Floridians with residential tenancies is in the best interest of the state and its people; and

WHEREAS, as Governor, I am responsible for meeting the dangers presented to this state and its people by this emergency.

NOW, THEREFORE, I, RON DESANTIS, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section (1)(a) of the Florida Constitution, Chapter 252, Florida Statutes, and all other applicable laws, promulgate the following Executive Order to take immediate effect:

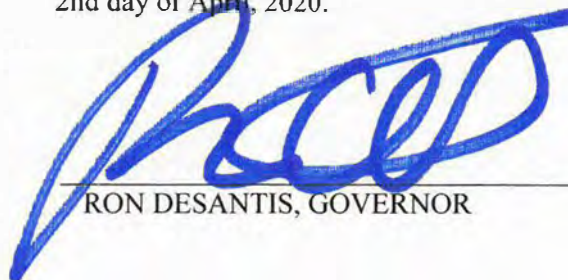
Section 1. I hereby suspend and toll any statute providing for a mortgage foreclosure cause of action under Florida law for 45 days from the date of this Executive Order, including any extensions.

Section 2. I hereby suspend and toll any statute providing for an eviction cause of action under Florida law solely as it relates to non-payment of rent by residential tenants due to the COVID-19 emergency for 45 days from the date of this Executive Order, including any extensions.

Section 3. Nothing in this Executive Order shall be construed as relieving an individual from their obligation to make mortgage payments or rent payments.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 2nd day of April, 2020.



 RON DESANTIS, GOVERNOR

ATTEST:



 SECRETARY OF STATE

Office of The Governor Executive Order Number 20-121

STATE OF FLORIDA

OFFICE OF THE GOVERNOR EXECUTIVE ORDER NUMBER 20-121 (Limited Extension of Mortgage Foreclosure and Eviction Relief)

WHEREAS, Executive Order 20-94 expires on May 17, 2020, unless extended.

NOW, THEREFORE, I, RON DESANTIS, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section (1)(a) of the Florida Constitution, Chapter 252, Florida Statutes, and all other applicable laws, promulgate the following Executive Order to take immediate effect:

Section 1. I hereby extend Executive Order 20-94 until 12:01 a.m. on June 2, 2020.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 14th day of May, 2020.




RON DESANTIS, GOVERNOR

ATTEST:


SECRETARY OF STATE

FILED
20 MAY 14 AM 8:36
TALLAHASSEE, FLORIDA

Office of The Governor Executive Order Number 20-137

STATE OF FLORIDA

OFFICE OF THE GOVERNOR EXECUTIVE ORDER NUMBER 20-137 (Limited Extension of Mortgage Foreclosure and Eviction Relief)

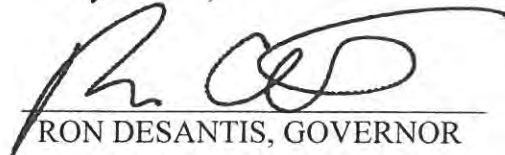
WHEREAS, Executive Order 20-94, as extended by Executive Order 20-121, expires on June 2, 2020, unless extended.

NOW, THEREFORE, I, RON DESANTIS, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section (1)(a) of the Florida Constitution, Chapter 252, Florida Statutes, and all other applicable laws, promulgate the following Executive Order to take immediate effect:

Section 1. I hereby extend Executive Order 20-94, as extended by Executive Order 20-121, until 12:01 a.m. on July 1, 2020.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 1st day of June, 2020


RON DESANTIS, GOVERNOR

ATTEST:


SECRETARY OF STATE

2020 JUN - 1 PM 7: 06
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

FILED

Office of The Governor Executive Order Number 20-159

STATE OF FLORIDA

OFFICE OF THE GOVERNOR EXECUTIVE ORDER NUMBER 20-159 (Limited Extension of Mortgage Foreclosure and Eviction Relief)

WHEREAS, Executive Order 20-94, as extended by Executive Orders 20-121 and 20-137, expires on July 1, 2020, unless extended.

NOW, THEREFORE, I, RON DESANTIS, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section (1)(a) of the Florida Constitution, Chapter 252, Florida Statutes, and all other applicable laws, promulgate the following Executive Order to take immediate effect:

Section 1. I hereby extend Executive Order 20-94, as extended by Executive Orders 20-121 and 20-137, until 12:01 a.m. on August 1, 2020.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 30th day of June, 2020.



RON DESANTIS, GOVERNOR

ATTEST:



SECRETARY OF STATE

2020 JUN 30 PM 8:10
FILED
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

Appendix 4 - Miami-Dade County COVID-19 Pandemic Response Recovery Phase

- Progressive Reopening Return to New Normal Operations Guidance for County Facilities

Progressive Reopening Return to New Normal Operations Guidance for County Facilities

Miami-Dade County

COVID-19 Pandemic Response

Recovery Phase



Internal Services Department

May 2020

The Internal Services Department (ISD) has developed these guidelines with the assistance and support of professional consultants, private industry experts, and air quality consultants in order to serve as a guidance document for ISD managed buildings, and County facilities managed by other departments. This document is based on the recommendations developed by Mayor Carlos Gimenez's *The New Normal – A Guide for Residents and Commercial Establishments* dated May 15, 2020.

Personal Protective Equipment (PPE)

- In line with current County Executive Orders issued by Mayor Carlos Gimenez, all County employees, building tenants, building maintenance staff, security staff, and visitors must use face coverings while inside the building.

Resource:

<https://www.cdc.gov/coronavirus/2019-ncov/downloads/DIY-cloth-face-covering-instructions.pdf> and <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/cloth-face-cover-faq.html>

- ISD is now managing inventory for PPE – such as 3 ply face masks, gloves and hand sanitizer – through its Materials Management function where departments typically order office supplies. <http://s0143970.miamidade.gov/businessSupplies/>
- Building management staff may provide face masks to visitors as needed, and based on availability.
- Hand sanitizers **must** be readily available in public spaces and common areas such as lobbies/building entrances, elevator lobbies, reception areas, etc.
- Use of gloves by County employees is optional and should be decided in consideration of any operation with a high volume of public-facing tasks. Frequent hand washing that follows CDC guidelines is equally effective, followed by frequent use of hand sanitizer (with at least 60% alcohol content). Follow CDC guidelines for proper hand washing.

Resource:

<https://www.cdc.gov/handwashing/when-how-handwashing.html>

- PPE **must** be properly disposed of inside trash containers found throughout the facility. After removing PPE in accordance with guidelines in **Attachments A** and B staff should wash their hands immediately, adhering to Center for Disease Control and World Health Organization

The Internal Services Department (ISD) has developed these guidelines with the assistance and support of professional consultants, private industry experts, and air quality consultants in order to serve as a guidance document for ISD managed buildings, and County facilities managed by other departments. This document is based on the recommendations developed by Mayor Carlos Gimenez's *The New Normal – A Guide for Residents and Commercial Establishments* dated May 15, 2020.

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Enforce Social Distancing

- In line with direction from Mayor Carlos Gimenez, employees who are effectively working from home should continue working from home.
- County departments should establish staggered schedules for employees arriving and leaving the facility, ensuring 50% or less of the workforce is in the building at the same time. In order to accomplish this, a number of recommended approaches include:
 - Alternate days for staff to come to the office while maintaining flexibility for remote work.
 - Stagger the start of work shifts with groups of employees coming in at 7 a.m., 8 a.m. and 9 a.m., for example.
 - Reduced time in the office. Schedule employees to come to the office for half the day and work from home the rest of the day.
- County departments may use the space calculator in **Attachment C** as needed to determine the specific number of occupants for a particular building based on square footage.
- County departments should formally establish staggered lunch and other breaks to limit lunchroom occupancy and increased traffic in and out of the buildings at the same time.
- County departments should use floor decals in any area where queuing or gathering may occur to require social distancing. County branded floor decals may be ordered from the ISD Print Shop at the link below:
<https://secure.miamidade.gov/GSADIGITALSTOREFRONT/authenticate.aspx?SITEGUID=d8f4d832-cbab-400f-a7b4-14b34aa011fbb>



Progressive Reopening - Return to New Normal Operations Guidelines for County Facilities

Page 3

- Building management should limit the number of occupants in each elevator car to 2. Place signage inside elevator cars displaying healthy elevator use protocols – to include the use of floor decals to establish distancing zones and describe where and how to stand.



- Place queuing marks in elevator lobbies to reinforce social distancing; consider using stanchions, floor decals, mats, etc. to control elevator traffic. Additional staff to monitor social distancing in case of queuing in elevator lobbies may be required.
- Increase space between furniture and reduce seating in reception and lobby areas, lunch rooms and conference rooms.
- Certain configurations of systems furniture that do not allow for 6 feet between desk occupants **must** be considered. County departments should ensure those cubicles are only occupied at 50% capacity and/or on alternate days, and may consider using established County contracts for the reconfiguration of systems furniture.

Resource:

Refer to **RTQ-00439 Furniture Office and Non-Office**, which can be found at <https://www.miamidade.gov/Apps/ISD/DPMWW/PerpetualAttachments.aspx?ContractId=RTQ-00439>

- Amenities space such as restaurants, retail spaces and fitness centers **must** follow guidelines established by the current Mayor's Executive Order. Building Managers will be enforcing compliance with these mandates.
- Limit use of common conference rooms managed by Building Management to require a minimum of 2 hours between meetings to allow for disinfection of the room by the janitorial crew.
- Seating arrangements for conference rooms managed by Building Management **must** be set up with chairs 6 feet apart. Building management staff will enforce this requirement.

- Ensure the installation of acrylic barriers in all open reception areas throughout the facility.



Security and Building Access

- Access points to County facilities should be limited where possible to one entrance and one exit, creating visitor areas at lobby desks with separate paths for ingress and egress.
- Implement social distancing protocols at security and lobby areas for all queues or waiting areas to protect personnel. Use clear and easy to see floor markings and signage.
- Eliminate or reduce the use of plastic security bins by using disposable paper bags to place belongings through the x-ray machine. Persons can take their belongings from the bag and dispose appropriately after each use. When it is not feasible to use disposable paper bags, bins shall be wiped down frequently.
- Security screeners **must** wear masks at all times while in the building. Gloves **must** be worn when conducting hand searches, and **must** be replaced after each instance or use.
- Continue with established protocols for temperature and health screening compliance with the CDC/Florida Department of Health guidelines, through the use of infrared cameras and manual thermometers.

<https://www.cdc.gov/coronavirus/2019-ncov/community/general-business-faq.html> and
<https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html>

- Building managers should post appropriate signage at the entrance and/or screening point of County facilities in order to screen employees and visitors with the following questions:
 1. Do you have a fever or temperature of 100.4 degrees or higher?
 2. Do you have any of the following symptoms (excluding those due to a known medical reason):
 - Cough
 - Shortness of breath or difficulty breathing
 - Chills
 - Muscle pain
 - Sore throat
 - New loss of taste or smell
 3. Are you currently awaiting the results of a test to determine if you have COVID-19?
 4. Have you had close contact with someone with a COVID-19 diagnosis or who is awaiting test results for COVID-19?
 5. Have you recently traveled to an area with a notably high concentration of COVID-19 cases?
- Screeners should specifically ask all employees and visitors entering the facility to read the questions on the sign and ask if any apply to them. If yes, the person will be refused entry into the building.
- Any person who refuses to have their temperature taken, or refuse to submit to further screening, will be denied access to the building.

Signage

- Signage highlighting CDC guidelines and social distancing requirements **must** be posted in all publicly trafficked locations such as parking facilities, building entrances and exits, lobbies, common areas, and tenant spaces emphasizing CDC guidelines including but not limited to:
 - Stay home if you are sick
 - Stop the spread of germs
 - Clean hands often with soap and water for at least 20 seconds and/or use hand sanitizer
 - Avoid touching your eyes, nose, and mouth
 - Practice social distancing (6' minimum distancing)
 - Wait here

- Wear a mask or face covering
- Cover coughs and sneezes with a tissue and then dispose of tissue
- Refer to **Attachment D** for an example of appropriate CDC guideline posters, which may be accessed here:
Resource:
<https://www.cdc.gov/coronavirus/2019-ncov/communication/print-resources.html?Sort=Date%3A%3Adesc>
- Smaller buildings may need more signage since they are not attended by a security officer to ensure enforcement.

Food, Food Delivery and Lunch Rooms

- Tenants will be required to meet food delivery vendors outside the security checkpoint to limit the number of people entering each floor.
- Practicing proper hygiene with food containers will be necessary. Try to wipe down containers before they go in the refrigerator, and whenever you take them out. Employees should not share food with others, or leave food out for others to share later.
- Refrigerators will be wiped down every night and communal items **must** not be stored in them. Employees **must not** leave any belongings overnight as it will be cleaned, and subsequently thrown out each evening.
- Post signage on all refrigerators highlighting these requirements.
- Employees **must** follow CDC social distancing guidelines when using the lunch /breakroom. Remove additional chairs and/or tables to allow for social distancing.
- Protective equipment is required when social distancing is not possible.

Janitorial Services

- Maintain increased frequency of cleaning and disinfection in high density and high-touch areas, such as building and elevator lobbies; elevator interiors, buttons and surfaces; restrooms; furniture; fixtures; door knobs; switch plates; shared conference spaces; building and suite entrances; mats; handrails; turnstiles; counters; trash containers; and other frequently touched surfaces.
- Continue with the use of EPA approved antimicrobial cleaning products and hand soap.

Resource:

<https://www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2>

- As more employees and visitors begin to use County facilities, plan for more frequent and more thorough cleaning and disinfecting of stairwells, handrails, elevators and escalators in response to increased stair traffic.
- Suspend use of cloth wipes or other reusable cleaning materials.
- Continue to follow established Decontamination Protocols and notification procedures for positive COVID-19 diagnosis cases and Preventative Cleaning. Refer to **Attachment E** for a copy of ISD's recommended decontamination protocols.
- Restrooms **must** be thoroughly wiped and disinfected every 2 – 3 hours.
- Limit the use of fogging techniques for decontamination of spaces to Friday evenings, considering the decrease in building occupancy over the weekend, as some tenants may be sensitive to certain cleaning chemicals. Building Management will advise tenants of scheduled decontamination services in their areas in advance to ensure all necessary arrangements are made to keep employees with potential allergies to chemicals away from the area to be sanitized during, and immediately after cleaning.
- Building Management may also utilize a portable UV lighting device to quickly disinfect small areas and objects, as needed and when available.

Building Core Infrastructure

Implementing Touch-Free Technology

- Phase-in touch-free technology wherever possible, to include:
 - Touch-free toilets, sinks, fixtures and dispensers in restrooms
 - Utilize touch-free hand sanitizing stations
 - Provide touch-free trash cans
 - Automatic entrance doors
 - Replace traditional water fountains to touch-free unit

Heating, Venting, and Air Conditioning Building Systems

- During low or no-occupancy and prior to building re-entry, run HVAC equipment in building and tenant spaces on at least a reduced—if not regular—schedule. Do not turn off the air circulation in the building.
- Continue normal and regular HVAC maintenance, especially filter changes. Filter efficiency should be the highest possible that the unit can accept, preferably MERV 13 and above. Consider increasing exhaust and infusion of outside air for re-entry and perhaps for several weeks following re-entry.

- Check with your building engineers and HVAC contractor for any other recommended maintenance, changes in maintenance schedules, or filter or system upgrades or changes. If possible, consider increasing exhaust and infusion of outside air for re-entry and for several weeks following re-entry.
- Flush building with fresh air based on the design of the makeup/outside air system and if possible to leading sustainability standards such as LEED, BREEAM, and WELL for a minimum of 24 hours and ideally for 48 to 72 hours.
- When replacing air filters (including HEPA filters), minimize exposure to building interior areas when removing old filters from the site.
 - Recommended approach: Transport to a waste collection area without entering the building.
 - Alternative approach: if it's impossible to dispose of the filter without transporting through the building, choose routes that minimize exposure to normally occupied areas, including freight elevators and minimally used spaces.
- Air change-outs are paramount, and vary per building. Refer to the following guidelines and consult with mechanical engineers as needed.
 - Comply with Section 553.908 on guidance on required air changes per hour. http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0500-0599/0553/Sections/0553.908.html
 - Comply with FBC 2017, Chapter 4, Ventilation Section of Mechanical Code. <https://up.codes/viewer/florida/fl-mechanical-code-017/chapter/4/ventilation#4>
 - ASHRAE Standard 62.1-2019, Ventilation for Acceptable Indoor Air Quality.

Communication with Tenants

- Building management should clearly communicate tenants' responsibilities and obligations within their suites/workspaces for decisions about social distancing, use of PPEs, work hours, illness monitoring/temperature taking, and other health and safety procedures in the workplace.
- If possible, hold a virtual pre-opening meeting with tenants, to include floor wardens. Convey any new policies or procedures the building will be implementing and proper review protocol for reporting a positive COVID-19 case. Communicate any new policies for entry/exit, common areas, elevator usage, amenity spaces, parking, and deliveries. Ask tenants to share their re-entry plans so that building staff may help make the process as smooth and safe as possible.

**Progressive Reopening - Return to New Normal Operations Guidelines
for County Facilities**

Page 9

- Conduct regular tenant meetings, in a socially distanced manner, to ensure that designated building staff and floor wardens understand the importance of adhering to guidelines and answer any questions.

Attachment A



SAFETY ALERT

FOR MIAMI-DADE COUNTY DEPARTMENTS (March 26, 2020)

The Office of Safety is issuing this Safety Alert to provide guidance on the voluntary use of personal protective equipment (PPE).

How to put on a face mask



The following instructions must be followed each time respirator is worn.

1. Clean your hands with soap and water or hand sanitizer before touching the mask.
2. Remove a mask from the box and make sure there are no obvious tears or holes in either side of the mask.
3. Determine which side of the mask is the top. The side of the mask that has a stiff bendable edge is the top and is meant to mold to the shape of your nose.
4. Determine which side of the mask is the front. The colored side of the mask is usually the front and should face away from you, while the white side touches your face.
5. Follow the instructions below for the type of mask you are using.
 - *Face Mask with Ear loops:* Hold the mask by the ear loops. Place a loop around each ear.
 - *Face Mask with Ties:* Bring the mask to your nose level and place the ties over the crown of your head and secure with a bow.
 - *Face Mask with Bands:* Hold the mask in your hand with the nosepiece or top of the mask at fingertips, allowing the headbands to hang freely below hands. Bring the mask to your nose level and pull the top strap over your head so that it rests over the crown of your head. Pull the bottom strap over your head so that it rests at the nape of your neck.
6. Mold or pinch the stiff edge to the shape of your nose.
7. If using a face mask with ties: Then take the bottom ties, one in each hand, and secure with a bow at the nape of your neck.

Pull the bottom of the mask over your mouth and chin.

How to remove a face mask



1. Clean your hands with soap and water or hand sanitizer before touching the mask. Avoid touching the front of the mask. The front of the mask is contaminated. Only touch the ear loops/ties/band. Follow the instructions below for the type of mask you are using.
2. *Face Mask with Ear loops:* Hold both of the ear loops and gently lift and remove the mask.
3. *Face Mask with Ties:* Untie the bottom bow first then untie the top bow and pull the mask away from you as the ties are loosened.
4. *Face Mask with Bands:* Lift the bottom strap over your head first then pull the top strap over your head.
5. Throw the mask in the trash. Clean your hands with soap and water or hand sanitizer.

**Office of Safety, Risk Management Division, Internal Services Department
Phone: 305-876-8000 - <http://intra.miamidade.gov/internalservices/safety-web.asp>**

Attachment B



SAFETY ALERT

FOR MIAMI-DADE COUNTY DEPARTMENTS (March 26, 2020)

The Office of Safety is issuing this Safety Alert to provide guidance on the voluntary use of personal protective equipment (PPE).

PROPER DONNING & DOFFING OF DISPOSABLE GLOVES

Protective gloves are an important piece of safety equipment across a wide range of industries. When donned properly, they help protect workers from exposure to hazardous substances and products and processes from contamination. When doffed correctly, workers help prevent contamination to themselves and their environments. Below are tips on how to don and doff gloves in ways that help ensure worker safety and product integrity.

How to properly put on your Gloves

HOW TO DON GLOVES



1 Remove one glove from the package and inspect it to be sure no pinholes or tears are present.



2 If gloves are ambidextrous, they can be worn on either hand. If not, align the glove's fingers and thumb with the proper hand before donning.



3 Insert five fingers into the cuff and pull the cuff over the wrist.



4 Check for a secure fit around the fingers and palm. The cuff should fit snugly around the wrist.

How to properly remove gloves

HOW TO DOFF GLOVES



1 Grasp the outside edge of the glove near the wrist.



2 Peel the glove away from the hand, turning it inside out. Hold it in the opposite gloved hand.



3 Slide an ungloved finger under the wrist of the remaining glove, being careful not to touch the outside of the glove.



4 Peel the remaining glove off from the inside, creating a "bag" containing both gloves. Discard.

Ref: Ansell.com

Office of Safety, Risk Management Division, Internal Services Department
Phone: 305-876-8000 - <http://intra.miamidade.gov/internalservices/safety-web.asp>

Attachment C

Square foot calculator based on suite size and assuming standard occupancy pre COVID at 150 sq. ft./person
This is best used for suites with defined areas there are cubicles or private offices

Building Name:		Phasing			
Suite	Department or Tenant	Total Sq Ft (Does not include Common Area)	PHASE 1 300 sf/emp 50% of standard Occupancy	PHASE 2 225 sf/emp 75% of standard Occupancy	PHASE 3 150 sf/emp Return to standard Occupancy
100		10,000	33	44	67
200		5,000	17	22	33
300		2,500	8	11	17
Total		17,500	58	78	117

Sample

This chart best used in an open area such as open work areas, conference rooms, training rooms and/or break rooms. And assumes that there is a seating chart with maximum occupancy for the specific room to be used as a point of reference

Common Elements/Areas or Open Spaces							
Location	Room Name or Number	Room Type	Max Occupancy	Phase 1 50%	Phase 2 75%	Phase 3 100%	Notes
1st floor	100-A	Conference	25	13	19	25	block out 1hr to turn over room for disinfection
1st floor	100-B	Break room	15	8	11	15	
		Lobby		0	0	0	


Resource: Shared by the Building Owners and Managers Association International (BOMA) and Baptist Health Services

Please contact ISD Building Management at Lorena.Zapustas@miamidade.gov if you have questions or need further guidance on how to use this calculator.

Attachment D

How to Protect Yourself and Others


Know how it spreads



- There is currently no vaccine to prevent coronavirus disease 2019 (COVID-19).
- **The best way to prevent illness is to avoid being exposed to this virus.**
- The virus is thought to spread mainly from person-to-person.
 - ✦ Between people who are in close contact with one another (within about 6 feet).
 - ✦ Through respiratory droplets produced when an infected person coughs, sneezes or talks.
 - ✦ These droplets can land in the mouths or noses of people who are nearby or possibly be inhaled into the lungs.
 - ✦ Some recent studies have suggested that COVID-19 may be spread by people who are not showing symptoms.


Everyone should

Clean your hands often




- **Wash your hands** often with soap and water for at least 20 seconds especially after you have been in a public place, or after blowing your nose, coughing, or sneezing.
- If soap and water are not readily available, **use a hand sanitizer that contains at least 60% alcohol.** Cover all surfaces of your hands and rub them together until they feel dry.
- **Avoid touching your eyes, nose, and mouth** with unwashed hands.

Avoid close contact



- **Stay home if you are sick.**
- **Avoid close contact** with people who are sick.
- **Put distance between yourself and other people.**
 - ✦ Remember that some people without symptoms may be able to spread virus.
 - ✦ This is especially important for **people who are at higher risk of getting very sick.** www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-at-higher-risk.html



cdc.gov/coronavirus

Attachment E

(See next page)



**SPECIFICATIONS
TO ADDRESS NOVEL CORONAVIRUS-19
INTERNAL SERVICES DEPARTMENT FACILITIES
MIAMI-DADE COUNTY, FLORIDA**

NV5, Inc. Project #20-50321-03

Prepared For:

**Miami-Dade County Internal Services Department
Tara C. Smith, Director
111 NW 1st Street
Miami, FL 33128**

Prepared by:

**NV5, Inc.
1713 S. Kings Avenue
Brandon, Florida 33511**

April 1, 2020

A handwritten signature in black ink, appearing to read 'Steven A. Lipson'.

Steven A. Lipson, CIH, CSP
Certified Industrial Hygienist #7658
Certified Safety Professional #10978

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Appendix A:

Approved chemicals list as of March 20, 2020

1.0 INTRODUCTION

The following procedures are intended as practices by which Miami-Dade County contractors and in-house staff shall perform enhanced cleaning and/or positive diagnosis response cleaning at Miami-Dade County facilities. These specifications are generated for office and residential-type facilities and may not be suitable for different occupant-based sites. All work performed on this project shall be done in compliance with these guidelines, applicable Federal, State and Local regulations, and as specified in the contractual agreement between the selected Contractor and the Owner. Wherein any conflict between the written procedures outlined herein, and site conditions arise, please contact NV5's CIH directly by email, with cc to the Miami-Dade County hiring agent to address such conflicts.

These procedures are based upon the "Interim Recommendations for US Community Facilities with Suspected/Confirmed Coronavirus Disease 2020 (COVID 19)" *Centers for Disease Control and Prevention, March 2020.*

Owner:

The Owner's representative for the facility; hereafter collectively referred to as "The Owner" is

**Miami-Dade County Internal Services Department (ISD)
Ms. Tara C. Smith, Director
111 NW 1st Street Miami, FL 33128**

Owner's Consultant:

The Consultant is the designated representative paid by Miami-Dade County, and shall have no affiliation with the Contractor other than via this document.

The Consultant for this project is:

**NV5, Inc.
Steven A. Lipson, CIH, CSP
1713 South Kings Avenue
Brandon, Florida 33511
Ph. (813) 571-9788
Fax. (813) 571-9374
Steve.Lipson@NV5.com**

The Consultant may be contacted with any questions regarding these specifications, applicable regulations, guidelines, or the requirements of these procedures. These will be reported to the Owner with a description of the response, and any requested/required alternatives.

2.0 PRE-JOB SUBMITTALS

Submit two copies of Pre-Job Submittals to the Owner, prior to the commencement of the project. No project activities are to commence until approval of the Pre-Job Submittals and authorization to proceed have been given by the Owner.

Pre-Job Submittals shall include, but not be limited to the following:

1. Safety Data Sheets for all chemicals to be used on the project
2. Projected project schedule
3. Proof of Contractor insurance naming the Owner and Consultant as additionally insured.
4. Copy of Contractor's respiratory protection program, reviewed by a CIH (where respiratory PPE is applicable per this specification and site-conditions).
5. State of Florida Contractors License
6. Name, email and cellphone information of Contractor's OSHA "Competent Person" who will supervise the work. This individual must be available, and respond to Owner communications at all times during the project.

3.0 SCOPE OF WORK

The scope of work involved with performance of the work will be categorized into separate activities. These activities will vary based upon the nature of the work and site conditions. Categories include:

- **Preventative** - Enhanced cleaning practices for increased housekeeping response for ISD-managed County office facilities (as described in Section 6.0 below).
- **Positive Diagnosis Response** - Aggressive cleaning following a positive diagnosis of COVID-19. Requires the addition of fogging and decontamination of personal items in ISD-managed County office facilities (as describe in Section 7.0 below).

It is the responsibility of the bidding Contractor to verify the rationale for conducting the work and the associated type of procedures required. No additional monies will be awarded for the Contractor's failure to properly verify the scope of work prior to submitting a bid.

4.0 PROJECT SCHEDULE

The project schedule for all enhanced cleaning activities shall be performed in accordance with the phasing requirements described to the Contractor at the time of the work request. Prior to project start, the Contractor shall notify the Owner of anticipated work schedule, including start and finish dates/times as applicable. This information will

be included with the project pre-job submittals, as required in Section 2.0 of this document.

All hourly/shift work schedules on this project shall be performed as required by the Owner. Work outside of normal hours shall not be conducted unless authorized in writing by the Owner.

5.0 ISOLATION OF THE WORK AREA

The selected Contractor shall maintain a "Competent Person" as defined by applicable OSHA regulations, on site at all times during the performance of any of the tasks described within this procedural document.

Contractor shall establish a regulated area. Post signs and barrier tape at approaches to all work areas (as applicable in occupied buildings). Signs should state:

CAUTION - DO NOT ENTER

ENHANCED CLEANING PROCEDURES IN PROGRESS

Contractor shall post signs in English, Spanish, and Haitian Creole.

PRODUCTS

MATERIALS

Handling and Storage:

Deliver all materials to the project in the original package(s), container(s), or bundle(s) bearing the name of the manufacturer, brand name and the model number.

Store all materials subject to damage off the ground, away from wet or damp surfaces, and under cover sufficient to prevent damage or contamination.

Damaged or deteriorating containers shall not be used and shall be removed from the premises.

All chemical agents used during this cleaning shall be approved by the USEPA, and shall be applied in accordance with the manufacturer's instructions and intended uses. A list of EPA-approved chemicals is attached to this document (Attachment A). If name brand products listed in the EPA document are not available, use of products with similar concentrations of the same active ingredients is likely to be acceptable. Contact NV5 for help, if needed.

Suitable chemical constituents include:

- Alcohol (ethanol or isopropyl) - >60%
- Sodium hypochlorite - >0.1%
- Hydrogen peroxide - >0.5%

Items not suitable for use on skin should not be used for personal hygiene, as such chemicals may be dangerous. As always, keep hazardous chemicals away from eyes and other mucus membranes, and only use strong chemical cleansers in ventilated areas, where specified.

Bleach solution

Use of a bleach solution shall only be utilized by Owner Janitorial vendors, when approved, if and when such EPA-approved cleaning products are not available.

The CDC recommendations for preparing a bleach solution by mixing:

- 5 tablespoons (1/3rd cup) bleach per gallon of water or
- 4 teaspoons bleach per quart of water
- The product should not be expired
- Never mix household bleach with ammonia or any other cleanser.

Other Cleaning agents/disinfectants

Shall be used in accordance with the USEPA, CDC and other applicable regulatory agencies. Other disinfectants/cleaning agents must be mixed/diluted per manufacturer instructions. Caution shall be exercised to not combine incompatible chemicals.

Chemicals for use in foggers may have different requirements and concentrations and should be selected in accordance with the manufacturer's recommendations.

TOOLS AND EQUIPMENT

Provide all tools and equipment necessary to perform the required activities. Such materials shall include, but not be limited to:

- Buckets
- Rags
- Water/detergent for initial cleanings
- Disinfectant of choice for disinfection cleaning (see Attachment A for USEPA products that are effective disinfectants for COVID-19). Please note that these products may require additional personal protective equipment (PPE), e.g. gloves and/or specific respirator cartridges. The Safety Data Sheet for each product must be consulted and the appropriate information disseminated during the safety meeting as well as appropriate PPE provided to workers. The least expensive and effective disinfection product is sodium hypochlorite (bleach),

which has a disinfection time of 5-10 minutes. It should be noted that a bleach solution is only to be utilized by Owner Janitorial vendors, if and when the above mentioned USEPA products are unavailable.

- Appropriate waste disposal bags (6 mil polyethylene sheeting)
- Other items as required
- Clean hands using 20 second wash protocol as outlined by the CDC.

WORKER HEALTH AND SAFETY

The selected contractor or designated personnel must present a Health and Safety Plan (HASP) to address the potential hazards that may be encountered during the cleaning/disinfection activities. The HASP must address, at a minimum, hazard communication, worker protection, including respiratory protection, decontamination procedures, waste handling, packaging, disposal of contaminated materials, including personal protective equipment (PPE), emergency medical facility, including phone number, directions to the facility, and maps. In addition, a coordinated communication system for workers to communicate workplace issues, including illness and possible exposure during the cleaning/disinfection process. Documentation of the initial and subsequent safety meetings must be maintained, including names and contact information of all individuals.

It is extremely important to note that individuals conducting the cleaning are asymptomatic, have complied with all travel restrictions and subsequent quarantines and isolation, and are not considered to be within the high-risk categories (age and underlying health concerns). In addition, Contractors will have to comply with facility screening procedures (i.e. both security and temperature screening).

Training

Workers shall be trained in the principals of using universal precautions and proper personal protective equipment (PPE).

All workers shall receive proper Worker Right to Know Hazard Communication training as it relates specifically to the hazards associated with COVID-19 as well as the hazards and safe handling procedures of chemicals used during this cleaning.

Worker Protection (PPE)

It should be noted that the “Interim Recommendations for US Community Facilities with Suspected/Confirmed Coronavirus Disease 2020 (COVID 19)” Currently the *Centers for Disease Control and Prevention, March 2020* is not recommending the use of respiratory protection for their current environmental cleaning/disinfection protocols. However, certain conditions warrant the use of respiratory protection.

Respiratory Protection

When an exposure to airborne contaminants is possible, workers should at minimum use a half-face, negative pressure respirator; and must have a medical professional's written opinion as to the user's fitness to use such a device. The respirators must be NIOSH Approved and a current fit test must be available for the user.

Currently, there is a short supply of NIOSH approved N95 respirators. Although widely in use, an N95 is not considered a "tight fitting" respirator requiring a fit test. It becomes ineffective for respiratory protection if it becomes wet; exhaled breath is humid and contributes to the moisture load of the N95 filter paper. For this reason, tight fitting, reusable respirators are recommended.

Additional PPE to be used should also include:

- Protective coveralls with head and foot covers
- Duct tape
- Gloves (for cleaning, and specific gloves based on Safety Data Sheet recommendations for specific cleansers/disinfectants)
- Eye Protection and face shield
- Respiratory protection-half face dual cartridge respirator with P100 filters (acid mist piggy-back cartridges may be necessary/appropriate – see manufacturer's recommendations regarding PPE choice for the specific chemicals in use) for general cleaning.

Decontamination Station:

- A designated wash station must be provided for workers.
- This decontamination station must have soap and water for hand washing and a disinfectant alcohol gel and disposable paper towels for hand drying.
- Disposal bag for used PPE including suits & gloves
- Disinfectant wipes or sodium hypochlorite solution to disinfect touched surfaces of the dedicated worker decontamination station

Donning of PPE:

- Dress in coverall; pleat the suit with tape so foot covers do not drag if they are too long. A lag of tape at the ankle with a tab for easy release is recommended.
- Don gloves; **DO NOT TUCK THE SUIT INTO THE GLOVES.** Pull suit sleeve down over gloves & tape. You may need a partner to assist. Make a tab on the tape for easy release and removal.
- Don respirator and conduct fit check; pull hood over respirator straps. **DO NOT PUT THE RESPIRATOR ON OVER THE HOOD OF THE SUIT.**
- Put on eye protection/face shield.

Doffing of PPE:

- Use the tabs for easy release of tape; remove tape from ankle, if present.
- Remove face shield, if present.
- Unzip suit and remove by rolling it inside out; place in disposal bag.
- Remove gloves, place in disposal bag.
- Remove respirator, discard cartridges in disposal bag.
- Clean respirator with disinfectant wipe appropriate for the facepiece. Note – silicone facepieces should use a quaternary ammonium disinfectant.
- Remove eye protection and disinfect.

Hand Hygiene

Workers should wear disposable gloves and protective coveralls for all tasks in the cleaning/disinfection process, including handling trash.

- Gloves and protective covers should be compatible with the disinfectant products being used.
- Additional PPE might be required based on the cleaning/disinfectant products being used and whether there is a risk of splash.
- Gloves and protective coveralls should be removed carefully and rolled inside out to avoid contamination of the wearer and the surrounding area.
- Gloves should be removed after cleaning a room or area occupied by ill persons. *Clean hands immediately after gloves are removed.*
- Workers should immediately report breaches in PPE (e.g., tear in gloves) or any potential exposures to their supervisor.
- **Workers should clean hands often**, including immediately after removing gloves and after contact with an ill person, by washing hands with soap and water for 20 seconds.
- If soap and water are not available and hands are not visibly dirty, an alcohol-based hand sanitizer that contains 60%-95% alcohol may be used.
- Follow hand hygiene procedures and avoid touching eyes, nose, or mouth with unwashed hands.

6.0 PREVENTATIVE CLEANING

Work Area Cleaning/Disinfection Procedures

Prior to conducting cleaning/disinfection activities, appropriate lock-out/tag-out measures must be implemented, where applicable and necessary.

Hard Surfaces

If surfaces are dirty, they should be cleaned using a detergent or soap and water prior to disinfection. Likewise, areas exhibiting high build-up of dust may first be HEPA vacuumed.

All frequently touched surfaces should be cleaned. Examples of these surfaces include, but are not limited to the following:

- Door handles
- Handrails and bannisters
- Escalator handrails
- Cash register/checkout kiosk surfaces
- ATM machine controls
- Waiting/Seating areas-chair handles and table tops
- Elevator buttons/controls
- Countertops
- Sinks and faucets
- Toilets, including seats and flush handles
- Refrigerators (include the inside since shelves and drawers are frequently touched) and door handles
- Microwave handles and controls
- Coffee pots and controls
- Light switches/controls
- Stove controls
- Lunch tables and chairs
- Workstations-computer keyboards, monitors, mouse, docking stations
- Telephones
- Thermostats

Detailed cleaning of surfaces within the identified area of concern includes, but may not be limited to, the following cleaning techniques:

Doors – Thoroughly wipe **all handles**, push-pads and adjacent surfaces on both sides of each door using a towel or rag dampened with EPA approved cleaning products. This is the most common location of potential issue and should be vigorously addressed with every cleaning, attention should be focused to door handles and door pads. Surfaces should be wiped and left visibly wet with selected disinfectant. Allow to air-dry.

Light Switches, phones, common use keyboards, printers, copiers, faxes, thermostats and security keypads – In areas where manual light switches or manual security keypads are present, thoroughly wipe the switch, keys, surfaces, and surrounding pad using a damp rag with EPA approved cleaning products. Similarly, the items typically touched on printers and copiers are the keypads, which should be wiped down. As these items are electrical, be sure to avoid oversaturation or dripping of chemicals.

Other electrical appliances – Clean surfaces of appliances such as microwaves and refrigerators by wiping with EPA approved cleaning products. Pay particular attention to keypads and door handles.

Horizontal Surfaces – Areas such as desktops, cubicle rails, shelves, tops of file cabinets and chair handrails should be wiped down daily, with attention paid particularly to areas of common or shared use. Surfaces should be wiped and left visibly wet with selected disinfectant. Allow to air-dry.

Elevators – Using a cleaning wipe (Clorox or similar), disinfect elevator touch screen or buttons and elevator interiors, focusing on “touchable” surfaces. Using a damp rag with EPA approved cleaning products, wet-wipe support rails.

Hard Surface Flooring – For hard surface floors such as wood, vinyl, ceramic, terrazzo, etc., mop daily with an EPA approved cleaning product suitable to the material being cleaned.

Carpet – Carpeted surfaces may be treated with EPA approved pump-sprays. Sprays may be applied using airless sprayers, pump jugs, or supplied application tools. Allow any such spray to remain on the surface until dry. Do not spray to the point of saturation. It is not necessary to perform such cleaning more than weekly in the absence of a known positive diagnosis. If using fogging agents (see below), then additional carpet cleaning is not required.

Break Rooms / Kitchens – In food-preparation areas, follow routine cleaning and hygiene practices, per normal. Clean surfaces of appliances such as microwaves, vending machines, coffee makers and refrigerators by wiping with EPA approved cleaning products. *Pay particular attention to keypads and door handles.* Wipe all table, counter and chair surfaces vigorously with EPA approved cleaning products. Wipe sink handles thoroughly.

Dishwashers – Use of a mechanical dishwasher for plates, cups, mugs and utensils is recommended as a better alternative to hand washing for purposes of enhanced cleaning, where applicable/available. Wipe down handles and keypads daily with EPA approved cleaning products. Wash hands immediately before and after loading and unloading.

Restrooms – Thoroughly clean all areas around sanitary products (tissues, hand sanitizers), sink handles, toilet paper dispensers, hand dryer push pads, paper dispensers, soap dispensers, manual flush handles, countertops and **door handles / push pads**. Mop hard flooring and wipe tile walls daily with EPA approved cleaning products. Surfaces should be wiped and left visibly wet with selected disinfectant. Allow to air-dry.

Areas of Infrequent Use – Areas that are not regularly touched or occupied can be treated and cleaned per normal cleaning schedule.

Water Coolers, Coffee Makers, etc. – Thoroughly wipe buttons, handles and faucets daily with damp rags and EPA approved cleaning products.

Soft (Porous) Materials

- For soft (porous) surfaces such as carpeted floor, rugs, and drapes, remove visible contamination if present and clean with appropriate cleaners indicated for use on these surfaces.
- If the items can be laundered, launder items in accordance with the manufacturer's instructions using the warmest appropriate water setting for the items and dry items completely.

Laundry Items

- Do not shake dirty laundry; this minimizes the possibility of dispersing the virus through the air. Wash items as appropriate in accordance with the manufacturer's instructions. If possible, launder items using the warmest appropriate water setting for the items and dry items completely. Dirty laundry that has been in contact with an ill person can be washed with other people's items.
- Clean and disinfect hampers or other carts for transporting laundry according to guidance above for hard or soft surfaces.

These enhanced cleaning efforts for preventive maintenance does not require fogging.

7.0 Positive Diagnosis Response

For work where an individual has tested positive for COVID-19, scope of work shall include fogging and all cleaning procedures listed below, in addition to the other items listed in section 6.0 above.

Any combination of fogging and wiping of surfaces can be used. Note that if Contractor chooses an EPA-approved cleaning product that leaves a residue, fogging should be done before wiping.

Fogging Procedures – must be used where a positive diagnosis has been confirmed:

Mix chemicals in accordance with manufacturer's recommended methods. DO NOT use undiluted or high concentration chemicals to fog. Such use may result in severe worker health issues and may cause damage to areas/materials being fogged.

Fogging may be performed using an airless sprayer or fogger. Handheld fogging devices are not recommended for full-room fogging, but may be useful for localized areas.

Employ fogging agent in each room by focusing nozzles into the air and spraying to the point of visible fog loading. Do not focus fogger on any surface.

Continue until room is visibly impacted by visible mist.

Wait at least 15 minutes upon completion of fogging for fog to settle and surfaces to be impacted by the chemical. Some chemicals require a 30 minute wait period.

After the minimum wait period, begin wipe-down of surfaces, as noted below.

Vertical Surfaces – Vertical surfaces in all affected areas are to be cleaned to a height of 10 feet. Vertical surfaces to include, but not limited to elevator walls, cubical walls, office walls, hallways, restroom walls, restroom stall partitions, lunch rooms walls, etc.

Personal Items – In addition to all surfaces identified in section 6.0 personal items are to be cleaned in areas where a positive diagnosis has occurred:

In general, cleaning of single-owner items such as personal effects is not necessary; as such items are unlikely to be touched by more than one person. In the event that a positive diagnosis has occurred, personal effects belonging to the individual diagnosed should be hand cleaned by wiping with bleach wet-wipes. Items should be wiped to the point of visible wetness and allowed to air dry. Scope of work should include all surfaces in the area, including pens, picture frames, paper products, etc. Inexpensive and/or easily replaced items should be disposed rather than attempting to clean. Repeated use of a wet wipe for multiple items is acceptable, but do not allow wipes to dry out. Repeat use may be utilized provided the wipe is still wet enough to thoroughly and visibly wet the items to be cleaned.

8.0 DISPOSAL

Waste materials generated during and after cleaning shall be promptly placed in appropriate disposal containers. Waste material shall be disposed of in accordance with local jurisdictions.

9.0 INSPECTION AND PROJECT COMPLETION

Once the cleaning has been completed the cleaning contractor shall thoroughly inspect all surfaces to document that the cleaning has been completed. Following the contractor's inspection, a third-party inspection may be completed by an owner authorized representative.

The Owner may (at Owner's discretion) provide a third party representative to monitor all work and ensure specification compliance. If the Owner elects to do so, project documentation will be the responsibility of the project monitor, but it is advised that the contractor should still maintain accurate recordkeeping.

10.0 PROJECT DOCUMENTATION

The cleaning contractor or selected third party oversight company shall provide logs which, at a minimum, provide the following information -

- Summary of areas cleaned
- Sign-in sheets of all workers providing cleaning activities
- Documentation of health and safety meetings
- Training certificates
- SDSs for all chemicals used in the cleaning activities
- All waste shipping documentation

11.0 RESOURCES

American Chemistry Council Novel Coronavirus (COVID-19)—Fighting Products
<https://www.americanchemistry.com/Novel-Coronavirus-Fighting-Products-List.pdf>

CDC Guidance Documents
<https://www.cdc.gov/coronavirus/2019-ncov/community/index.html>

CDC Fact Sheet
<https://www.cdc.gov/coronavirus/2019-ncov/downloads/2019-ncov-factsheet.pdf>

USEPA Disinfectants for Use Against SARS-CoV-2
<https://www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2>

Stericycle Waste Handling and Disposal
<https://www.stericycle.com/covid-hub/packaging-guidance>

APPENDIX A

APPROVED CHEMICALS LIST AS OF MARCH 20, 2020



Novel Coronavirus (COVID-19)—Fighting Productsⁱ
UPDATED 3/20/2020

The American Chemistry Council's (ACC) Center for Biocide Chemistries (CBC) has compiled a list of products that have been pre-approved by the U.S. Environmental Protection Agency (EPA) for use against emerging enveloped viral pathogens and can be used during the 2019 novel coronavirus (COVID-19) outbreak. This product list is not exhaustive but can be used by business owners, health professionals, and the public to identify products suitable for use during the COVID-19 situation.

The information in this document is being provided as a public service. All efforts have been made to ensure the information is accurate, but ACC and CBC make no representations or warranties as to the completeness or accuracy of the information. ACC, CBC, and the product manufacturers listed in this document reserve the right to change, delete, or otherwise modify the information without any prior notice. Persons receiving this information must make their own determination as to a product's suitability prior to use based on the product labeling. ACC and CBC do not guarantee or warrant the standard of any product referenced or imply approval of the product to the exclusion of others that may be available. All products listed are registered for labeled uses in accordance with federal laws and regulations as of the date this document is being made available. State regulations may vary. In no event will ACC or CBC be responsible for damages of any nature whatsoever resulting from the use of or reliance upon products to which the information refers.

Note: The CBC cannot make a determination of the effectiveness of a product in fighting pathogens like COVID-19. For questions related to the effectiveness of any product not listed below, please contact the manufacturer directly.

For use of the product, please contact the company/distributor to confirm use directions, or consult the EPA approved label at <https://www.epa.gov/pesticide-labels/pesticide-product-label-system-ppls-more-information>.

Tier I Products - Products that are in compliance with EPA's *Emerging Viral Pathogen Guidance for Antimicrobial Pesticides*

Ready to Use Products

Commercially Available Product Name	Company/Distributor	EPA REG No.
#2588 Bac-cide	Hill Manufacturing	1839-83-402
4STATE PRAIRIEKLEAN SPRAY & WIPE DISINFECTANT	Four State Maintenance Supply Inc.	1893-83-55760
Accel Tb	Virox Technologies, Inc.	74559-1
Advantage	Wechem, Inc.	1839-83-34370
AERO TB FRESH	AERO CHEMICAL CO	1839-83-13103
Af Ultra Acid Free Total Bathroom Cleaner	Ultra Chem	1839-83-57839
AFFEX QCNA TB NON ACID DISINFECTANT CLEANER	AFFLINK HQ	1839-83-88891
Airx 75 Antibacterial Heavy Duty Cleaner & Odor Counteractant	The Bullen Companies	1839-83-44089
Airx Spray N Go Disinfectant Cleaner & Odor Counteractant	Airx Laboratories	1839-220-44089
All Purpose Virex	Diversey, Inc.	1839-83-70627
Antibacterial Lemon Fresh Pine Glo	Pine Glo Products	6836-152-49827
Apter Disinfecting Cleaner	Apter Industries Inc.	1839-220-12017
Aviation RTU Cleaner	Zep	6836-152-1270
Avistat-D RTU Spray Disinfectant Cleaner	National Chemical Laboratories, Inc.	1839-83-2296
BAC-CIDE	Hill Manufacturing Company, Inc	1839-83-402
BINARY IONIZATION TECHNOLOGY (BIT) SOLUTION	TOMI ENVIRONMENTAL SOLUTIONS, INC.	90150-2
BioCide 100	BioCide Labs	1839-83-86117
Bioesque Solutions Botanical Disinfectant Solution 12/1 qt	Bioesque Solutions/Natureal, LLC	87742-1-92595
Bioesque Solutions Botanical Disinfectant Solution 4/1 gal	Bioesque Solutions/Natureal, LLC	87742-1-92595
Bioesque Solutions Botanical Disinfectant Solution 5 gal	Bioesque Solutions/Natureal, LLC	87742-1-92595
Bioesque Solutions Botanical Disinfectant Solution 55 gal	Bioesque Solutions/Natureal, LLC	87742-1-92595
BioSentry 904 Disinfectant	Hacco, Inc.	6836-78-61282
BLEACH DISINFECTANT CLEANER	Ecolab Inc	1677-235
BRIGHT N' FRESH TB	PRO LINK	1839-83-62512
Bright Solutions Lemon Zip Disinfectant RTU	Bright Solutions	1839-83-75473
Bright Solutions RTU Bathroom Cleaner Non-Acid Bowl and Restroom Disinfectant BS & H	Bright Solutions	1839-83-75473
Byotrol Bathroom Disinfectant Cleaner	NATIONAL AMERICAN SALES CORP.	1839-83-50718
Byotrol Disinfectant Cleaner	Byotrol, Inc.	83614-1
CAM PRO FB-2 RTU DISINFECTANT SPRAY CLEANER	Byotrol, Inc.	83614-1
CA-MRSA DISINFECTANT SPRAY	Kandel and Son	1839-83-40976
Castle Complete 360	OPI Correctional Industries	1839-83-56349
CaviCide Bleach	Castle Products, Inc.	1839-220-64174
CaviCide1	Metrex	46781-15
Citrus II Hospital Germicidal Deodorizing Cleaner	Metrex	46781-12
Clear Gear Sports Spray	Beaumont Products, Inc.	1839-83-68939
Clorox 4 In One Disinfecting Spray	On Track Enterprises, Inc d/b/a Clear Gear	6836-152-89301
Clorox Clean Up Cleaner + Bleach	Clorox Professional Products Company	67619-29
Clorox Commercial Solutions® Clorox® 4-in-One Disinfectant & Sanitizer	The Clorox Company	5813-21
Clorox Commercial Solutions® Clorox® Disinfecting Bathroom Cleaner	Clorox Professional Products Company	67619-29
Clorox Commercial Solutions® Clorox® Disinfecting Biostain & Odor Remover	Clorox Professional Products Company	5813-40-67619
Clorox Commercial Solutions® Clorox® Disinfecting Spray	Clorox Professional Products Company	67619-33
	Clorox Professional Products Company	67619-21

Clorox Commercial Solutions® Hydrogen Peroxide Cleaner Disinfectant	Clorox Professional Products Company	67619-24
Clorox Commercial Solutions® Tilex Soap Scum Remover	Clorox Professional Products Company	5813-40-67619
Clorox Commercial Solutions® Toilet Bowl Cleaner with Bleach1	Clorox Professional Products Company	67619-16
Clorox Commercial Solutions® Clorox® Clean-Up Disinfectant Cleaner with Bleach1	Clorox Professional Products Company	67619-17
Clorox Disinfecting Bathroom Cleaner	The Clorox Company	5813-40
Clorox Healthcare® Bleach Germicidal Cleaner Spray	Clorox Professional Products Company	56392-7
Clorox Healthcare® Fuzion® Cleaner Disinfectant	Clorox Professional Products Company	67619-30
Clorox Healthcare® Hydrogen Peroxide Cleaner Disinfectant	Clorox Professional Products Company	67619-24
Clorox Multi Surface Cleaner + Bleach	The Clorox Company	5813-105
Clorox Pet Solutions Advanced Formula Disinfecting Stain & Odor Remover	The Clorox Company	5813-110
Clorox Scentiva Bathroom Disinfectant Foamer	The Clorox Company	5813-40
Clorox Scentiva Bathroom Disinfecting Foam Cleaner	The Clorox Company	5813-115
Clorox Toilet Bowl Cleaner Clinging Bleach Gel	The Clorox Company	5813-89
Clorox Toilet Bowl Cleaner with Bleach	The Clorox Company	5813-89
CloroxPro™ Clorox Total 360® Disinfecting Cleaner1	Clorox Professional Products Company	67619-38
Clubz Hospital Quat Cleaner	Superior Mfg.	1839-83-85984
Coil Doctor	State Industrial Products	44446-23-70799
COOL BREEZE TB READY TO USE DETERGENT & DISINFECTANT	SIMPLEX PRODUCTS	1839-83-39419
COOL BREEZE TB RTU DETERGENT & DISINFECTANT	JCL SOLUTIONS	1839-83-92191
Coverage Spray TB (shows up in PLS but not EPA subregistration database)	SC JOHNSON PROFESSIONAL USA INC.	1839-83-93115
CSI Disinfectant	Central Solutions, Inc.	1839-83-211
DC PLUS 2 DETERGENT DISINFECTANT RTU	TRIPLE S	1839-83-12120
DETERGENT DISINFECTANT PUMP SPRAY	Stepan Company	1839-83
D-Germ TB	Wechem, Inc.	1839-83-34370
DIC-1 Spray Disinfectant	The Deirdre Imus Environmental Health Center®	1839-220-83908
DISASEPTIC XRQ READY TO USE DETERGENT DISINFECTANT PUMP SPRAY	PALMERO HEALTH CARE	1839-83-10492
DISINFECTANT DISINFECTS CLEANS	GOOD CLEAN FUN	1839-83-83969
Disinfectant Spray Cleaner RTU Victoria Bay	Victoria Bay	1839-83-68168
Don-O-Mite	Edward Don & Company	6836-152-14462
Dutch®Plus Ready-To-Use Disinfectant Spray	Franklin Cleaning Technology	1839-83-1124
ES15 Spray & Wipe Disinfectant Cleaner	Charlotte Products Ltd.	1839-220-64900
FIBERLOCK I A Q 2500	Fiberlock Technologies, a division of ICP Construction Inc.	1839-83-73884
Fight Bac RTU	Betco Corporation	1839-83-4170
Formula 442 Ready to Use Acid Free Disinfectant Bathroom & Kitchen Cleaner	Arrow Chemical Products, Inc	1839-83-5747
Foster First Defense	HB Fuller Construction Products Inc.	6836-152-63836
Fresh Breeze TB	MISCO PRODUCTS	1839-83-8325
FRESH BREEZE TB	CANI INC	1839-83-72174
FRESH BREEZE TB DISINFECTANT	J & R PRODUCTS	1839-83-69459
FRESH-ETTE LEMON	Griffin Bros. Inc.	1839-83-1770
GERM BANDIT TB	ENVIROCHEMICAL INC	1839-83-66061
GERM CRUSHER RTU DETERGENT & DISINFECTANT	GMS INDUSTRIAL SUPPLY	1839-83-84842
Germ Swipe	CHEMCO PRODUCTS COMPANY	1839-83-10693
Germicidal Giant	Neutron Industries	44446-23-42666
Germi-Kleen Non-Acid Bowl & Bathroom Disinfectant	National Chemical Laboratories, Inc.	1839-83-2296
Germ-Kleen Germicidal Foaming Cleaner	Maintenance Supplies and Marketing, Inc.	1839-83-54865
HAMMER DISINFECTANT CLEANER	HOLT PAPER & CHEMICAL CO	1839-83-23747
Hang Time Ready to Use Foaming Disinfectant Cleaner	Arrow Chemical Products, Inc	1839-83-5747
HI-TIDE RTU DISINFECTANT	MID-AMERICAN RESEARCH CHEMICAL CORP.	1839-83-12204
Hospital Disinfectant Spray	Sani-care Salon Products, Inc.	1839-83-75562
Husky 814 Tuberculocidal Disinfectant	Canberra Corporation	1839-83-8155
INTERvention Farm Animal Care Disinfectant Cleaner & Deodorizer Ready to Use	Virox Technologies, Inc.	74559-9
KLERCIDE 70/30 IPA	Ecolab Inc	1677-249
LASAR CHEMICALS K.O. GERMICIDAL RTU DETERGENT AND DISINFECTANT	Lasar Chemicals LLC	1839-83-82125
LAV FRESH TB	BORTEK INDUSTRIES	1839-83-62541
LAVFRESH TB	Bortek Industries	1839-83-62541
Lemon Disinfectant	American Chemical Systems	6836-152-86408
LX-0307 RTU QUAT CLEANER DISINFECTANT	ABC COMPOUNDING CO., INC	1839-83-3862
LYSOL BRAND BLEACH MULTI-PURPOSE CLEANER	RB	777-83
LYSOL BRAND BLEACH MOLD AND MILDEW REMOVER		
LYSOL BRAND CLING & FRESH TOILET BOWL CLEANER	RB	777-70
LYSOL BRAND POWER PLUS TOILET BOWL CLEANER	RB	777-132
LYSOL BRAND POWER TOILET BOWL CLEANER	RB	777-81
LYSOL BRAND LIME & RUST TOILET BOWL CLEANER		
LYSOL® DISINFECTANT MAX COVER MIST	RB	777-127
LYSOL® DISINFECTANT SPRAY	RB	777-99
PROFESSIONAL LYSOL® DISINFECTANT SPRAY		
MADACIDE-1 HOSPITAL DISINFECTANT / DECONTAMINANT CLEANER DETERGENT / DISINFECTANT READY TO USE	MADA Medical Products, Inc.	1839-83-11703
MAPS- 1 RTU	SynBionic Evolution, LLC.	6836-289-92677
Maxim GSC Germicidal Spray Cleaner	Midlab	1839-83-45745

Maxim No Acid Non-Acid Bowl & Restroom Disinfectant Cleaner RB 352 Brite	Midlab	1839-83-45745
McKesson Pro-Tech RTU Disinfectant Cleaner	McKesson Medical-Surgical, Inc.	1839-83-80366
Medline Micro-Kill R2	Medline Industries, Inc	1839-220-37549
Micro-Kill Bleach Germicidal Bleach Solution	Medline Industries, Inc	37549-2
Micro-Kill Bleach Germicidal Bleach Wipes	Medline Industries, Inc	37549-1
Miracle Disinfectant Spray and Wipe Cleaner	Swish Maintenance Limited	1839-83-67205
MORTIMER FRESH BREEZE TB	HOOOPER LEE GROUP	1839-83-87244
MULTI-GUARD	Continental Research	1839-83-9838
NAD NON-ACID BATHROOM CLEANER RTU DISINFECTANT & DETERGENT	SOUTHERN MAINTENANCE SUPPLY	1839-83-46167
Nemesis Cleaner & Disinfectant	Charlotte Products Ltd.	1839-83-64900
Neutron Power Tabs	Neutron Industries	71847-6-42666
Non Acid Bowl Cleaner	Swish Maintenance Limited	1839-83-67205
Non-Acid Bathroom Cleaner Victoria Bay	Victoria Bay	1839-83-68168
Non-Acid Disinfectant	Brady Industries, Inc.	1839-83-33737
Nyco TB Disinfectant RTU	Nyco Products Company	1839-83-8370
Oakite Sanitizer 4	Chemetall	6836-266-1020
One-Step Disinfectant Cleaner	Schultz Supply Company	6836-152-46493
Optim 1	SciCan Ltd.	74559-9-83259
Optim 33 TB	SciCan Ltd.	74559-1-83259
Oracle 1	Share Corporation	88494-3-11547
OXIVIR 1	Diversey, Inc.	70627-74
OXIVIR Tb	Diversey, Inc.	70627-56
PARVO SCRUB RTU VETERINARY DISINFECTANT CLEANER	JANI SOURCE INC	1839-83-83937
Performex RTU	Brulin & Company, Inc.	1839-220-106
PERIMO RTU SURFACE DISINFECT	CERTUS MEDICAL INC	1839-83-88205
PEROXIDE DISINFECTANT AND GLASS CLEANER RTU	Ecolab Inc/Kay Chemical Co.	1677-251
PEROXIDE MULTI SURFACE CLEANER AND DISINFECTANT RTU	Ecolab Inc/Kay Chemical Co.	1677-251
Peroxigard Ready to Use One-Step Disinfectant Cleaner and Deodorizer for Use in Life Sciences	Virox Technologies, Inc.	74559-9
Pine Glo Antibacterial Kitchen & Bathroom Cleaner and Disinfectant	Pine Glo Products	6836-152-49827
Pine Glo Lavender Antibacterial Kitchen & Bathroom Cleaner and Disinfectant	Pine Glo Products	6836-152-49827
Pine Glo Ocean Antibacterial Kitchen & Bathroom Cleaner and Disinfectant	Pine Glo Products	6836-152-49827
Pine Glo Orange Antibacterial Kitchen & Bathroom Cleaner and Disinfectant	Pine Glo Products	6836-152-49827
POWER-CIDAL R-T-U	MID-AMERICAN RESEARCH CHEMICAL CORP.	1839-83-12204
PREempt RTU	Virox Technologies, Inc.	74559-1
PROPOWER ORIGINALS BOWL-CLEAN NON-ACID BOWL CLEANER READY-TO-USE	Independent Marketing Alliance	1839-83-75686
Protection that Lives on Microban 24 Hour Keeps Killing 99.9% of Bacteria for Up to 24 Hours Bathroom Cleaner (Microban 24 hour Bathroom Cleaner)	The Procter & Gamble Company	4091-22-3573
Protection that Lives on Microban 24 Hour Keeps Killing 99.9% of Bacteria for Up to 24 Hours Multipurpose Cleaner" (Microban 24 Hour Multi-Purpose Cleaner)	The Procter & Gamble Company	4091-21-3573
Protection That Lives On Microban Professional Brand 24 Keeps Killing 99.9% of Bacteria For Up To 24 Hours Bathroom Cleaner	Microban Products Company	4091-22-42182
Protection That Lives On Microban Professional Brand 24 Keeps Killing 99.9% of Bacteria For Up To 24 Hours Multi-Purpose Cleaner	Microban Products Company	4091-21-42182
PURACLEEN DISINFECTANT SPRAY	QBASED SOLUTIONS, INC.	1839-83-83894
PURELL Food Processing Surface Sanitizer	GOJO Industries, Inc.	84368-1-84150
PURELL Foodservice Surface Sanitizer	GOJO Industries, Inc.	84368-1-84150
PURELL Healthcare Surface Disinfectant	GOJO Industries, Inc.	84368-1-84150
PURELL Multi Surface Disinfectant	GOJO Industries, Inc.	84368-1-84150
PURELL Professional Surface Disinfectant	GOJO Industries, Inc.	84368-1-84150
QT-TB	Hillyard Industries, Inc.	1839-83-1658
QT-TB Hillyard	Hillyard Inc./Central Sanitary Supply	1839-83-1658
Quat Plus TB	Rochester Midland Corporation	1839-83-527
Quatricide TB	Pharmaceutical Research Labs., Inc.	1839-83-8714
Quick Defense Disinfectant Tabs	State Industrial Products	71847-6-70799
READY TO USE INTERIOR CAR SURFACE SANITIZER, DISINFECTANT & DEODORIZER	Simoniz USA, Inc.	6836-152-18305
READY-SET-GO!	MOMAR, Inc.	1839-83-1553
Rejuvenate Ready to Use One Step Disinfectant Cleaner For Use in Spas, Salons & Clinics	Virox Technologies, Inc.	74559-1
REScue Ready to Use One Step Disinfectant Cleaner & Deodorizer	Virox Technologies, Inc.	74559-9
RestorOx	Virox Technologies, Inc.	74559-9
RTP Ready to Perform Disinfecting Cleaner	PDQ Manufacturing, Inc.	6836-152-58880
RTP Ready to Perform Disinfecting Cleaner	PDQ Manufacturing, Inc.	6836-152-58880
RTU Disinfectant Cleaner	U S Chemical	70627-2-7546
SANI A/C	CHEMTRON	1839-83-68921
SANI CLEAN DISINFECTANT DETERGENT	Harvard Chemical, LLC.	1839-83-61524
Sani-24 Germicidal Spray	Professional Disposables International, Inc.	42182-9-9480
Sanicare TBX	Buckeye International, Inc.	1839-83-559
Sani-HyPerCide Germicidal Spray	Professional Disposables International, Inc.	9480-14
Sani-Prime Germicidal Spray	Professional Disposables International, Inc.	9480-10
Sani-Spritz Spray	Nyco Products Company	6836-152-8370

Sanizide Plus Germicidal Solution	Safetec of America	1839-83-67161
SaniZide Pro 1 Spray	Safetec of America, Inc.	88494-3-67161
SaniZide Pro 1 Wipes	Safetec of America, Inc.	88494-4-67161
SC-RTU DISINFECTANT CLEANER	Stepan Company	1839-220
SC-RTU-360 DISINFECTANT	Spectral Chemical Co Inc	1839-220-33466
SELECT ACID FREE	BROOKMEADE HARDWARE & SUPPLY COMPANY	1839-83-58336
Simoniz Antimicrobial All-Purpose Disinfectant Cleaner	Simoniz USA, Inc.	1839-83-18305
Simple Green Clean Finish	Sunshine Makers, Inc	1839-220-56782
Solucide Hard Surface Disinfectant Spray	Medical Chemical Corporation	1839-83-15136
Spray 77	Emulso	1839-83-19
SPRITZ	CARE LABS, INC	1839-83-56669
Spritz	Care Labs, Inc.	1839-83-56669
SUPER Q	SELECT SPECIALTY PRODUCTS	1839-83-50735
SURFACE KLEEN TB	GENERAL PRODUCTS & SUPPLY INC.	1839-83-41316
SUV Ultra 5 Disinfectant & Cleaner	OSHA Review, Inc.	6836-366-70809
T.B. QUAT	PRO CHEM, INC.	1839-83-11861
TB Cide Quat	Spartan Chemical Company, Inc.	1839-83-5741
TB DISINFECTANT CLEANER READY-TO-USE	Ecolab Inc/Kay Chemical Co.	1839-83-1677
TB Quat	Gordon Food Service	70627-2-45133
TB QUAT	AERO CHEMICAL CO	1839-83-13103
TB Quat Disinfectant	Warsaw Chemical Holdings LLC	1839-83-2230
TB-Cide Quat®	Spartan Chemical Company, Inc.	1839-83-5741
TB-Quat	Alco-Chem, Inc.	1839-83-34714
Triple Quick Fresh and Clean Disinfecting Cleaner	State Industrial Products	1839-83-70799
Triple Quick Lavender Meadow Disinfecting Cleaner	State Industrial Products	1839-83-70799
Turbo Kill	Maintex Inc	1839-83-6885
UNITED 282	United Laboratories, Inc.	1839-83-9250
VIRASEPT	Ecolab Inc	1677-226
Viro-Stat RTU	Share Corporation	6836-152-11547
VIRU SCRUB RTU DISINFECTANT CLEANER	JANI SOURCE INC	1839-83-83937
Wet & Forget Indoor Mold+Mildew Disinfectant Cleaner	Wet & Forget USA	6836-152-85342
WIPE OUT SPRAY & WIPE LIMPIADOR, DESINFECTANTE, DESODORANTE	PRECISE CHEMICAL & EQUIPMENT	1839-83-11824
Xpress Detergent Disinfectant	Auto-Chlor System	1839-83-6243
Xpress Detergent Disinfectant	Auto-Chlor System	1839-83-6243
X-Ray Apron Cleaner Disinfectant	BioXco LLC / MediRedi LLC	6836-289-93240
Zani One-Step	Crestek Cleaning Center, Inc.	1839-83-69410
Zep Antibacterial Disinfectant & Cleaner	Zep	1839-83-40849
Zep Quick Clean Disinfectant	Zep	1839-220-40849
Zep Spirit II	Zep	1839-83-1270

Tier I Products - Products that are in compliance with EPA's *Emerging Viral Pathogen Guidance for Antimicrobial Pesticides*

Dilutable Products

Commercially Available Product Name	Company/Distributor	EPA REG No.
128 Disinfectant	Dalco Enterprises, Inc	6836-365-87580
128 E-Fecticide	Multi-Clean Inc.	6836-365-5449
14 PLUS ANTIBACTERIAL ALL PURPOSE CLEANER	Ecolab Inc	6836-349-1677
20 NEUTRAL DISINFECTANT CLEANER	Ecolab Inc	47371-129-1677
256 Century Q	Multi-Clean Inc.	47371-129-5449
3M™ Disinfectant Cleaner RCT Concentrate	3M	6836-349-10350
3M™ MBS Disinfectant Cleaner Concentrate	3M	6836-361-10350
3M™ MBS Disinfectant Cleaner Fresh Scent Concentrate	3M	6836-361-10350
3M™ Neutral Quat Disinfectant Cleaner Concentrate	3M	47371-129-10350
3M™ Quat Disinfectant Cleaner Concentrate	3M	6836-78-10350
A-456 II DISINFECTANT CLEANER	Ecolab Inc	6836-78-1677
Accel Concentrate	Virox Technologies, Inc.	74559-4
ACS Tornado 1 - One Step Disinfectant	American Chemical Systems	6836-75-86408
AQ+ Ultra Disinfectant Sanitizer and Deodorizer	Franklin Cleaning Technology	6836-70-1124
Array Non-Acid Restroom Cleaner & Disinfectant P	Gordon Food Service	6836-75-45133
Avert Sporidical Disinfectant Cleaner	Diversey, Inc.	70627-72
Blend Rite Quat 256	Simoniz USA, Inc.	47371-129-18305
Blend Rite Syn Quat Sanitizer	Simoniz USA, Inc.	6836-70-18305
BNC-15	Spartan Chemical Company	6836-348-5741
BOOST 3200	Ecolab Inc	63761-8-1677
BOOST 3200 CIP	Ecolab Inc	63761 -8-1677
BOOST SURFACE TREATMENT	Ecolab Inc	63761-10-1677
Brighton Professional Hepastat 256	Staples Contract & Commercial LLC	6836-78-86226
Broad-Cide Plus	OSCEOLA SUPPLY, INC.	6836-365-62865
Buckey Sanicare Mint Quat	Buckeye International, Inc.	47371-131-559
Buckeye Eco Neutral Disinfectant	Buckeye International, Inc.	47371-129-559
Buckeye Eco One-Step Disinfectant-Deodorizer-Cleaner	Buckeye International, Inc.	6836-78-559
Buckeye Sanicare Lemon Quat	Buckeye International, Inc.	47371-131-559
Buckeye Sanicare Pine Quat	Buckeye International, Inc.	47371-131-559
Buckeye Sanicare Quat 128	Buckeye International, Inc.	47371-130-559
Buckeye Sanicare Quat 256	Buckeye International, Inc.	47371-129-559
Buckeye Sani-Q ²	Buckeye International, Inc.	6836-266-559
Buckeye Terminator	Buckeye International, Inc.	6836-75-559
Cdiff DISINFECTANT TABLETS	Total Solutions	71847-6-68562
CEN-KLEEN IV	ARJO HUNTLEIGH, INC. D/B/A ARJOHUNTLEIGH	6836-75-45556
Centraz San Sol 10	Centraz Industries, Inc.	6836-266-9194
Cents-Able Disinfectant-Cleaner-Fungicide-Virucide	Archer Manufacturing	6836-77-69886
Classic Whirlpool Disinfectant and Cleaner	Central Solutions, Inc.	6836-75-211
Clean Quick Broad Range Quaternary Sanitizer	The Procter & Gamble Company	6836-278-3573
CLICKSAN DISINFECTANT/SANITIZER	Ecolab Inc/Kay Chemical Co.	6836-305-5389
Clorox Disinfecting Bleach2	The Clorox Company	5813-111
Clorox Germicidal Bleach3	The Clorox Company	5813-114
Clorox Performance Bleach1	The Clorox Company	5813-114
CloroxPro™ Clorox® Germicidal Bleach	Clorox Professional Products Company	67619-32
Coastwide Professional Hepastat 256	Staples Contract & Commercial LLC	6836-78-86226
CONFIDENCE PLUS 2	WALTER G LEGGE CO/MINE SAFETY APPLIANCES COMPANY	47371-130-4204
COSA OXONIA ACTIVE	Ecolab Inc	1677-129
Dakil S	Davis Manufacturing and Packaging, Inc.	47371-129-50591
Enviro Care Neutral Disinfectant	Rochester Midland Corporation	47371-131-527
ES364 Neutral Disinfectant	Charlotte Products Ltd.	6836-366-64900
Extra Spearmint Germicidal Detergent and Deodorant	U S Chemical	47371-131-7546
FOOD CONTACT QUAT SANITIZER	Ecolab Inc	6836-70-541
Formula 17750 Wintermint	Chemsafe International	47371-131-55731
Formula 17822 Deo-Clean Multi	Chemsafe International	47371-131-55731
Fox Quat	Fox Manufacturing, Inc.	6836-70-89911
Fox Quat	Fox Manufacturing, Inc.	6836-70-89911
G-5 Sanitizer	Diversey, Inc.	6836-266-70627
GASCO Quaternary Sanitizer	GASCO INDUSTRIAL Corp.	6836-266-81974
Germ-A-Cide 64	Detco Industries, Inc.	47371-131-58111
Germicidal Cleaner and Disinfectant	Gordon Food Service	47371-131-45133

Greenex Multi-Quat Food Contact Sanitizer	Greenex Clean Group, LLC	6836-70-93703
Horizon Vantage	UNX Industries, Inc.	6836-75-7116
Husky 824 Quick Care Disinfectant	Canberra Corporation	6836-348-8155
Husky 892 Arena Plus	Canberra Corporation	6836-365-8155
INTERvention Farm Animal Care Disinfectant Cleaner & Deodorizer	Virox Technologies, Inc.	74559-4
KAY SURFACE SANITIZER	Ecolab Inc/Kay Chemical Co.	6836-70-5389
KAYQUAT II	Ecolab Inc/Kay Chemical Co.	6836-266-5389
Lemon All 1	American Formula	47371-131-72114
Lemon Cleaner	U S Chemical	47371-131-7546
LYSOL BRAND CLEAN & FRESH MULTI-SURFACE CLEANER	RB	777-89
Magic Germicide	Osceola Supply	6836-70-62865
Magic Germicide	Osceola Supply	6836-70-62865
Medline Micro-Kill NQ5	Medline Industries, Inc	6836-364-37549
Micronex	Zep	47371-129-1270
Mint Disinfectant Plus	Gurtler Industries, Inc.	6836-75-47567
MixMate Germicidal Cleaner	U S Chemical	47371-131-7546
MixMate Microtech Non-Acid Restroom Cleaner & Disinfectant	U S Chemical	6836-75-7546
MixMate Non-Acid Restroom Cleaner & Disinfectant	U S Chemical	6836-75-7546
MULTI-PURPOSE NEUTRAL PH GERMICIDAL DETERGENT	Ecolab Inc	47371-131-1677
multi-quat mega-1	Intercon Chemical Company	6836-77-48211
NEUTRAL DISINFECTANT CLEANER	Ecolab Inc	47371-129-1677
Neutral Disinfectant Cleaner	Gordon Food Service	47371-131-45133
Neutra-Tec 64	Surtec, Inc.	47371-131-40714
OASIS 499 HBV DISINFECTANT	Ecolab Inc	6836-78-1677
OPI SpaComplete	OPI Products, Inc.	6836-77-70397
OXONIA ACTIVE	Ecolab Inc	1677-129
OXYCIDE DAILY DISINFECTANT CLEANER	Ecolab Inc	1677-237
OXY-TEAM™ DISINFECTANT CLEANER	Diversey, Inc.	70627-58
PC-30F M-KYL 128 FOAMER	Pioneer Chemical Co.	6836-136-151
Performex	Bruhin & Co., Inc.	6836-364-106
PEROXIDE MULTI SURFACE CLEANER AND DISINFECTANT	Ecolab Inc/Kay Chemical Co.	1677-238
Peroxigard Concentrate One-Step Disinfectant Cleaner and Deodorizer for Use in Life Sciences	Virox Technologies, Inc.	74559-4
pH7Q	Betco Corporation	47371-131-4170
Pillage Disinfectant Tablets	Share Corporation	71847-6-11547
Pine Cleaner Disinfectant	U S Chemical	47371-131-7546
Pine Quat	Betco Corporation	47371-192-4170
PREempt Concentrate	Virox Technologies, Inc.	74559-4
PROFESSIONAL LYSOL® HEAVY DUTY BATHROOM CLEANER CONCENTRATE	RB	675-54
PUR:ONE	EarthSafe Chemical Alternatives, LLC	71847-7-91524
PUR TABS	EarthSafe Chemical Alternatives, LLC	71847-6-91524
Q.T. 3	Hillyard Industries, Inc	6836-349-1658
Q.T.Plus	Hillyard Industries, Inc	6836-77-1658
Q-128® One-Step Germicidal Detergent And Deodorant	Franklin Cleaning Technology	47371-130-1124
Q-Rinse	PDQ Manufacturing, Inc.	6836-70-58880
Q-Rinse	PDQ Manufacturing, Inc.	6836-70-58880
Q-Rinse	20/20 Chemical	6836-70-73501
QT-3 Hillyard	Hillyard Inc./Central Sanitary Supply	6836-349-1658
QT-Plus Hillyard	Hillyard Inc./Central Sanitary Supply	6836-77-1658
QUAT 64	Simoniz USA, Inc.	47371-131-18305
Quat Stat 5	Betco Corporation	6836-361-4170
Quat-7	International Market Brands, Inc.	6836-70-67395
Quat-7	International Market Brands, Inc.	6836-70-67395
QUATERNARY DISINFECTANT CLEANER	Ecolab Inc	6836-78-1677
Quaternary Disinfectant Cleaner	SC Johnson Professional	6836-78-89900
QUATGARD 11630	Chemco Products Company	6836-266-10693
QUATGARD 630	Chemco Products Company	6836-266-10693
Quato 78 Plus Germicidal Detergent & Deoderant	Swish Maintenance Limited	47371-130-67205
Rejuvenate Concentrate One Step Disinfectant Cleaner For Use in Spas, Salons & Clinics	Virox Technologies, Inc.	74559-4
REScue Concentrate One Step Disinfectant Cleaner & Deodorizer	Virox Technologies, Inc.	74559-4
SANI QUAD FOOD SERVICE SANITIZER	Ecolab Inc/Kay Chemical Co.	6836-70-1677
Sani-Blue	Crystal Chemical Company, Inc..	6836-70-67440
Sani-Blue	Crystal Chemical Company, Inc.	6836-70-67440
Sanifect Plus 1	U S Chemical	47371-131-7546
Sanifect Plus 2 Fresh N Clean	U S Chemical	47371-131-7546
SANITIZER / COMMERCIAL SANITIZER	Ecolab Inc	6836-302-1677

Sanix	UNX Industries, Inc.	47371-130-7116
SD Disinfecting Cleaner	Native Green	6836-77-85898
Simple Green d Pro 5	Sunshine Makers, Inc.	6836-140-56782
Stepan Spray Disinfectant Concentrate	Stepan Company	1839-248
SUPER 60 PYM 64 FOAMER	Pioneer Chemical Co.	47371-131-151
SUPER SAN FOOD SERVICE SANITIZER	Ecolab Inc/Kay Chemical Co.	6836-305-1677
Symplicity Sanibet Multi-Range Sanitizer	Betco Corporation	6836-266-4170
Synergex	Ecolab Inc	1677-250
TEC-QUAT 128	Getinge USA Sales, LLC	6836-77-10648
Triforce	Betco Corporation	6836-349-4170
TRIPLE PLAY	Ecolab Inc/Kay Chemical Co.	47371-131-541
Triple Two	Health Technology Professional Products, Inc	6836-75-69146
Triton	Zep	6836-78-1270
Trumix® DC2 Q-128® One-Step Germicidal Detergent And Deodorant	Franklin Cleaning Technology	47371-130-1124
Trumix® DC2 Q-256® One-Step Germicidal Detergent And Deodorant	Franklin Cleaning Technology	47371-129-1124
TruShot Disinfectant Cleaner For Hospitals	SC Johnson Professional	6836-348-89900
TruShot Disinfectant Cleaner Restroom Cleaner & Disinfectant	SC Johnson Professional	6836-348-89900
United 255 DISINFECT PLUS	UNITED LABORATORIES INC	47371-131-9250
Vanquish	Total Solutions	6836-140-68562
Virex Plus	Diversey, Inc.	6836-349-70627
VIREX™ II / 256	Diversey, Inc.	70627-24
Viro-Stat	Share Corporation	6836-140-11547
Whizzer	Mueller Sports Medicine	6836-77-10118
Wide Range II Non-Acid Disinfectant Washroom Cleaner Concentrate	Diversey, Inc.	6836-75-70627

Tier I Products - Products that are in compliance with EPA's *Emerging Viral Pathogen Guidance for Antimicrobial Pesticides*

Wipe products

Commercially Available Product Name	Company/Distributor	EPA REG No.
Accel Tb Wipes	Virox Technologies, Inc.	74559-3
BROAD SPECTRUM GERMICIDAL DISINFECTANT HEALTH CARE WIPES	Kandel & Son Inc	6836-340-40976
Buckeye Sanicare Disinfecting Wipes	Buckeye International, Inc.	6836-313-559
CaviWipes Bleach	Metrex	46781-14
CaviWipes1	Metrex	46781-13
CLAIRE BROAD SPECTRUM GERMICIDAL & DISINFECTANT WIPE	Claire Manufacturing Company	6836-340-706
Clorox Commercial Solutions® Clorox® Disinfecting Wipes	Clorox Professional Products Company	67619-31
Clorox Commercial Solutions® Hydrogen Peroxide Cleaner Disinfectant Wipes	Clorox Professional Products Company	67619-25
Clorox Disinfecting Wipes	The Clorox Company	5813-79
Clorox Healthcare® Bleach Germicidal Wipes	Clorox Professional Products Company	67619-12
Clorox Healthcare® Hydrogen Peroxide Cleaner Disinfectant Wipes	Clorox Professional Products Company	67619-25
Clorox Healthcare® VersaSure® Wipes	Clorox Professional Products Company	67619-37
Dispatch	Clorox Healthcare	56392-8
Fabuloso Complete Disinfecting Wipes	Colgate-Palmolive Company	6836-336-4582
Flexwipe Disinfectant WIPES	NATIONAL TOWELETTE COMPANY	6836-340-70930
Germ Freak	Bissell Homecare, Inc.	74559-3-6297
Handyclean™ Steridol Wipes	Diamond Wipes International, Inc.	6836-340-74058
I7 DISINFECTANT WIPES	Ecolab Inc/Kay Chemical Co.	6836-340-1677
INTERvention Farm Animal Care Disinfectant Cleaner & Deodorizer Ready to Use Wipes	Virox Technologies, Inc.	74559-10
LCP BROAD SPECTRUM GERMICIDAL & DISINFECTANT WIPES	LOR Cleaner Products	6836-340-88324
Lysol® Disinfecting Wipes (All Scents)	RB	777-114
Monk Disinfectant Wipes	Dreumex USA, Inc.	6836-313-91910
MULTI PURPOSE DISINFECTING WIPES	Ecolab Inc	6836-340-1677
NASSCO PRO SERIES 88 BROAD SPECTRUM GERMICIDAL & DISINFECTANT WIPES	NASSCO Inc	6836-340-18166
NCLwipes Disinfectant Wipes Lemon Fresh	National Chemical Laboratories, Inc.	6836-340-2296
NCLwipes Disinfectant Wipes Waterfall Fresh	National Chemical Laboratories, Inc.	6836-340-2296
Optim 1 Wipes	SciCan Ltd.	74559-10-83259
Optim 33 Tb Wipes	SciCan Ltd.	74559-3-83259
Oxivir 1 Wipes	Diversey, Inc.	70627-77
OXIVIR™ WIPES	Diversey, Inc.	70627-60
Pathos II Disinfectant Wipes	Share Corporation	6836-340-11547
Peroxigard Wipes One-Step Disinfectant Cleaner and Deodorizer for Use in Life Sciences	Virox Technologies, Inc.	74559-10
PREempt Wipes	Virox Technologies, Inc.	74559-3
PURELL Foodservice Surface Sanitizing Wipes	GOJO Industries, Inc.	84150-1
PURELL Professional Surface Disinfectant Wipes	GOJO Industries, Inc.	85150-1
Rejuvenate Ready To Use Wipes One Step Disinfectant Cleaner for Use in Spas, Salons & Clinics	Virox Technologies, Inc.	74559-3
REScue Wipes One Step Disinfectant Cleaner & Deodorizer	Virox Technologies, Inc.	74559-10
Sani-Cloth Prime Germicidal Disposable Wipe	Professional Disposables International, Inc.	9480-12
SCRUBS® MEDAPHENE® Plus Disinfecting Wipes	ITW Pro Brands	6836-340-11694
SONO Disinfecting Wipes	Advanced Ultrasound Solutions, Inc.	6836- 340-89018
SONO Ultrasound Wipes	Advanced Ultrasound Solutions, Inc.	6836- 340-89018
Spec4 Disinfectant Wipes	Total Solutions	6836-340-68562
SSS TRIPLE S DISINFECTANT WIPES	Triple S	6836-340-12120
Touch Point Plus Disinfectant Wipes	Innocore Sales & Marketing	6836-340-92977
trophon® Companion Cleaning Wipes	Nanosonics	6836-340-93267
Wipes Plus Disinfecting Wipes 1	Progressive Products, LLC.	6836-340-75399

Tier II - Products that Disinfect Against Human Coronavirus

As of March 13, EPA is supporting the use of products that have demonstrated efficacy against another human coronavirus similar to SARS-CoV-2 on its List N, Disinfectants for Use Against SARS-CoV-2. In other words, the product has not proven that it can kill harder to kill viruses than SARS-CoV-2, which would be a Tier I product, but it can kill viruses like SARS-CoV-2. CBC therefore has amended its list to include a Tier II listing of products that state that they can disinfect human coronavirus.

EPA recommendation is that only if a product with an emerging viral pathogen claim is not available, use a product that will disinfect against human coronavirus.

Tier II - Products that Disinfect Against Human Coronavirus			
Commercially Available Product Name	Company/Distributor	EPA REG No.	Formulation Type
#0015 San-O-15	Hill Manufacturing	1839-79-402	Dilutable
#0128 San-O-128	Hill Manufacturing	10324-155-402	Dilutable
65 Disinfecting Heavy Duty Acid Bathroom Cleaner	Ecolab Inc	1677-204	Dilutable
Array Comprehensive Clean Germicidal Bleach & Disinfectant	Gordon Food Service, Inc	70271-13-45133	Dilutable
Asepticare	Ecolab Inc	42964-17	RTU
Aseptrol S10 Tab	BASF Corporation	70060-19	Dilutable
BOARDWALK GERMICIDAL ULTRA BLEACH	United Stationers Supply Company	70271-13-84728	Dilutable
BTC 2125 M 10% SOLUTION	Stepan Company	1839-86	Dilutable
BTC 2125M 20% SOLUTION	Stepan Company	1839-155	Dilutable
BTC 885 NDC-128	Stepan Company	1839-166	Dilutable
BTC 885 NDC-32	Stepan Company	1839-168	Dilutable
BTC 885 NEUTRAL DISINFECTANT CLEANER-256	Stepan Company	1839-167	Dilutable
BTC 885 NEUTRAL DISINFECTANT CLEANER-64	Stepan Company	1839-169	Dilutable
Champ	Wechem, Inc.	1839-169-34370	RTU
Disinfectant / Sanitizer	Brody Chemical	1839-86-64885	Dilutable
Ecolution Disinfectant	State Industrial Products	61178-1-70799	RTU
Enviro-Solutions 24+	Charlotte Products Ltd.	1839-79-68138	Dilutable
Enviro-Solutions 25+	Charlotte Products Ltd.	1839-95-68138	Dilutable
Enviro-Solutions 512 Sanitizer	Charlotte Products Ltd.	1839-86-68138	Dilutable
Enviro-Solutions 64H Neutral Disinfectant Cleaner	Charlotte Products Ltd.	1839-169-68138	Dilutable
Fantastik Disinfectant Advanced Kitchen & Grease Cleaner	S.C. Johnson & Son, Inc.	4822-613	RTU
Fantastik Disinfectant Multi-Purpose Cleaner	S.C. Johnson & Son, Inc.	4822-613	RTU
FIRST MARK GERMICIDAL ULTRA BLEACH	Performance Food Group	70271-13-73835	Dilutable
Formula 236 Terg-o-cide	State Industrial Products	10324-154-70799	RTU
Formula 362 No Rinse	State Industrial Products	61178-1-70799	RTU
FROSTY ACRES RESTAURANT'S PRIDE ADVANTAGE GERMICIDAL ULTRA BLEACH	FAB Inc	70271-13-55020	Dilutable
FSC 35K (Scrub Free Bathroom Cleaner and Disinfectant)	Ecolab Inc	1677-256	Dilutable
GS High Dilution Disinfectant® 256	Spartan Chemical Company Inc.	1839-167-5741	Dilutable
GS Neutral Disinfectant Cleaner	Spartan Chemical Company Inc.	1839-169-5741	Dilutable
Halt®	Spartan Chemical Company Inc.	10324-93-5741	Dilutable
Hard Surface Disinfecting Wipes (Fresh Scent)	Spartan Chemical Company, Inc.	1839-190-5741	Wipe
Hard Surface Disinfecting Wipes (Lemon Scent)	Spartan Chemical Company, Inc.	1839-190-5741	Wipe
HB Quat	Ecolab Inc	61178-1-42964	Dilutable
HDQ Neutral®	Spartan Chemical Company Inc.	10324-155-5741	Dilutable
hdqC 2®	Spartan Chemical Company Inc.	1839-169-5741	Dilutable
Hydris	Ecolab Inc	1677-241	RTU
LIQUID-PAK NEUTRAL DISINFECTANT CLEANER	Stepan Company	1839-176	Dilutable
Lysol Neutra Air® 2 in 1	RB	777-136	RTU
Lysol® Brand All Purpose Cleaner – (All Scents)	RB	777-66	RTU
Lysol® Kitchen Pro Antibacterial Cleaner	RB	777-91	RTU
Lysol® Laundry Sanitizer (Pre-soak Only)	RB	777-128	Dilutable
MB-10 Tablets	Quip Laboratories, Inc.	70060-19-46269	Dilutable
Micro Q64 Cleaner & Disinfectant	Charlotte Products Ltd.	1839-169-64900	Dilutable
Mold Armor Mold & Mildew Killer + Quick Stain Remover	W.M. Barr & Company, Inc.	4091-23	RTU
Mold Armor Mold Remover & Disinfectant	W.M. Barr & Company, Inc.	10324-85-4091	RTU
Mold Armor Rapid Clean Remediation	W.M. Barr & Company, Inc.	4091-23	RTU
MONOGRAM CLEANING DISPOSABLES DISINFECTANT BLEACH	U.S.Foods, Inc	70271-13-87442	Dilutable
Multi-Purpose Disinfectant Cleaner	Ecolab Inc	1677-233	Dilutable
NABC® Hard Surface Disinfecting Wipes	Spartan Chemical Company, Inc.	1839-190-5741	Wipe
NDC Morning Fresh Neutral Disinfectant Products	State Industrial Products	1839-169-70799	RTU
Neutral Restroom Cleaner	Ecolab Inc	10324-113-46597	Dilutable
NI-712 Disinfecting Cleaning Concentrate	Neutron Industries	1839-169-42666	RTU
Nisus DSV	Nisus Corporation	10324-80-64405	Dilutable

NP 3.2 (D & F) DETERGENT/DISINFECTANT	Stepan Company	1839-94	Dilutable
NP 3.2 DETERGENT/DISINFECTANT	Stepan Company	1839-78	Dilutable
NP 4.5 (D & F) DETERGENT/DISINFECTANT	Stepan Company	1839-95	Dilutable
NP 4.5 DETERGENT/DISINFECTANT	Stepan Company	1839-79	Dilutable
NP 9.0 (D & F) DETERGENT/DISINFECTANT	Stepan Company	1839-96	Dilutable
NP 9.0 DETERGENT/DISINFECTANT	Stepan Company	1839-81	Dilutable
Oxy-Sept 333	Ecolab Inc	1677-241	Dilutable
PDQ Manufacturing, Inc.	OptiBlend Dilution Control System #2 Cleaner/Disinfectant	1839-95-58880	Dilutable
PDQ Manufacturing, Inc.	Sani-Clean	1839-95-58880	Dilutable
PRIME SOURCE GERMICIDAL ULTRA BLEACH	Prime Source LLC	70271-13-68613	Dilutable
Profect® Healthcare Disinfecting Wipes	Spartan Chemical Company, Inc.	88494-2-5741	Wipe
Pro-Line	Wechem, Inc.	1839-168-34370	RTU
PROPOWER ORIGINALS GERMICIDAL ULTRA BLEACH	Independent Marketing Alliance	70271-13-75686	Dilutable
Protection that Lives on Microban 24 Hour Keeps Killing 99.9% of Bacteria for Up to 24 Hours Sanitizing Spray (Microban 24 Hour Sanitizing Spray)	The Procter & Gamble Company	4091-20-3573	RTU
Protection That Lives On Microban Professional Brand 24 Keeps Killing 99.9% of Bacteria For Up To 24 Hours Sanitizing Spray	Microban Products Company	4091-20-42182	RTU
PSQ II	Spartan Chemical Company Inc.	10324-93-5741	Dilutable
PURE BRIGHT GERMICIDAL ULTRA BLEACH	KIK International LLC	70271-13	Dilutable
PURELL Foodservice Surface Sanitizer, No Rinse Required	GOJO Industries, Inc	84150-3	RTU
PURELL Healthcare Surface Disinfectant	GOJO Industries, Inc	84150-4	RTU
PURELL Professional Surface Disinfectant	GOJO Industries, Inc	84150-3	RTU
Qaut X	Wechem, Inc.	1839-167-34370	RTU
Q-SAN 10.0	Ecolab Inc	10324-117-46597	Dilutable
Q-SAN 7.5	Ecolab Inc	10324-81-46597	Dilutable
Quaternary Disinfectant Wipes	Ecolab Inc	6836-372-1677	Wipe
Quatricide PV Second Generation	Pharmalac Research Labs., Inc.	10324-154-8714	Dilutable
Quatricide PV-15 Second Generation	Pharmalac Research Labs., Inc.	10324-141-8714	Dilutable
Quick Defense NDC	State Industrial Products	1839-236-70799	RTU
Quick Defense Wipes	State Industrial Products	6836-372-70799	RTU
Saniguard	Wechem, Inc.	1839-86-34370	RTU
SC -5:64HN	Stepan Company	1839-244	Dilutable
SC-5:128HN	Stepan Company	1839-246	Dilutable
SC-5:128N	Stepan Company	1839-236	Dilutable
SC-5:256HN	Stepan Company	1839-245	Dilutable
SC-5:256N	Stepan Company	1839-235	Dilutable
SC-5:64N	Stepan Company	1839-233	Dilutable
SC-AHD-128	Stepan Company	1839-213	Dilutable
SC-AHD-256	Stepan Company	1839-212	Dilutable
SC-AHD-64	Stepan Company	1839-211	Dilutable
SC-NDC-128	Stepan Company	1839-215	Dilutable
SC-NDC-256	Stepan Company	1839-214	Dilutable
SC-NDC-64	Stepan Company	1839-216	Dilutable
Scrubbing Bubbles Disinfectant Bathroom Grime Fighter	S.C. Johnson & Son, Inc.	4822-613	RTU
Fantastik Multi-Surface Disinfectant Degreaser	S.C. Johnson & Son, Inc.	89900-3	RTU
ServClean Sanitize	Charlotte Products Ltd.	10324-81-68138	RTU
State Po2wer DC	State Industrial Products	10324-214-70799	RTU
STEPAN DISINFECTANT WIPE	Stepan Company	1839-190	Wipe
Super HDQ Neutral®	Spartan Chemical Company Inc.	10324-141-5741	Dilutable
Super HDQ® L10	Spartan Chemical Company Inc.	1839-167-5741	Dilutable
Surface Defense Disinfecting Wipes	Neutron Industries	6836-372-42666	RTU
SUV Ultra Disinfecting Wipes	OSHA Review, Inc.	6836-372-70809	Wipe
Swish Food Service 1000	Swish Maintenance Limited	1839-79-67205	Dilutable
Swish Food Service 2000	Swish Maintenance Limited	1839-86-67205	Dilutable
SYSCO CLASSIC GERMICIDAL ULTRA BLEACH	Sysco Corporation	70271-13-29055	Dilutable
Twin-Chem, Inc.	MircroRid Disinfecant	1839-95-74808	Dilutable
VICTORIA BAY GERMICIDAL ULTRA BLEACH	Dade Paper and Bag Company	70271-13-82294	Dilutable
Victoria Bay Quality Products for Everyday Needs Germicidal Ultra Bleach1	Victoria Bay Products	70271-13-82294	Dilutable
Vimoba Tablets	Quip Laboratories, Inc.	70060-19-46269	Dilutable
Waxie Germicidal Ultra Bleach	Waxie's Enetprises Inc	70271-13-14994	Dilutable

As a public service, CBC is maintaining this list of antimicrobials that have proven to be effective against stronger pathogens, such as norovirus or ebola. By publishing and maintaining this open list, CBC relieves federal, state, and local health officials' resources in order to focus on other aspects of the important effort to limit spread of this new disease. Listing is voluntary and compliance with EPA's "emerging viral pathogen" guidance for antimicrobial products is verified by CBC. CBC will be working with federal and state officials to disseminate the list and make it accessible to all those who need to be in the know.

† To include a product on CBC's list of Coronavirus-Fighting Products, registrants of the products should please contact Ms. Komal K. Jain at

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