



ADMINISTRATIVE OFFICE OF THE COURTS
INTER-OFFICE

MEMO 2014-24

TO: Honorable Carolyn Timmann
Honorable Sharon Robertson
Honorable Joseph E. Smith
Honorable J.R. Smith

FROM: Thomas A. Genung, Trial Court Administrator

A handwritten signature in black ink, appearing to be "T. Genung", with a long horizontal line extending to the right.

DATE: May 15, 2014

RE: **Administrative Order 2014-06**
Criminal Background Investigation For Prospective and Current
Employees, Contractors and Volunteers Working in any
Courthouse in the 19th Judicial Circuit of Florida

Attached please find an original **Administrative Order 2014-06** for filing with the Court.

If you have any questions regarding the above, please do not hesitate to contact me.

TAG/js
Attachment

cc w/attach: All Judges in the Nineteenth Judicial Circuit
All Magistrates and Hearing Officers in the Nineteenth Judicial Circuit
All Staff Attorneys in the Nineteenth Judicial Circuit
Honorable Bruce Colton, State Attorney's Office
Honorable Diamond Litty, Public Defender's Office
All County Attorneys in the Nineteenth Judicial Circuit
All Local Law Libraries
All Local Bar Presidents
IT

IN THE CIRCUIT COURT OF THE
NINETEENTH JUDICIAL CIRCUIT
IN AND FOR INDIAN RIVER, MARTIN,
OKEECHOBEE AND ST. LUCIE
COUNTIES, FLORIDA

IN RE:

Criminal Background Investigation For
Prospective and Current Employees, Contractors
and Volunteers Working in any Courthouse in
the 19th Judicial Circuit of Florida

Administrative Order: 2014 - 06

WHEREAS, it is a common interest of the judges and administration of the 19th Judicial Circuit, Indian River, Martin, Okeechobee and St. Lucie County Commissioners, Clerks and Sheriffs that all persons attending court or working in the 19th Judicial Circuit Court facilities are reasonably safe and secure while in those facilities; and

WHEREAS, in recent years there has been an escalation of violence in and around courthouses and against judges, court, county and clerk staff, and law enforcement officials throughout the United States and in Florida; and

WHEREAS, matters coming before the court are wrought with emotion and life changing issues and outcomes; and

WHEREAS, to maintain a secure environment in the Courthouses in the 19th Judicial Circuit of Florida, it is important that all prospective and current employees, contractors and volunteers conducting work in the courthouses undergo a criminal background investigation to verify that the prospective or current employee/contractor/volunteer does not have any pending first degree misdemeanor or felony cases, or prior first degree misdemeanor or felony withholds or convictions; and

WHEREAS, the Sheriff of each county in the 19th Judicial Circuit is funded by the respective county commission to provide for courthouse security and attend all terms of the circuit and county courts in the respective county; and

WHEREAS, in accordance with and pursuant to rule 2.215 Florida Rules of Judicial Administration, it is therefore:

ORDERED:

1. That all prospective and current employees, contractors and volunteers working in the Indian River, Martin, Okeechobee or St. Lucie County Courthouse shall submit to a criminal background investigation prior to working in the facility, and shall be free of any convictions or withholds of adjudication for first degree misdemeanors or felonies and shall not have any pending first degree misdemeanor or felony case if accessing secure areas of the courthouse governed by the Chief Judge. Prior first degree misdemeanor or felony convictions or withholds

of adjudication, or pending first degree misdemeanor or felony charges may preclude a prospective or current employee, contractor or volunteer from access to the secure areas of the Indian River, Martin, Okeechobee and St. Lucie County Courthouses that are governed by the Chief Judge.

2. If a criminal background investigation shows a prior first degree misdemeanor or felony conviction or withhold of adjudication for a prospective or current employee, contractor or volunteer, the information detailing the conviction(s) or withhold(s) must be provided to that individual's manager, who shall immediately provide the information to the Chief Judge. The Chief Judge in consultation with the affected employer will determine if the prospective or current employee, contractor or volunteer will be allowed access to the secure areas of Indian River, Martin, Okeechobee or St. Lucie County Courthouse governed by the Chief Judge.

3. In the event that a current employee, contractor or volunteer is arrested for a misdemeanor or felony, that individual must immediately inform management in writing of the pending charges and nature of the charges. Upon receipt of the arrest information, the manager must provide that information to the Chief Judge. The Chief Judge in consultation with the affected employer will determine if the employee, contractor or volunteer will be allowed access to the secure areas of the Indian River, Martin, Okeechobee or St. Lucie County Courthouse governed by the Chief Judge.

4. Sheriff Deputies working court security details in each courthouse in the 19th Judicial Circuit may take any and all reasonable steps necessary to ensure the safety of all individuals in the respective courthouses.

5. Upon written request, and on a case-by-case basis, the Chief Judge may allow a prospective employee, employee, contractor or volunteer with a prior conviction or withhold of adjudication for a first degree misdemeanor or felony, or pending misdemeanor or felony charge to conduct work in the secure areas of the courthouse governed by the Chief Judge.

6. This Administrative Order replaces Administrative Order 2013 – 07.

DONE AND ORDERED in quadruplicate at Stuart, Martin County, Florida this 12th day of May, 2014.



Steven J. Levin
Chief Judge