

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

**ADMINISTRATIVE MEMORANDUM
NO. 20-8**

Court Administration – Section 24 AF 02

**IN RE: INTRODUCTION OF EVIDENCE
IN EVIDENTIARY HEARINGS AND
TRIALS CONDUCTED REMOTELY
DURING THE PANDEMIC IN THE
COUNTY COURT CIVIL DIVISION**

WHEREAS, The Eleventh Judicial Circuit and the County Civil Division and our staff and partners have worked tirelessly to resume all hearings electronically utilizing the Zoom platform. In addition to allowing non-evidentiary remote hearings pursuant to all of the Florida Supreme Court and Eleventh Judicial Circuit Administrative Orders, those Orders also provide for evidentiary hearings and swearing in of witnesses. Therefore, 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.

NOW THEREFORE, This memorandum shall set forth procedures for introduction and use of documentary evidence through remote means for evidentiary hearings (including non-jury trials):

1. At least five business days before an evidentiary hearing conducted by remote means, counsel, and where practicable, self-represented parties, shall file and serve all evidence sought to be introduced; and
2. 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
3. This procedure does not apply to physical evidence not stipulated or agreed to by the parties without court order; and
4. All Counsel representing parties shall confer prior to an evidentiary hearing during which they should endeavor to stipulate to as much as practicable regarding authenticity and admissibility; and
5. 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
6. Nothing in these procedures prohibits the Court from exercising its discretion from admitting or denying the entry of the documents described above.

7. After the hearing, counsel(s) must work promptly to prepare a correct index of exhibits which have been introduced and admitted 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

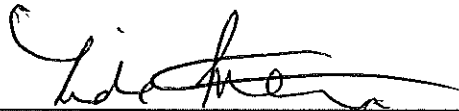
8. To the extent exhibits were not filed before the hearing and were considered by the Court, counsel shall file such exhibits forthwith; and

9. 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

10. 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 Miami-Dade County, Florida on April 14, 2020.

A handwritten signature in black ink, appearing to read "Linda Singer Stein", written over a horizontal line.

**LINDA SINGER STEIN, ADMINISTRATIVE JUDGE
COUNTY COURT CIVIL DIVISION**