

THE ELEVENTH JUDICIAL CIRCUIT,
DADE COUNTY, FLORIDA

CASE NO. 01-1
(Court Administration)

IN RE: DESIGNATION OF LOCATION FOR)
TAKING DEPOSITIONS OF) ADMINISTRATIVE ORDER
CHILDREN TWELVE (12) YEARS) No. 01-07
OLD OR YOUNGER)
_____)

WHEREAS, the Chief Judge of each judicial circuit is given the authority by Florida Statute and the Florida Rules of Judicial Administration to establish reasonable limits on discovery depositions and interviews of a victim or witness under the age of 16, and a person with mental retardation, in criminal cases; and

WHEREAS, the determination of such location shall comply with Florida Rules of Criminal Procedure 3.220(h)(3) and (4), and Sections 92.53 and 92.54, Florida Statutes, which permit the court to order videotaped testimony of a victim or witness under the age of 16, or a person with mental retardation, whether the case is civil or criminal in nature, in lieu of live trial testimony in open court; and

WHEREAS, the taking of discovery depositions and interviews may be foreign, and sometimes intimidating to children, particularly in certain types of criminal cases; and

WHEREAS, these considerations are balanced with the rights of the public and the person charged with the violation of the law; and

WHEREAS, in view of such considerations, it has been determined that it is in the best interest of a victim or witness twelve years old or younger, to be provided certain protections pursuant to Chapter 39, Florida Statutes, from potential psychological damage, including a determination of the location for discovery depositions and interviews, it is therefore

ORDERED that, effective immediately, in all criminal cases where a victim or witness twelve years old or younger, is to be deposed or interviewed, the location shall be by agreement of the parties or, in the event there is no agreement, at the Orlowitz-Lee Children's Advocacy Center, also known as Kristi House, located at 1265 NW 12th Avenue, Miami, Florida 33136.

Administrative Order No. 99-50 shall remain in full force and effect. However, any conflict between this Administrative Order and No. 99-50 with regard to location of

depositions and interviews of victims and witnesses twelve years old or younger, shall be decided in favor of this Order.

DONE AND ORDERED in Chambers at Miami-Dade County, Florida this ____ day of May, 2001.

JOSEPH P. FARINA, CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA