

**IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT,
IN AND FOR MARION COUNTY, FLORIDA**

ADMINISTRATIVE ORDER: M-2022-01-A

**AMENDED ADMINISTRATIVE ORDER REGARDING SECURITY OF THE
MARION COUNTY JUDICIAL CENTER AND THE CLERK'S OFFICE BUILDING**

WHEREAS the health, safety, and welfare of the citizens of Marion County, Florida are of paramount concern to the Court; and

WHEREAS tragic incidents have taken place in court facilities in Florida and in the United States resulting in serious injuries and loss of life; and

WHEREAS proceedings taking place within the Marion County Judicial Center and the Clerk's Office Building can be fraught with extreme emotion and potentially present extreme danger to Court and Clerk personnel, litigants, and the public; and

WHEREAS the Marion County Board of County Commissioners has appropriated and continues to appropriate funds for the purpose of improving the safety and security of those persons who conduct business within the Marion County Judicial Center and the Clerk's Office Building, including citizens and employees alike; and

WHEREAS the Chief Judge, and other judge(s) that he may designate, is responsible for the administration of the courts within the Fifth Judicial Circuit, as provided in Rules 2.215(a), Florida Rules of General Practice and Judicial Administration; and,

WHEREAS, the Chief Judge is required to regulate the use of all court facilities, pursuant to Rule 2.215(b)(7); and

WHEREAS, the undersigned, the Honorable Robert W. Hodges, has been designated Administrative Judge for Marion County, pursuant to Rule 2.215 (b)(5), Florida Rules of General Practice and Judicial Administration,

It is therefore **ORDERED** that access to the Marion County Judicial Center and the Clerk's Office Building shall be regulated as follows:

I. ACCESS TO COURTHOUSE:

The Marion County Judicial Center and the Clerk's Office Building (hereinafter referred to as Courthouse Facilities) are designated as Secure Facilities.

1. Entrance:

a. Public:

The public shall enter the building through the main entrances located at the east entrance at 110 NW 1st Avenue, Ocala Florida 34475 or the west entrance attached to the parking garage.

b. Employees:

Employees must use the main entrances located at the east entrance at 110 NW 1st Avenue, Ocala Florida 34475 or the west entrance attached to the parking garage to enter and exit the building unless prior approval from Marion County Facilities Management (MCFM) has been obtained. Emergency exits may only be used in the event of an emergency or with prior approval from MCFM.

c. Law Enforcement:

All law enforcement must enter the Courthouse Facilities through either the east entrance at 110 NW 1st Avenue, Ocala Florida 34475 or the west entrance attached to the parking garage. This limitation shall not extend to any law enforcement officer whose main workstation is located within the Courthouse Facilities

d. Vendors:

i. All vendors must use the main entrances located at the east entrance at 110 NW 1st Avenue, Ocala Florida 34475 or the west entrance attached to the parking garage to enter and exit the building unless prior approval from MCFM has been obtained. Vendors must display proper identification while in or on Courthouse Facilities.

ii. A security officer must be present during any vendor deliveries or removal of shredded material.

e. Mail and package deliveries

i. USPS, FedEx, UPS, DSL, and any similar company providing non-vendor delivery services to the Courthouse Facilities are not permitted to leave unattended packages within the Courthouse. This means that any package intended for delivery to a judge, Court Administration personnel, Clerk's Office personnel, the State Attorney's Office, or Sheriff may not be left unattended in front of courtrooms, the

entry to Court Administrative Offices, the Clerk's Office, the State Attorney's Office, or any public area.

- ii. Packages may not be left unattended outside any loading dock door.
- iii. A package may not be left unattended outside the courthouse after hours and/or weekends.

2. Screening/Prohibited Items:

All persons entering the main entrances of the Courthouse Facilities shall be subject to security screening.

a. Public/Employees:

- i. No firearms, ammunition, or firearm magazines or any other item determined to be a weapon by Courthouse Security, is allowed in the Courthouse Facilities unless otherwise provided for herein. Persons not authorized under provisions of this order to be in possession of prohibited objects will be denied entry into the Courthouse Facilities. However, all personal belongings which would constitute a non-firearm weapon may be surrendered or returned to the owner's vehicle.
- ii. Any person found to be illegally in possession of any prohibited object or in possession of any illegal object or substance will be subject to arrest.
- iii. Employees within the Courthouse Facilities, vendors, delivery persons or other workers on official business and with a specific need for certain tools while working within the Courthouse Facilities are permitted to possess those tools necessary to complete their official business within the Courthouse Facilities, with prior approval from MCFM. All tools and equipment shall remain monitored and/or securely stored when not in use.

b. Law Enforcement:

- i. As used in this section, "law enforcement officer" means all persons holding an active certification from the Criminal Justice Standards and Training Commission as a law enforcement officer or a correctional officer as defined in s. 943.10(1), (2), (6), (7), (8), or (9) and who are elected, employed, or appointed as full-time, part-time, or auxiliary/reserve law enforcement officer or correctional officer.
- ii. All law enforcement officers who are authorized by law to carry firearms shall be entitled to remain armed while in the Courthouse

Facilities under the following conditions:

a.) they are on official business, and

b.) all non-concealed firearms shall be in a “retention-style” holster.

c.) Law enforcement Officers and Employees of the State Attorney’s Office, who are legally authorized to carry a weapon must submit to screening but may at the conclusion of screening present valid identification and continue on with **official courthouse business.**

iii. Courthouse Facilities Security personnel shall make inquiry of each officer as to whether the law enforcement officer is in the building on official, non-official, or personal business and may request information sufficient to ascertain the nature of the law enforcement officer’s business and, if applicable, whether the law enforcement officer is authorized by his/her superior officers to carry firearms while off-duty.

iv. A law enforcement officer who is not on official business, but who is authorized by his/her superior officers to carry firearms on or about his/her persons while off-duty pursuant to Florida Statute 790.052, shall NOT be entitled to remain armed while in the Courthouse Facilities. For such officers, the following procedure applies:

a.) The law enforcement officer shall be permitted to enter the courthouse with a firearm. However, prior to the law enforcement officer being permitted to pass through security, Courthouse Security shall notify the Sheriff’s personnel. The Sheriff’s personnel shall escort the law enforcement officer from the entrance to the bailiff’s office, where the law enforcement officer shall be permitted to store his/her firearm while he/she conducts non-official or personal business, including but not limited to, appearing in court as a party. At the conclusion of his/her business in the Courthouse Facility, the law enforcement officer shall be permitted to retrieve his/her firearm from secure storage and shall thereafter immediately exit the Courthouse Facility through public entry/exit point.

v. If the law enforcement officer has entered the Courthouse Facility for the purpose of non-official or personal business and has not been authorized by his/her superior officers to carry firearms on or about his/her person while off-duty pursuant to Florida Statute 790.052, he/she shall NOT be permitted to carry his/her firearm in the Courthouse Facility and instead must secure the weapon in his/her

vehicle.

vi. Any non-uniformed law enforcement officer or employee of the State Attorney's Office carrying a firearm, who appears in any courtroom, shall keep their firearm secure on their person at all times and shall promptly notify a bailiff and/or the presiding judge that he/she has a firearm on or about their person.

vi. Nothing in this Administrative Order is intended to, nor shall it be construed to, abridge, abrogate, nullify, or otherwise impinge on any judge in the Fifth Judicial Circuit, or any judge from any other Circuit sitting in Marion County, from having the power to exclude weapons, at their sole discretion, in their courtroom.

3. Parking:

Parking at the North Entrance is prohibited at all times with the exception that an attended delivery vehicle may temporarily park to unload or load when doing so with proper, prior authorization from MCFM. Likewise, exception is made for marked law enforcement or emergency vehicles.

II. AFTER HOURS ACCESS TO COURTHOUSE:

a. After-Hours Meetings/Events:

Security operations must be notified of any meeting occurring outside of normal business hours. Additionally, a list of all attendees must be provided to Courthouse Security prior to close of business on the day scheduled for the meeting.

b. Anyone entering Courthouse Facilities outside of normal business hours must contact MCFM at 352-401-7861 prior to entering Courthouse Facilities.

c. Marion County employees with the proper credentials and approved access rights may access the courthouse through any service entrance door as needed to perform their work function.

III. COURTHOUSE DECORUM:

All persons entering Courthouse Facilities shall be appropriately attired. Each individual Judge shall make a determination as to any dress code applicable to his or her individual courtroom and shall so advise the Courthouse Security staff as to those limitations.

IV. SMOKING:

The Courthouse Facilities are designated non-smoking and smoking shall not be permitted within Courthouse Facilities. This includes the use of E-Cigarettes, Vaping and/or other smoking accessories.

V. SOLICITATION, LEAFLETING AND DEMONSTRATIONS:

Commercial, political, charitable and/or private solicitation and/or leafleting is not permitted within the public areas of the Courthouse Facilities.

No one shall parade, stand, move in procession, and/or display a flag, banner, or device inside the Courthouse Facilities with the intent to bring public notice to any party, organization, or movement.

VI. REFRESHMENT CENTER:

No food or drink shall be permitted in any courtroom, unless allowed by specific request upon the judge presiding in a particular courtroom. In all areas of the courthouse facility, only drinks in non-spillable containers are allowed.

VII. MEDIA ACCESS:

Media Access in the courtroom is at the discretion of the sitting Judge.

VIII. USE OF CELL PHONES AND ELECTRONIC DEVICES:

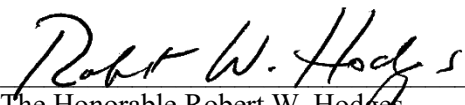
Cellphones and electronic devices will be restricted from use inside the courtrooms. No person shall text, photograph, record or transmit live, any video or audio without the consent of the presiding Judge.

IX. ENFORCEMENT:

The Marion County Sheriff's Office and MCFM are directed to enforce this and any other specifically promulgated rules at all times.

Amendment, supersession, rescission, or vacation of any Administrative Order does not act to reestablish any provision of any previously amended, superseded, rescinded or vacated administrative order.

DONE AND ORDERED in chambers in Ocala, Marion County, Florida this 27th day of May, 2022.



The Honorable Robert W. Hodges
Marion County Administrative Judge