

**IN THE SECOND JUDICIAL  
CIRCUIT OF FLORIDA**

**OFFICE OF THE CHIEF JUDGE**

**ADMINISTRATIVE ORDER 2022-01  
FIRST AMENDMENT**

**IN RE: LEON COUNTY BAKER ACT AND MARCHMAN ACT COURT PROCEEDINGS**

**WHEREAS**, Administrative Order 2022-01, In Re: Leon County Baker Act and Marchman Act Court Proceedings, currently sets forth the procedure for hearings in the Second Judicial Circuit of Florida, which allowed for an exception to the in-person requirement for Baker Act and Marchman Act proceedings; and

**WHEREAS**, Florida Supreme Court Opinion No. SC21-990 acknowledges that a “general authorization for court proceedings through communication technology now appears in Florida Rule of General Practice and Judicial Administration 2.530 (Communication Technology) and applies unless another rule of procedure or general law governs.”

**WHEREAS**, Florida Supreme Court Opinion No. SC21-990 excludes “Baker Act hearings from this general authorization to ensure that court procedure reflects this Court’s constitutional holding in *Doe v. State*, 217 So. 3d 1020, 1026 (Fla. 2017), that “[t]he right to be present at an involuntary commitment hearing is a fundamental due process right.”

**WHEREAS**, the Apalachee Center is now open to the public and available for in person Baker Act and Marchman Act court proceedings.

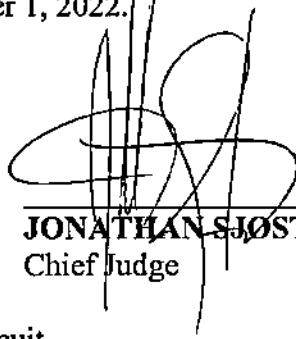
**WHEREAS**, by the authority of Rule 2.215, Florida Rules of General Practice and Judicial Administration, it is therefore

**ORDERED that:**

1. Second Judicial Circuit Administrative Order 2022-01 and the provision in Second Judicial Circuit Administrative Order 2021-05, providing for Baker and Marchman Act court proceedings to be temporarily held remotely at the Leon County Courthouse until adequate and secure space is identified and prepared at the Apalachee Center facility is hereby rescinded.
2. Effective October 1, 2022, in person Baker Act and Marchman Act court proceedings shall immediately return to the Apalachee Center facility.

3. This order shall supersede all prior orders related to Baker Act and Marchman Act

**DONE and ORDERED** in chambers in Tallahassee, Leon County, Florida, this 5<sup>th</sup>  
day of October 2022, *nunc pro tunc* October 1, 2022.



**JONATHAN SJÖSTROM**  
Chief Judge

Copies furnished to:

- All Circuit and County Judges, Second Circuit
- State Attorney, Second Circuit
- Public Defender, Second Circuit
- All Clerks of the Circuit Court, Second Circuit
- All Sheriffs, Second Circuit
- Local Bar Associations
- Office of Court Administration, Second Circuit

