

FIFTH DISTRICT COURT OF APPEAL, STATE OF FLORIDA

300 South Beach Street, Daytona Beach, FL 32114

February 22, 2018

ADMINISTRATIVE ORDER

No. AO5D18-01

In Re: Implementation of a Pilot Program for Remote Oral Arguments

To promote accessibility to the Court by the citizens of this State, and in the interest of efficient time management, the Court hereby establishes the following procedures to implement a pilot program for remote oral arguments, effective June 5, 2018, to permit parties to present oral argument from a remote location, the Marion County Courthouse, 110 NW 1st Avenue, Ocala, Florida.

The Court hereby authorizes counsel to present oral argument from a location other than 300 South Beach Street, as set forth herein. For purposes of this pilot program, use of the remote oral argument location is not restricted to only those appeals stemming from Marion County or the Fifth Circuit.

I. Guidelines

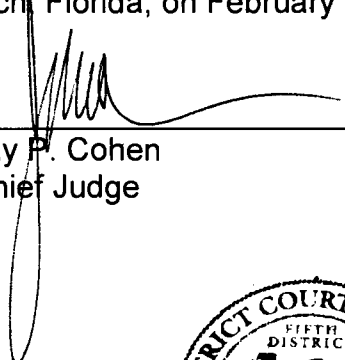
- A. Participation is optional.
- B. Participation is with the acknowledgement and agreement that, should there be a technological problem with the video portion at either 300 South Beach Street or at the remote site, the oral argument will not be rescheduled or continued, but instead the party will participate via conference call.
- C. The agreement of opposing counsel to counsel arguing from a remote location is unnecessary; either or both sides may seek to participate remotely. Counsel not participating remotely shall participate by personal attendance at the Fifth District Court of Appeal.
- D. The official public viewing location is 300 South Beach Street or through live streaming (internet) and no accommodation will be made for the public to view the oral argument session at the remote location. The oral argument will be live-streamed for the convenience of those unable to physically come to 300 South Beach Street.
- E. Remote oral arguments will be scheduled as the first argument(s) on the docket of the oral argument session as a courtesy to the remote location so as not to tie up the facilities and/or personnel of that remote location longer than necessary.
- F. The Court reserves the right to refuse remote oral argument for any reason or, if deemed appropriate by the panel, to require that the party appear for oral argument at 300 South Beach Street even if oral argument was originally scheduled at a remote site.
- G. The rules applicable to proper courtroom decorum are applicable to the remote location. Cell phones and any other electronic devices must be turned off, as the dignity of the Court is to be respected and maintained at all times.

- H. Remote oral argument is deemed granted upon the filing of the Notice of Remote Argument and confirmation by email from the Marshal as set forth below; no order will issue unless the Court deems it appropriate to require that oral argument occur at 300 South Beach Street.
- I. It is the responsibility of the party arguing remotely to monitor his or her case mail for updated oral argument calendars that may necessitate a change to the reserved date and/or time of the remote oral argument and to make any change required to the reservation. Counsel's failure to appear at the remote location for the scheduled oral argument will be deemed a waiver of oral argument.


II. To Initiate a Remote Location Accommodation:

- A. Counsel desiring to argue from the remote location shall file a "Notice of Remote Argument," copying the opposing party(s) and send a contemporaneous email to the Marshal of the Court at (crawfordc@flcourts.org) notifying the Marshal of the intent to appear remotely at least seven days before the scheduled oral argument.
- B. The Marshal will confirm the availability of the remote location and provide the room location within the Marion County Courthouse via e-mail within 48 hours of being contacted.

DONE and ORDERED at Daytona Beach, Florida, on February 22, 2018.



Jay P. Cohen
Chief Judge



Joanne P. Simmons
Clerk of Court

