

IN THE CIRCUIT COURT OF THE 16TH
JUDICIAL CIRCUIT OF THE STATE OF
FLORIDA, IN AND FOR MONROE COUNTY

ADMINISTRATIVE ORDER NO 4.003

IN RE:

INTERVIEWS OF YOUNG
VICTIMS IN CHILD AND
SEXUAL ABUSE CASES

WHEREAS, Chapter 914.16, Florida Statutes, requires the Chief Judge of each judicial circuit to set reasonable limits on the number of interviews that young victims in child and sexual abuse cases must submit to for law enforcement or discovery purposes; and

WHEREAS, these efforts need to be balanced with the rights of the public and the person charged with the violation of law; it is therefore

ORDERED that:

1. There shall be one investigative interview conducted for the purposes of criminal and dependency proceedings. All agencies involved in the investigation of violations of Sections 794.11, 800.04, 827.03, or 827.04, Florida Statutes, shall coordinate their investigations to facilitate this provision. All efforts shall be made to reduce the number of agency representatives participating in the interviewing of the child.
2. There shall be one full and complete pre-file interview conducted by or on behalf of the State Attorney's Office.
3. Additionally, there shall be one full and complete pretrial interview conducted on or behalf of the State Attorney's Office.
4. There shall be one discovery deposition permitted to be taken by the representative of the person alleged to be responsible for the abuse, subject to the limitations provided below.
5. Interviews shall be conducted in a setting and manner designed to minimize the traumatic effect of the interview on the victim.
6. Additional interviews shall be allowed only by order of the trial judge upon open motion for good cause shown, unless there are no objections to said interview by the victim's custodial parent, legal guardian, guardian ad litem or State Attorney.

Additional interviews shall be limited in scope as much as possible to assure minimal impact on the victim.

7. "Interview," for the purposes of this order, means any procedure in which the victim is required to provide a detailed account or demonstration of the nature and circumstances of the abuse, but does not include the history obtained for the purposes of medical or psychological diagnosis or treatment nor any initial contact with the victim by law enforcement, or the Florida Department of Health and Rehabilitative Services, to assess the validity of the complaint or need to take protective measures on behalf of the victim.
8. Nothing contained in this order shall prevent the trial court from limiting the discovery deposition pursuant to the applicable provision of Rule 1.280 (c) of the Florida Rules of Civil Procedure, Rule 3.220(h) of the Florida Rules of Criminal Procedure, or Rule 8.070 of the Florida Rules of Juvenile Procedure.

DONE AND SIGNED in Chambers, at Plantation Key, Monroe County, Florida, this the
13, day of December, 1994.

J. Jefferson Overby
Chief Judge