

THE ELEVENTH JUDICIAL CIRCUIT  
MIAMI-DADE COUNTY, FLORIDA

CASE NO. 99-1  
(Court Administration)

IN RE: KRISTI HOUSE RECOGNIZED )  
AS A PART OF MULTI-DISCIPLINARY )  
CASE REVIEW TEAM FOR SUS- )  
PECTED CHILD SEXUAL ABUSE )  
CASES WITHIN THE ELEVENTH )  
JUDICIAL CIRCUIT )  
\_\_\_\_\_ )

ADMINISTRATIVE ORDER  
NO. 99-9

WHEREAS, it is the intent of the Legislature that a comprehensive approach for the prevention of abuse, abandonment, and neglect of children be developed for the state;

WHEREAS, the legislature has authorized the establishment of child advocacy centers to serve as part of a multi-disciplinary case review team and child protection system for cases of suspected child sexual abuse or physical abuse; and

WHEREAS, the Kristi House is a member of the Florida Network of Children's Advocacy Centers, Inc., and meets the standards set by the legislature to qualify as a child advocacy center; and

WHEREAS, the Department of Children and Family Services ("DCF") has designated the Kristi House to act as case manager and as treatment referral agency for cases involving suspected child sexual abuse;

NOW, THEREFORE, pursuant to the authority vested in me as Chief Judge of the Eleventh Judicial Circuit of Florida, I hereby find that the Kristi House, as a child advocacy center and as a contracting agent of the Department of Children and Family Services, is authorized to serve as a case manager and a treatment referral center for cases of suspected child sexual abuse within the Eleventh Judicial Circuit.

Also as a child advocacy center and as a contracting agent of the Department of Children and Family Services, Kristi House is a member of the multi-disciplinary case review team, as set forth in Section 39.3035, Fla. Stat., and may share information with other team representatives to monitor and manage suspected sexual abuse cases and to provide proper treatment referrals, where necessary, for the child victims. Additionally, all members of the case review team would be persons authorized under Section 794.024(1) to receive information, when appropriate, regarding child sexual abuse cases referred to DCF.

The intent of this Order is to establish and maintain a collaborative relationship among the members of the multi-disciplinary case review team to coordinate services for child victims and their families and to permit Kristi House to receive confidential information.

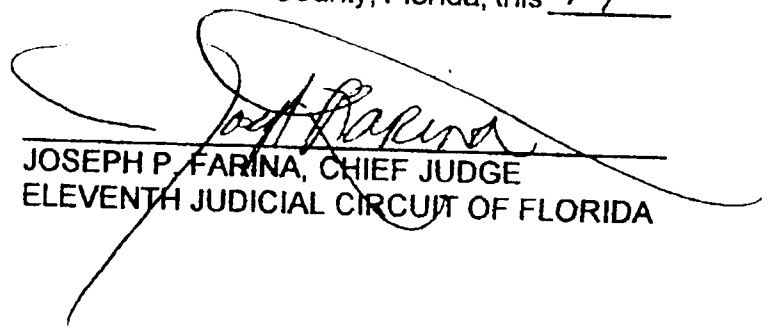
Nothing in this Order should be construed as requiring the release of information, when in the exercise of discretion, an agency determines that disclosure of the information to other members of the case review team would be detrimental to the victim, to a pending investigation, or to a prosecution.

This Order is not intended to interfere with the autonomy of the State Attorney and law enforcement with regard to prosecution and investigative issues, nor is it intended to interfere with any contract or other agreements among the various members of the case review team.

Any information received as part of the multi-disciplinary case review team shall be considered criminal investigative information and shall remain confidential pursuant to Chapter 119.07, Florida Statutes.

This Administrative Order shall become effective upon signing.

**DONE AND ORDERED** in Chambers at Miami-Dade County, Florida, this 14 day of April, 1999.

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

Select Year:  

## The 2007 Florida Statutes

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Title XLVII  
CRIMINAL PROCEDURE AND  
CORRECTIONS

Chapter 914  
WITNESSES; CRIMINAL  
PROCEEDINGS

[View Entire  
Chapter](#)

**914.16 Child abuse and sexual abuse of victims under age 16 or persons with mental retardation; limits on interviews.**--The chief judge of each judicial circuit, after consultation with the state attorney and the public defender for the judicial circuit, the appropriate chief law enforcement officer, and any other person deemed appropriate by the chief judge, shall provide by order reasonable limits on the number of interviews that a victim of a violation of s. 794.011, s. 800.04, or s. 827.03 who is under 16 years of age or a victim of a violation of s. 794.011, s. 800.02, s. 800.03, or s. 825.102 who is a person with mental retardation as defined in s. 393.063 must submit to for law enforcement or discovery purposes. The order shall, to the extent possible, protect the victim from the psychological damage of repeated interrogations while preserving the rights of the public, the victim, and the person charged with the violation.

**History.**--s. 7, ch. 84-86; s. 2, ch. 90-120; s. 19, ch. 93-156; s. 24, ch. 94-154; s. 18, ch. 95-158; s. 3, ch. 96-215; s. 26, ch. 96-322; s. 107, ch. 99-3; s. 9, ch. 99-201; s. 3, ch. 2000-246; s. 6, ch. 2000-338; s. 94, ch. 2004-267.

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THE ELEVENTH JUDICIAL CIRCUIT DADE  
COUNTY, FLORIDA

CASE NO. 90-1  
(Court Administration)

IN RE: VIDEOTAPE OF SENSITIVE WITNESSES ADMINISTRATIVE ORDER  
NO. 90-29

WHEREAS, Rule 3.220 of the Florida Rules of Criminal Procedure was amended, effective July 1, 1989, to provide, in part:

(b) (4) Deposition of Sensitive Witnesses:

- Deposition of children under the age of 16 shall be videotaped unless otherwise ordered by the Court. The Court may order the videotaping of a deposition of the taking of a deposition of a witness with fragile emotional strength to be in the presence of a trial judge or a Special Master.

NOW, THEREFORE, pursuant to the authority vested in me as Associate Chief Judge of the Eleventh Judicial Circuit of Florida under Rule 2.050 of the Florida Rules of Judicial Administration, it is hereby

ORDERED as follows:

The Administrative Office of the Courts shall provide space and equipment in the Metropolitan Justice Building to enable depositions of sensitive witnesses to be videotaped.

The scheduling of the use of said video deposition room shall be coordinated through the Administrative Office of the Courts.

An Official Court Reporter shall be appointed to take all such depositions. Said Official Court Reporter, or his or her deputy, shall record the deposition in a normal fashion, notwithstanding the fact that the deposition is being videotaped.

The Official Court Reporter shall be responsible for operating the video equipment.

The Administrative Office of the Courts shall supply the blank tapes for the initial deposition and be entitled to reasonable reimbursement from the parties.

At the conclusion of the deposition, the State Attorney, Public Defender and Guardian Ad Litem, if appointed in the criminal or parallel dependency proceedings, shall each be given a videotape of the proceedings. Private defense counsel may obtain a copy of the tape by requesting same from the State Attorney's Office and paying reasonable cost therefor.

All tapes of video depositions shall be sealed court records. These records may only be disclosed to the State Attorney and staff, Public Defender and staff, Guardian Ad Litem and staff, private defense counsel and staff, the defendant and any expert witness retained in pursuit of the case, unless further disclosure is provided for by written order of the Court.

Neither the State Attorney, Public Defender, Guardian Ad Litem nor the private defense attorney shall duplicate his/her copy of the videotaped deposition for disclosure to anyone other than the above-mentioned court officers without prior written order of the Court. Should copies be made pursuant to written order of the Court, the party making the copy shall be responsible for controlling the access to said videotape and for the return of said videotape at the completion of the case.

Said videotape shall not be filed with the court unless used at trial, and no party other than provided above shall have access to such videotape.

In order to fully promote the purpose of Rule 3.220 with respect to the videotaping of children under the age of 16, this order shall apply to the taking of depositions of children under the age of 16 in parallel dependency proceedings.

Administrative Order No. 90-1, entered in Case No. 90-1, is hereby rescinded and held for naught.

DONE AND ORDERED in Chambers at Miami, Dade County, Florida this 23rd day of October, 1990.

HERBERT M. KLEIN, ASSOCIATE CHIEF JUDGE  
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA

THE ELEVENTH JUDICIAL CIRCUIT  
DADE COUNTY, FLORIDA

CASE NO. 85-1  
(Court Administration)

IN RE: ESTABLISHING GUIDELINES )  
PURSUANT TO §914.16, FLORIDA )  
STATUTES, FOR THE REASONABLE )  
LIMITATION ON THE NUMBER OF INTER- )  
VIEWS A VICTIM OF A VIOLATION OF ) ADMINISTRATIVE ORDER  
§794.011, §800.04, §827.03, OR ) NO. 85-20  
§827.04, FLORIDA STATUTES, WHO IS )  
UNDER 16 YEARS OF AGE MUST SUBMIT )  
TO FOR LAW ENFORCEMENT OR DISCOV- )  
ERY PURPOSES )  
\_\_\_\_\_ )

WHEREAS, efforts should be made to limit the number of interviews a victim of child abuse and sexual abuse under the age of sixteen must participate in for law enforcement or discovery purposes in order to protect the victim from the psychological damage of repeated interrogation; and

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

NOW, THEREFORE, pursuant to the authority vested in me as Chief Judge of the Eleventh Judicial Circuit of Florida and §914.16, Florida Statutes, it is hereby

ORDERED that such efforts shall be made on behalf of the victim under the age of sixteen and shall follow the guidelines as set forth below:

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 §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. There shall additionally be one full and complete pre-trial interview conducted by or on behalf of the State

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.

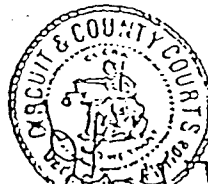
6. Additional interviews shall be allowed only by order of the trial judge upon motion for good cause shown, unless there is no objection to said interview by the victim's custodial parent, legal guardian, guardian ad litem or State Attorney. Additional interviews shall be limited in scope as much as possible to assure minimal impact on the victim.

"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; 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.

Nothing contained in this order shall prevent the trial court from limiting the discovery deposition pursuant to the applicable provisions 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 ORDERED in Chambers at Miami, Dade County, Florida, this 30th day of May, 1985.

STATE OF FLORIDA )  
COUNTY OF DADE )  
I HEREBY CERTIFY that the foregoing is a true and correct copy of the original on file in this office.  
WITNESS my hand and official Seal this \_\_\_\_\_ day  
JAN 8 1985 A. D. 19  
RICHARD P. BRINKER



GERALD T. WETHERINGTON, CHIEF JUDGE

Select Year:  

## The 2007 Florida Statutes

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Title VII  
EVIDENCEChapter 92  
WITNESSES, RECORDS, AND DOCUMENTS[View Entire Chapter](#)

### **92.55 Judicial or other proceedings involving victim or witness under the age of 16 or person with mental retardation; special protections.--**

(1) Upon motion of any party, upon motion of a parent, guardian, attorney, or guardian ad litem for a child under the age of 16 or person with mental retardation, or upon its own motion, the court may enter any order necessary to protect a child under the age of 16 or person with mental retardation who is a victim or witness in any judicial proceeding or other official proceeding from severe emotional or mental harm due to the presence of the defendant if the child or person with mental retardation is required to testify in open court. Such orders shall relate to the taking of testimony and shall include, but not be limited to:

- (a) Interviewing or the taking of depositions as part of a civil or criminal proceeding.
- (b) Examination and cross-examination for the purpose of qualifying as a witness or testifying in any proceeding.
- (c) The use of testimony taken outside of the courtroom, including proceedings under ss. 92.53 and 92.54.

(2) In ruling upon the motion, the court shall take into consideration:

- (a) The age of the child, the nature of the offense or act, the relationship of the child to the parties in the case or to the defendant in a criminal action, the degree of emotional trauma that will result to the child as a consequence of the defendant's presence, and any other fact that the court deems relevant; or
- (b) The age of the person with mental retardation, the functional capacity of the person with mental retardation, the nature of the offenses or act, the relationship of the person with mental retardation to the parties in the case or to the defendant in a criminal action, the degree of emotional trauma that will result to the person with mental retardation as a consequence of the defendant's presence, and any other fact that the court deems relevant.

(3) In addition to such other relief as is provided by law, the court may enter orders limiting the number of times that a child or person with mental retardation may be interviewed, prohibiting depositions of a child or person with mental retardation, requiring the submission of questions prior to



examination of a child or person with mental retardation, setting the place and conditions for interviewing a child or person with mental retardation or for conducting any other proceeding, or permitting or prohibiting the attendance of any person at any proceeding. The court shall enter any order necessary to protect the rights of all parties, including the defendant in any criminal action.

**History.**--s. 7, ch. 85-53; s. 3, ch. 93-131; s. 23, ch. 94-154; s. 8, ch. 2000-336.

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