

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

ADMINISTRATIVE ORDER NO. 4.501-7/12*

IN RE: INTERVIEWS OF YOUNG VICTIMS
IN CHILD AND SEXUAL ABUSE CASES

Section 914.16, Florida Statutes (2012), authorizes the chief judge to establish limits on the number of interviews that a minor victim must submit to for law enforcement or discovery purposes.

NOW, THEREFORE, pursuant to the authority conferred by Florida Rule of Judicial Administration 2.215, it is **ORDERED** as follows:

1. This order shall apply to the investigation and prosecution of all cases of abuse under Sections 794.011, 800.04, or 827.03 when the victim is under **thirteen** years of age or a victim of a violation of Sections 794.011, 800.02, 800.03, or 825.102 who is a person with mental retardation as defined in Section 393.063(42), at the time the interviews are sought.
2. For purposes of this order the term "interview" is defined as any procedure in which the child victim is required to provide a factual recitation of the circumstances surrounding the allegation of abuse. The term "interview" does not include the following:
 - a. Information obtained for the purpose of medical or psychological diagnosis for treatment.
 - b. An initial contact with the victim by law enforcement and/or Florida Department of Children and Families to assess validity of complaint or need to take protective measures on behalf of the victim.
 - c. Contacts with DCF legal, victim services (sexual assault/domestic violence) counselors, guardians ad litem, or assistant state attorneys seeking to carry out responsibilities as designated by statute.
 - d. Actual court testimony of victim.
 - e. **Re-contact with the victim for the purpose of expanding/clarifying a previous statement prior to the filing of formal charges.**

3. In accord with the foregoing and the need to act in the best interest of child victims of abuse, it is ordered that no child victim of abuse shall be subject to more than four interviews in the course of the investigation and prosecution of an incident of abuse except upon order of the court. These interviews shall be as follows:
- a. The first interview shall be conducted within a reasonable time for the validation of the complaint. The interview when feasible shall be held at a **Child Protection Team Facility in Palm Beach County**. **When applicable**, this interview will be attended by law enforcement, a **representative from DCF, Victim Services (sexual assault/domestic violence)**, the State Attorney's Office, and the Child Protection Team. **When applicable, DCF shall, prior to scheduling a forensic interview, contact the law enforcement agency of jurisdiction and coordinate a mutually agreeable date and time for both law enforcement and DCF to attend the forensic interview.** All attending agencies shall meet prior to the interview and make reasonable efforts to coordinate and produce all necessary information in the course of that interview. To minimize the traumatic effects to the child, all interviews shall be conducted by no more than two persons. This interview shall be **recorded whenever possible** to ensure that other parties have the opportunity to hear the child's statement.
 - b. The second interview **by law enforcement, with the State Attorneys approval**, may occur prior to the filing of formal charges and may include DCF, Victim Services (sexual assault/ domestic violence) or the Child Protection Team.
 - c. The third interview will be conducted under the rules governing depositions. The deposition shall be conducted in a setting and manner intended to minimize the traumatic effects of the interview on the victim. Defense counsel shall notice all parties including the guardian ad litem consistent with Crim. Proc. Rule 3.220(h).
 - d. **If necessary, law enforcement may meet with the victim for the purpose of expanding/ clarifying any facts necessary.** Additional interviews shall be allowed only by order of the court upon motion for good cause shown. Additional interviews shall be limited in scope to assure minimal impact on the victim.

DONE and SIGNED in Chambers at West Palm Beach, Palm Beach County, Florida, this

2 day of July, 2012.



Peter D. Blanc, Chief Judge

*supersedes admin. order 4.501-09/08