

'Thank Heavens': Miami-Dade Expanding In-Person Trials, Other Court Proceedings

"I was just looking at my calendar, and for the first time in my career, I've got eight jury trials starting in August and going to March," said Javier A. Lopez, managing partner at Kozyak Tropin & Throckmorton.

June 08, 2021

By Michael A. Mora

The Miami-Dade Circuit Court released an advisory Tuesday acknowledging the Florida Supreme Court's unprecedented expansion of in-person court proceedings, starting later this month.

"The Florida Supreme Court has established a window from June 21 to Aug. 2 for the lifting of COVID-19 restrictions, such as the wearing of masks and social distancing in Florida's courts," Chief Circuit Judge Bertila Soto said. "Thanks to this new guidance, we are happy to announce that we will be expanding in-person trials and other court proceedings in the near future."

Pressure to resolve disputes

South Florida lawyers, such as Javier A. Lopez, managing partner at Kozyak Tropin & Throckmorton in Coral Gables, welcomed the news.

Lopez had two words to say in response to the announcement: “Thank heavens.”



Javier Lopez, partner at Kozyak, Tropin & Throckmorton.

Lopez primarily focuses on complex litigation in his legal practice. He said the advisory means there will be more pressure on his opposition to settle cases because there is now an end date in sight; otherwise, they must face the unpredictability of a court ruling.

But the news also puts the seasoned litigator in a place he has never been in before, even though he remains confident in the ability of his team to adapt.

“I was just looking at my calendar, and for the first time in my career, I’ve got eight jury trials starting in August and going to March that are set. And we are having a baby at the end of July. I don’t know what’s going to happen,” Lopez said while laughing. “It’s good in one sense, and in the other sense, it is a little daunting: what is going to happen in the future.”

Under the **Florida Supreme Court administrative order**, the requirements for courts include lifting the wearing of masks and social distancing, criminal jury trials taking precedence, scheduling the end of the current suspension of speedy trial, and extending the emergency authority for remote proceedings.

‘First step’

The measures placed by the Florida Supreme Court began in March 2020 due to the coronavirus pandemic and government-imposed health measures. As a result, the state high court suspended most in-person court proceedings because of the dangers posed by the coronavirus pandemic.

Canady issued several emergency orders that allowed for the remote conduct of any court event that could be held that way. As a result, Florida’s courts continued to work, using video and phone conferencing to hold court events while there were restrictions on in-person proceedings.

But now, Canady has lifted many restrictions due to the effectiveness, availability and administration of the coronavirus vaccine within the state, and based upon current government-issued health guidance. And Soto indicated Tuesday that the specifics of the plans for the Miami-Dade Circuit Court are still being worked out.

Mitchell E. Widom, a partner at Bilzin Sumberg Baena Price & Axelrod in Miami, said he is grateful for these advisories because they are important to getting the justice system back to normal operations.

“The courts and judges have done an amazing job relating to non-jury bench trials, keeping those up to speed through Zoom,” Wisdom said. “But of course, jury trials, because of COVID-19, have fallen behind. There is an old saying, ‘Justice delayed is justice denied.’ There are so many plaintiffs in those jury trials that can’t get before a judge and a jury. This is a first step for really getting jury trials going again.”