

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

ADMINISTRATIVE ORDER NO. 4.015

**IN RE:**

**ORDER GOVERNING  
INTRODUCTION OF EVIDENCE  
CONTAINING HIGH-POTENCY  
NARCOTICS**

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**WHEREAS**, pursuant to Article V, section 2(d) of the Florida Constitution, section 43.26, Florida Statutes, and Rule 2.215 of the Florida Rules of General Practice and Judicial Administration, the Chief Judge is charged with the authority and the power to do everything necessary to promote the prompt and efficient administration of justice; and

**WHEREAS** the Court has seen a steady increase in the number of opioid-related arrests; and

**WHEREAS** there has been an increase in the prevalence of high-potency narcotics that are so strong that accidental contact or inhalation can be deadly; and

**WHEREAS** the health, safety, and welfare of those who conduct business within the courthouses of the Sixteenth Judicial Circuit, including employees and citizens, are of primary concern to this Court; and

**WHEREAS**, in an effort to ensure the health and safety of all persons within each courthouse in this Circuit and to prevent any accidental exposure, this Court recognizes the need to establish a procedure for introducing evidence that contains or may contain high-potency narcotics (“HPN Exhibits”).

It is therefore, **ORDERED** that:

1. HPN Exhibits are those that contain or may contain high-potency narcotics which are highly toxic and may be fatal, including, but not limited to: Fentanyl (Actiq, Fentora, Duragesic, Subsys, Abstral, Lazanda, Ionsys, Onsolis, and Sublimaze) Carfentanil; Remifentanil; Alfentanil; Sufentanil; and other related high-potency narcotics.
2. In the event any party intends to introduce HPN Exhibits in any court proceeding, the party intending to introduce the evidence must file a notice of

its possession of an HPN Exhibit no later than fifteen (15) days prior to the hearing, unless a shorter time is permitted by the presiding judge.


3. The Court shall conduct a pre-trial hearing to determine if the HPN Exhibits can be introduced by admission, statement of fact, photographs, stipulation, certificate of analysis, or any combination of these alternatives. The Court shall not require any party or law enforcement agency to transport or bring the HPN Exhibits to the courthouse for the purpose of the pretrial hearing.
4. If the parties are unable to reach an agreement or stipulation at the pre-trial hearing, the trial clerk(s) shall promptly notify a manager in their division of the clerk of the circuit court.
5. In the event that HPN Exhibits are brought into the courthouse for any purpose, the HPN Exhibits shall be double bagged, sealed, clearly labeled, and packaged in accordance with additional policies that may be established by federal or local law enforcement agencies, which may be amended from time to time to ensure the safety of all court participants.
6. At any hearing, if the parties are unable to stipulate to alternative presentations of the evidence and an HPN Exhibit is to be introduced into evidence, the Court shall discuss and decide upon the protective gear that may be worn by trial participants, including but not limited to, attorneys, court deputies, court reporters, trial clerks, and the presiding judge. However, at a minimum:
  - a. Anyone handling an HPN Exhibit shall be required to wear gloves at all times; and
  - b. HPN Exhibits may only be viewed in the courtroom in the presence of the judge and the parties.

The Court shall also decide whether the jury may handle the HPN Exhibit and what, if any, protections shall be in place for the benefit of the jurors.

7. The trial clerk(s) shall promptly notify an evidence clerk manager in the event HPN Exhibits are marked as exhibits.

This Order shall take effect upon the date of execution below.

**DONE AND ORDERED** in chambers in Key West, Monroe County, Florida, this  
30<sup>th</sup> day of Dec, 2024.

  
Honorable Bonnie J. Helms  
Chief Judge