

Supreme Court of Florida

No. AOSC09-3

IN RE: FLORIDA COURTS TECHNOLOGY COMMISSION,
SUBCOMMITTEE ON ACCESS TO COURT RECORDS

ADMINISTRATIVE ORDER

The purpose of the Florida Courts Technology Commission is to advise the Chief Justice and Supreme Court on matters relating to the use of technology in the Judicial Branch. The Commission is directed to establish a Subcommittee on Access to Court Records, as further described in this administrative order.

The Committee on Access to Court Records¹ has submitted a report to the Court regarding implementation of electronic access to court records in the Florida courts.² The report is under consideration at this time and no action is taken on the recommendations by the Committee on Access to Court Records except as provided below.

In addition to its report, the Committee on Access to Court Records submitted two rules petitions. Those petitions propose rules changes that the

1. See In re: Committee on Access to Court Records, Fla. Admin Order No. AOSC06-27 (Aug. 21, 2006).

2. See Committee on Access to Court Records; Final Report and Recommendations, available at http://www.flcourts.org/gen_public/stratplan/AccessReport2008.shtml.

Committee on Access to Court Records deemed to be necessary conditions for implementation of statewide electronic access to court records. One rules petition, In re: Amendments to Rule of Judicial Administration 2.420 – Public Access to Judicial Branch Records, Case No. SC07-2050, concerns the Rule of Judicial Administration which governs confidentiality and access to judicial branch records. The second rules petition, In re: Rules of Civil Procedure; Florida Rules of Criminal Procedure; Florida Probate Rules; Florida Small Claims Rules; Florida Rules of Appellate Procedure; Florida Family Rules, Case No. SC08-2443, concerns a number of changes across multiple rules of court, all designed to minimize the unnecessary introduction of personal information into court records.

The administrative order that created and authorized the Committee on Access to Court Records is no longer in effect. In anticipation of the need for an entity to serve as a successor to the Committee for purposes of advancing these rules petitions, the Committee included among its recommendations a recommendation that a smaller successor committee be created under the auspices of the Florida Court Technology Commission and that this successor committee be tasked with advancing the rule petitions through the rule amendment process.

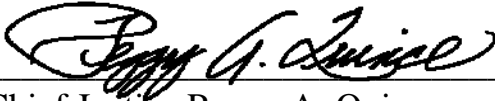
The Court concurs with this recommendation.

The Chair of the Florida Court Technology Commission is hereby directed and authorized to form a Subcommittee on Access to Court Records, consisting of

selected members of the Commission as well as selected members of the former Committee on Access to Court Records. The membership of the Subcommittee shall be selected by the Chair of the Commission. The Chair is directed to ensure that diverse views are represented on the Subcommittee. The Chair of the Commission shall serve as Chair of the Subcommittee. The Subcommittee shall be the successor to the Committee on Access to Court Records for purposes of responding to any comments filed regarding the above and any other related rules petitions, and shall represent the Committee on Access to Court Records in the event oral argument is held on these or related matters. The Subcommittee shall have authority to submit responses to the Court.

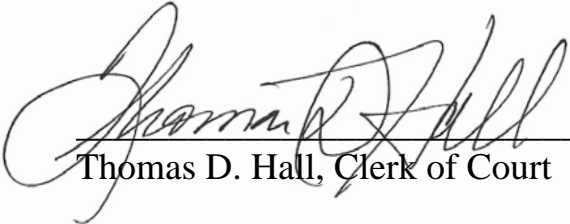
The Subcommittee shall expire upon final disposition of the rules cases. Staff support shall be provided by the Office of the State Courts Administrator.

DONE AND ORDERED at Tallahassee, Florida, on January 27, 2009.



Chief Justice Peggy A. Quince

ATTEST:



Thomas D. Hall, Clerk of Court

