

IN THE _____ COURT OF THE FIFTH JUDICIAL CIRCUIT
IN AND FOR MARION COUNTY, FLORIDA

Case No. _____

v.

**ORDER GRANTING/DENYING MOTION TO DETERMINE TRIAL COURT RECORDS
CONFIDENTIAL PURSUANT TO FLORIDA RULE OF GENERAL PRACTICE AND
JUDICIAL ADMINISTRATION 2.420(c)(9)**

THIS MATTER is before the Court on the Motion to Determine Trial Court Records Confidential filed by _____ pursuant to Florida Rule of General Practice and Judicial Administration 2.420(c)(9). _____ seeks an order directing the redaction of the following information relative to this

_____ case [specify type of case]: *[select all that apply]*

- the party's name on the progress docket.
- particular documents within the court file, specifically _____
- particular information within a document in the court file, specifically _____
- the entire court file, but not the progress docket.
- the entire court file and the progress docket.

Affected non-parties were notified of this Motion.

This Motion _____ contested, and a hearing _____ conducted [if conducted, include date]. _____

Having considered the arguments of the parties, legal authority, and otherwise being fully advised, the Court **DENIES** the Motion because the moving party has failed to establish that confidentiality of the information sought to be sealed is necessary to protect any interest under Rule 2.420(c)(9).

- OR -

Having considered the arguments of the parties, legal authority, and otherwise being fully advised, the Court **GRANTS** the Motion as follows:

1. Confidentiality of the _____ is required to protect the following interest(s): *[select any/all that apply]*

- a. Preventing a serious and imminent threat to the fair, impartial, and orderly administration of justice, specifically: _____.
- b. A trade secret.
- c. A compelling government interest, specifically
_____.
- d. Obtaining evidence to determine the legal issues in a case.
- e. Avoiding substantial injury to innocent third parties, specifically:
_____.
- f. Avoiding substantial injury to a party by the disclosure of matters protected by a common law or privacy right not generally inherent in this type of proceeding, specifically: _____.
- g. Complying with established public policy set forth in the Florida or United States Constitution or statutes or Florida rules or case law, specifically:
_____.

2. The Court further finds that no less restrictive measure is available to protect this/these interest(s), and that the degree, duration, and manner of confidentiality ordered herein are no broader than necessary to protect the interest(s).

Wherefore, it is **ORDERED** that:

In accordance with Florida Rule of General Practice and Judicial Administration 2.420 and the Standards for Access to Electronic Court Records and Access Security Matrix, the Clerk of the Circuit Court is hereby directed to redact and maintain as confidential the following materials related to this matter and to keep such materials from public access: *[select all that apply]*

- 1. The party's name on the progress docket and in the case style. On the public progress docket, the Clerk of the Circuit Court shall substitute the following for the party's name: _____.
Further, the Clerk shall ensure that the party's name is redacted from all public materials in the file and that the final judgment is recorded in a manner that does not reveal the identity of the party. However, the progress docket and the file shall otherwise remain available to the public.
- 2. The following information contained within _____
[specify pleading]: _____ [specify information].
However, the file and progress docket shall otherwise remain available to the public subject to any substitution of a party's name set forth above.
- 3. The following documents within the court file: _____.
However, the file and progress docket shall otherwise remain available to the public subject to any substitution of a party's name set forth above.
- 4. The entire court file. However, the progress docket shall remain open to the public subject to any substitution of a party's name set forth above.

5. The entire court file and the progress docket. The progress docket shall not be available on any public information system. However, the case number shall remain public.

It is further **ORDERED** that any materials redacted pursuant to this Order shall be conditionally disclosed upon the entry of a further order by this Court finding that such opening is necessary for purposes of judicial or governmental accountability or First Amendment rights.

It is further **ORDERED** that any materials redacted pursuant to this Order may otherwise be disclosed only as follows:

1. to any judge of this Circuit for case-related reasons;
2. to the Chief Judge or his or her designee;
3. to adult parties or their attorneys of record; or
4. by further order of the Court.

It is further **ORDERED** that, within 10 days of the date of this Order, the Clerk shall post a copy of this Order on the bulletin board of the Marion County Clerk's Office and the Clerk's website for a period of 30 days to provide public notice.

It is further **ORDERED** that the Clerk is hereby authorized to unredact any materials redacted pursuant to this Order for the purpose of filing, microfilming, or imaging files, or transmitting a record to an appellate tribunal. The materials shall be re-redacted immediately upon completion of the filing.

DONE AND ORDERED in Chambers, at Marion County, this _____ day of _____, 20____.

_____/s/

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was furnished by U.S. Mail/personal service to: _____
on _____, 20____.

Judicial Assistant
Address _____