

IN THE SUPREME COURT OF FLORIDA

IN RE: IMPLEMENTATION OF COMMITTEE ON
PRIVACY AND COURT RECORDS RECOMMENDATIONS -
AMENDMENTS TO THE FLORIDA RULES OF CIVIL
PROCEDURE; THE FLORIDA RULES OF CRIMINAL
PROCEDURE; THE FLORIDA PROBATE RULES; THE
FLORIDA SMALL CLAIMS RULES; THE FLORIDA RULES
OF APPELLATE PROCEDURE; AND THE FLORIDA
FAMILY LAW RULES,

Case No.. SC08-2443

RESPONSE OF THE APPELLATE COURT RULES COMMITTEE

The Florida Appellate Court Rules Committee (“ACRC”), through John S. Mills, Chair, and John F. Harkness, Jr., Executive Director of The Florida Bar, files this response to the comment filed by the Media Organizations on April 16, 2009.

In its petition in this proceeding, the Committee on Access to Court Records (“CACR”) proposed, among many other rule changes, that the Court adopt new *Fla. R. App. P.* 9.050 to address minimizing private information in appellate filings. As noted by the CACR, it was concurring in the ACRC’s original proposal of this rule in its triennial report in *In re: Amendments to the Florida Rules of Appellate Procedure*, Case No. SC08-147.

In its April 16, 2009 letter, the Media Organizations noted that they “have previously commented on the proposed revisions to the appellate rules with respect

to minimization in Case No. SC08-147. That comment addressed concerns with the use of the concept of ‘redaction’ in the proposed rule and proposed revisions.” A copy of the comment the Media Organizations filed in Case No. SC08-147, and apparently intended to incorporate in this proceeding, is attached as Appendix 1.

Partly in response to that comment, the ACRC filed a Second Amended Triennial Cycle Report in Case No. SC08-147. An abridged copy of that amended report is attached as Appendix 2. On pages 2-5, the ACRC responded to the Media Organizations and revised its proposed new rule 9.050 to eliminate the issue. The revised rule is attached in both full-page (Appendix 3) and two-column (Appendix 4) format. As noted in the amended report in Case No. SC08-147, the revised rule was approved by the ACRC by a 41-8 vote, republished, and approved by the Board of Governors.

This revised rule, which is slightly different than the version in the CACR’s petition in this case, should resolve the matter raised by the Media Organizations.

Respectfully submitted on May ____, 2009 by

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CERTIFICATION OF COMPLIANCE

I certify that these rules were read against *West's Florida Rules of Court – State* (2008).

I certify that this report was prepared in compliance with the font requirements of *Fla. R. App. P. 9.210(a)(2)*.

CERTIFICATION OF SERVICE

I further certify that a true copy of this Response of the Appellate Court Rules Committee with attachments was sent on this _____ day of May, 2009 to:

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