

IN THE SUPREME COURT OF FLORIDA

**IN RE: AMENDMENTS TO FLORIDA
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

**RESPONSE OF THE SMALL CLAIMS RULES COMMITTEE
TO COMMENT OF MEDIA ORGANIZATIONS**

Media Organizations filed a comment on proposed Small Claims Rule 7.140(e)(3). In response to the comment, the Small Claims Rules Committee, by a vote of 17-0, has no objection to the proposed revision by the Media Organizations.

In its original Out-Of-Cycle Report in Response to Report and Recommendations submitted in 2007 (Florida Supreme Court Case No. AOSC06-20), the Small Claims Rules Committee’s suggested changes were as follows:

(e) **Unrepresented Parties.** In an effort to further the proceedings and in the interest of securing substantial justice, the court shall assist any party not represented by an attorney on:

- (1) courtroom decorum; ~~and~~
- (2) order of presentation of material evidence; and
- (3) handling private information.

The Small Claims Committee’s “reasons for the change” associated with the proposed addition of 7.140(e)(3) was: “This change would ensure that pro se litigants could get assistance from the court in making sure private information is not unnecessarily published in the court record.” The Committee Note associated with the addition of 7.140(e)(3) read as follows:

Subdivision (e)(3) was added so that a judge can assist an unrepresented party in the handling of private information that might otherwise inadvertently become public by placement in the court file.

The Media Organizations seek a revision to the foregoing Committee Note for clarification. The Committee Note, with the proposed revision by the Media Organizations would read:

Subdivision (e)(3) was added so that a judge can assist an unrepresented party in making sure personal information is not unnecessarily included by the party in a document filed with the court.

The proposed change to the Committee Note does not appear to make any substantive revision to the explanation. The Committee Note, with the proposed revision, still explains the purpose of the additional subsection to rule 7.140(e), considering the subdivision's genesis from the request to propose rule amendments to reduce the inclusion of sensitive personal information being unnecessarily placed into court records.

Respectfully submitted _____, 2009

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was furnished by United States mail to:

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this ____ day of _____, 2009.

CERTIFICATE OF COMPLIANCE

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

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