

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

CASE NO: _____

Plaintiff/Petitioner,

v.

Defendant/Respondent.
_____ /

MOTION TO DETERMINE CONFIDENTIALITY OF COURT RECORDS

The undersigned, by and through his/her attorney, moves the Court pursuant to Florida Rule of Judicial Administration 2.420 for an order determining the confidentiality of court records.

- a. The undersigned's attorney has given written notice of the subject motion to all affected non-parties [*specify names of non-parties*], and filed copies of the notice provided. The notice identified this case by docket number; described the confidential information without revealing it; specified the location of the information in the court record; and advised that if the motion is denied by the court then the subject material will not be treated as confidential by the clerk.
- b. The particular court records or portion of a record that the movant seeks to have determined as confidential is/are:

[Describe with as much specificity as possible without revealing the information subject to the confidentiality determination.]

- c. The movant seeks an order determining confidentiality of the following information relative to this _____ [*specify type of case, such as civil action, dissolution of marriage, paternity, etc.*] case:
[select all that apply]
- _____ the party's name on the progress docket.
_____ particular documents within the court file, specifically _____.
_____ the entire court file, but not the progress docket.
_____ the entire court file and the progress docket.

- d. The legal bases for determining the court records to be confidential are as follows:
_____.

[Cite to specific rule, statute, case(s) that apply.]

- e. *[For rule 2.420(c)(7) or (c)(8) motions]* The specific legal authority and applicable legal standards for determining such court records to be confidential are: _____.
- f. *[For rule 2.420(c)(9) motions]* Confidentiality is required to protect the following interest(s): *[select any/all that apply]*
- _____ 1. Preventing a serious and imminent threat to the fair, impartial, and orderly administration of justice, specifically: _____.
- _____ 2. A trade secret.
- _____ 3. A compelling government interest, specifically _____.
- _____ 4. Obtaining evidence to determine the legal issues in a case;

- _____ 5 Avoiding substantial injury to innocent third parties, specifically _____.
- _____ 6 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: _____.
- _____ 7 Complying with established public policy set forth in the Florida or United States Constitution or statutes or Florida rules or case law, specifically: _____ [cite].

g. There is no less restrictive measure available to protect this/these interest(s), and the degree, duration and manner of confidentiality ordered herein are no broader than necessary to protect the interest(s).

Wherefore, the undersigned **REQUESTS** that:

The Court finds that _____ documents are confidential and the following materials related to this matter shall be reserved from public access: [*select all that apply*]

- _____ 1. The party's name on the progress docket. On the public progress docket, the Clerk of the Circuit Court shall substitute the following for party's name: _____. Further, the Clerk shall ensure that the party's name is redacted from all public materials in the file and in the official records, if applicable, 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 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.
- _____ 3. 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.
- _____ 4. 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.

Submitted and filed this ____ day of _____, 20____.

Attorney's Signature

I certify that this motion is made in good faith and is supported by a sound factual and legal basis.

Party's Signature/Attorney's Signature

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was furnished by (e-mail)(delivery)(mail)(fax) on: _____

(See Rule 2.420(k)), _____, on _____, 20____.

Name _____
Address _____
Phone _____
Florida Bar No. _____
E-mail Address _____