

**IN THE CIRCUIT/COUNTY COURT OF THE SEVENTH JUDICIAL CIRCUIT
IN AND FOR VOLUSIA COUNTY, FLORIDA**

Plaintiff(s),
v. Case No. _____

Defendant(s).
_____ /

Motion to Determine Confidentiality of Court Records

1. I am a Plaintiff/Petitioner, Defendant/Respondent, or Affected non-party in this case, or Interested Person.

2. I have given written notice of this 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 Court or the Clerk.

3. I respectfully request that the Court determine that the following court records or portion of a record are confidential and order the Clerk to treat the records as confidential in accordance with Rule of Judicial Administration 2.420(c)(7) - (c)(8); Rule of Judicial Administration 2.420(c)(9):

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

[Identify records or portion of a record that you seek to have determined confidential but do not reveal the information to be determined confidential]

4. The Court should determine the record is confidential for the following reasons:

[Explain why the court should find the record confidential. Do not reveal the information to be determined confidential. If you are an affected non-party or interested person, give your relationship to the parties and how you are affected by the record.]

5. [For rule 2.420(c)(7) or (c)(8) motions] The legal authority for the Court to determine that the records are confidential is: _____.

[Provide a court rule, statute, or case law authorizing the Court to determine this type of record is confidential].

6. [For rule 2.420(c)(9) motions] Confidentiality of the information sought to be kept confidential is required to protect the following interests: [select all that apply]

- _____ a. Prevent serious and imminent threat to the fair, impartial, and orderly administration of justice
- _____ b. Protect trade secrets
- _____ c. Protect a compelling governmental interest
- _____ d. Obtain evidence to determine legal issues in a case
- _____ e. Avoid substantial injury to innocent third parties
- _____ f. Avoid substantial injury to a party by 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 for in the Florida or U.S. Constitution or statutes or Florida rules or case law, specifically: _____.

7. There is no less restrictive measure available to protect these interests and the degree, duration, and manner of confidentiality sought is no broader than necessary to protect these interests.

8. I have consulted with _____
[List all parties and affected non-parties, if any] and they agree do not agree with this motion.

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

10. I acknowledge that I may be subject to Court sanctions if this motion is not made in good faith and is not supported by a sound legal or factual basis.

DATED: _____ [Signature] _____
Printed name _____
Address _____
Phone number _____
Fax number _____
Florida Bar No. _____

CERTIFICATE OF SERVICE

I certify that the original was filed with the Clerk of the Court and that a copy of this document was furnished by () U.S. mail () hand delivery or () facsimile to [include all parties and affected non-parties] _____

_____ on _____, 20____.

[Signature]