



Supreme Court of Florida

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Tallahassee, Florida 32399-1927

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November 13, 2020

The Florida Bar News Editor
The Florida Bar
651 East Jefferson Street
Tallahassee, Florida 32399-2300

In re: Amendments to Florida Rule of Judicial Administration 2.423, Case
No. SC20-1128

Dear Editor:

I have provided you with a copy of the proposed Rules in the above case. Please publish said Rules in the December 1, 2020, Bar News. Please publish a statement that the Court has placed the proposed Rules on the Internet at location: **<http://onlinedocketssc.flcourts.org/>**.

Any comments should be filed with the Supreme Court on or before January 4, 2021. If filed by an attorney in good standing with The Florida Bar, the comment must be electronically filed via the Florida Courts E-Filing Portal (Portal) in accordance with *In re Electronic Filing in the Supreme Court of Florida via the Florida Courts E-Filing Portal*, Fla. Admin. Order No. AOSC13-7 (Feb. 18, 2013). If filed by a nonlawyer or a lawyer not licensed to practice in Florida, the comment may be, but is not required to be, filed via the Portal. Comments filed via the Portal must be submitted in Microsoft Word 97 or higher. *See In re Electronic Filing in the Florida Supreme Court*, Fla. Admin. Order No.

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AOS17-27 (May 9, 2017). Any person unable to submit a comment electronically must mail or hand-deliver the originally signed comment to the Florida Supreme Court, Office of the Clerk, 500 South Duval Street, Tallahassee, Florida 32399-1927; no additional copies are required or will be accepted.

Thank you for your cooperation in this matter.

Most cordially,

A handwritten signature in dark ink, appearing to read 'JAT', followed by a horizontal line extending to the right.

John A. Tomasino

JAT/so

Enclosure

cc:

Honorable Ricky L. Polston, Supreme Court Justice Liaison

Diane West, Incoming Central Staff Director

Deborah J. Meyer, Outgoing Central Staff Director

Honorable Dori Foster-Morales, President, The Florida Bar

Honorable Michael G. Tanner, President-elect, The Florida Bar

Joshua E. Doyle, Executive Director, The Florida Bar

Krys Godwin, Bar Staff Liaison

Michael J. Korn, Chair, Rules of Judicial Administration Committee

Michael William Schmid, Chair, Ad Hoc Subcommittee

Chief Judges of the District Courts of Appeal

Clerks of the District Courts of Appeal

Chief Judges of the Judicial Circuits

Clerks of the Judicial Circuits

Mark Caramanica, Interested Party

Hon. Stephanie W. Ray, Interested Party

Hon. Angela C. Dempsey, Interested Party

Ira D. Karmelin, Interested Party

Matthew Charles Wilson, Interested Party

The Florida Bar’s Rules of Judicial Administration Committee (Committee) and Ad Hoc Joint Subcommittee (Ad Hoc Subcommittee) have submitted to the Florida Supreme Court a report proposing new Florida Rule of Judicial Administration 2.423 (“Marsy’s Law” Crime Victim Information Within Court Filing). The proposed new rule addresses the confidentiality of victim information.

The Court invites all interested persons to comment on the proposed amendments, which are summarized by the Committee and Ad Hoc Subcommittee below and reproduced in full online at <https://www.floridasupremecourt.org/Case-Information/Rules-Cases-Proposed-Amendments>. All comments must be filed with the Court on or before January 4, 2021, with a certificate of service verifying that a copy has been served on the Committee Chair, Michael Jeffrey Korn, Korn & Zehmer, P.A., 501 Riverside Avenue, Suite 903, Jacksonville, Florida 32202-4940, mkorn@kornzehmer.com, the Ad Hoc Subcommittee Chair, Michael William Schmid, City of Tampa, Tampa Police Department, Legal Unit-10th Floor, Tampa, Florida 33602-5211, michael.schmid@tampagov.net, and on the Bar Staff Liaison to the Committee, Krys Godwin, 651 East Jefferson Street, Tallahassee, Florida 32399-2300, kgodwin@floridabar.org, as well as a separate request for oral argument if the person filing the comment wishes to participate in oral argument, which may be scheduled in this case. The Committee and Ad Hoc Subcommittee Chairs have until January 25, 2021, to file a response to any comments filed with the Court. If filed by an attorney in good standing with The Florida Bar, the comment must be electronically filed via the Florida Courts E-Filing Portal (Portal) in accordance with *In re Electronic Filing in the Supreme Court of Florida via the Florida Courts E-Filing Portal*, Fla. Admin. Order No. AOSC13-7 (Feb. 18, 2013). If filed by a nonlawyer or a lawyer not licensed to practice in Florida, the comment may be, but is not required to be, filed via the Portal. Comments filed via the Portal must be submitted in Microsoft Word 97 or higher. See *In re Electronic Filing in the Florida Supreme Court*, Fla. Admin. Order No. AOSC17-27 (May 9, 2017). Any person unable to submit a comment electronically must mail or hand-deliver the originally signed comment to the Florida Supreme Court, Office of the Clerk, 500 South Duval Street, Tallahassee, Florida 32399-1927; no additional copies are required or will be accepted.

IN THE SUPREME COURT OF FLORIDA

IN RE: AMENDMENTS TO FLORIDA RULE OF JUDICIAL ADMINISTRATION 2.423, CASE NO. SC20-1128

Rule Number	Explanation
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<u>Rule 2.423 (“Marsy’s Law” Crime Victim Information Within Court Filing)</u>	This new rule defines the scope and purpose, the terminology of this rule, and confidential and exempt record. It details the procedure for identifying confidential crime victim information in criminal and juvenile case records. The rule clarifies the duration of confidentiality in compliance with the Florida Constitution. A sample form is included.
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