

Miami Herald

Dave Wilson
Senior Editor

April 5, 2021

VIA NEXT BUSINESS DAY DELIVERY

The Honorable John A. Tomasino, Clerk
Supreme Court of Florida
500 S. Duval Street
Tallahassee, FL 32399

RE: *In Re: Amendments to Florida Rule of Judicial
Administration 2.420, Case No. SC20-1765*

Dear Clerk Tomasino:

The Miami Herald wishes to voice its support of and appreciation for the Supreme Court's willingness to consider changes to streamline and improve access to court records. The Court's consideration and work toward making civil filings accessible more quickly is in the public interest of the citizens of Florida.

Every day, our journalists report on various aspects of the court system. The Herald covers newsworthy criminal proceedings, as well as civil proceedings of public interest. Access to court records is a critical part of that reporting.

In the era of electronic records and communication, there is an expectation that information is more accessible and more rapidly available. That is often not the case in Florida's court system. Strictly from the aspect of access, electronic filing has hindered not helped the public's right to know what is happening in our courts. When our journalists report on the federal judicial system, they have prompt access to court records through PACER and can report effectively. With the state system, journalists often experience delays in access to key court records.

Received, Clerk, Supreme Court

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COVID-19 revealed how important systems like PACER could be because reliable access was not affected. In state court, however, access to records was affected by COVID issues, often hampering our journalists' ability to report on unfolding events.

The Florida requirement that places a burden of review and redaction of civil court filings on clerks of the court continues to create an unnecessary delay for journalists and the public seeking to access important legal documents and information. If the lawyers who are responsible for most filings make redactions to efiled documents, it would make much more sense. Court records could be uploaded to the online dockets without any issues, similar to the federal system, which has long facilitated access to filings, making PACER an invaluable journalistic resource.

We appreciate the Supreme Court's acknowledgement of the delay issues, its concern with delays and the steps it is undertaking to enable remedies for the problem.

Thank you for your consideration.

Very truly yours,

David E. Wilson

Dave Wilson, Senior Editor
Miami Herald

cc: Joshua E. Doyle, Exec. Director
The Florida Bar
Krys Godwin, Bar Staff Liaison
The Florida Bar
Michael Jeffrey Korn, Chair
Rules of Judicial Administration Committee