

IN THE CIRCUIT COURT OF THE
EIGHTEENTH JUDICIAL CIRCUIT
OF FLORIDA

ADMINISTRATIVE ORDER NO.:
97-7

**IN RE: ADMINISTRATIVE RULES - PUBLIC ACCESS TO JUDICIAL RECORDS - STORAGE
OF NON-EXEMPT ELECTRONIC MAIL POLICY IN ACCORDANCE WITH FLORIDA
RULES OF JUDICIAL ADMINISTRATION 2.051**

WHEREAS, Rule 2.051(a), Florida Rules of Judicial Administration states that the "public shall have access to all records of the judicial branch of government and its agencies"; and

WHEREAS, Rule 2.051(b) Florida Rules of Judicial Administration; defines "judicial records" as "...documents, exhibits in the custody of the clerk, papers, letters, maps, books, tapes, photographs, films, recordings, data processing software or other materials created by any entity within the judicial branch, regardless of physical form, characteristics, or means of transmission, that are made or received pursuant to court rule, law or ordinance, or in connection with the transactions of official business by any court or court agency;" and

WHEREAS, the Eighteenth Judicial Circuit utilizes electronic mail (e-mail) and some of these e-mail messages are "public access records" not subject to exemption within the meaning of Rule 2.051, Florida Rules of Judicial Administration;

IT IS ORDERED that the Eighteenth Judicial Circuit establish a policy outlining the transmission systems judicial branch employees will use to store official business e-mail that is not exempt from disclosure to the public either electronically or on hard copy.

DONE AND ORDERED, this 11th day of April, 1997.

John Dean Moxley, Jr.
JOHN DEAN MOXLEY, JR.
CHIEF JUDGE

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