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For Immediate Release
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FLORIDA'S FIRST AMENDMENT FOUNDATION ANNOUNCES WINNER OF THE JAMES C. ADKINS/SUNSHINE LITIGATION AWARD

The First Amendment Foundation is pleased to announce it will award **Frank Denton, Editor, and *The Florida Times-Union*** the **James C. Adkins/Sunshine Litigation Award**.

The nomination for the award was based on Denton and *The Florida Times-Union* exceptional success protecting and defending our open government laws through critically important litigation. The award was created to recognize the importance and continuing value of Justice Adkins' open government opinions while on the Florida Supreme Court. The award has been presented only twice since its creation.

During 2013, the *Times-Union* pursued three high-profile public records lawsuits. In the first case, the *Times-Union* obtained an appellate court ruling that non-identifying statistical information gleaned from student FCAT results used in the evaluation process for teachers is subject to disclosure under Florida's Public Records Law. Those records were released on February 24, 2014.

The *Times-Union* also challenged a mediation settlement between the City of Jacksonville, the Jacksonville Police and Fire Pension Fund, and the unions. In this case, the court held that pension benefits are subject to mandatory collective bargaining in the Sunshine, and evasive devices will not be tolerated, even when the evasive device used is federal court mediation, which is usually private and confidential. Thus, the mediation settlement agreement between the City of Jacksonville, the Pension Fund, and the unions is void because it was negotiated in the shade.

In its third case of the year, the *Times-Union* obtained multiple appellate orders confirming that the press and public have a constitutional right to obtain public records produced as part of a criminal prosecution. Court records and court proceedings are presumptively open to the public, and in order to close the record or proceedings the trial court must hold an evidentiary hearing and make findings of fact and conclusions of law that closure is necessary to protect from an imminent threat to the fair trial rights of the defendant.

Denton and the paper were represented by attorneys for Holland & Knight in the Jacksonville office – George Gabel, Jennifer Mansfield, and Tim Conner.

“Frank and *The Florida Times-Union*'s unwavering support of open government and their dedication to seeing the cause through to the end demonstrates all of the values this award recognizes,” said Barbara Petersen, FAF president. “We are extremely pleased to be honoring them with this prestigious award.”

The award will be presented at the Foundation's annual Sunshine Recognition luncheon on Tuesday, March 18, 2014, at the Governor's Club in Tallahassee during Florida's annual Sunshine Week celebrations.

For more information or to purchase tickets for the luncheon, please contact the First Amendment Foundation at 850.224.4555. The First Amendment Foundation serves to protect and advance the public's constitutional right to open government by providing education and training, legal aid and information services. Funding is based on voluntary contributions and concerned individuals. To become a member, visit the Foundation's website, www.floridafaf.org.