

News Release

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For immediate release

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Askew's chief of staff challenges blind trust financial disclosure

TALLAHASSEE, FL – Saying he was motivated by protecting the late Gov. Reubin Askew's legacy, Askew's former chief of staff filed a lawsuit Wednesday urging the Florida Supreme Court to prohibit using blind trusts in place of full financial disclosure.

"Governor Askew's commitment to full and public financial disclosure is a major part of his legacy," said former chief of staff Jim Apthorp. "Florida voters supported full disclosure when they overwhelmingly passed Askew's Sunshine Amendment in 1976. Blind trusts circumvent the full public disclosure mandated by the Constitution, and we're asking the Supreme Court to prohibit officials from using them to shield sources and amounts of income from the public."

Apthorp's petition urged the court to prohibit the use of blind trusts in financial disclosure and order Secretary of State Ken Detzner to refuse to accept the qualifying papers of any candidates who attempt to use blind trusts. It also asked the court to invalidate a 2013 law allowing blind trusts in financial disclosure and displace two Ethics Commission opinions saying that blind trust are an acceptable form of disclosure.

Officials who have used blind trusts in lieu of full public financial disclosure include Gov. Rick Scott and former Chief Financial Officer Alex Sink.

"The Sunshine Amendment requires that things be revealed; blind trusts require that things be concealed," Apthorp's petition said. "It would be absurd to conclude that the latter is an adequate substitute for the former."

Apthorp noted that Askew's Sunshine Amendment prohibits the Legislature from taking any action that would weaken its full and public disclosure requirements.

"The meaning of the Sunshine Amendment is clear: Officials and candidates must disclose their finances in full," Apthorp said. "That's what Governor Askew intended, and that's what the courts have ruled."

He said Askew aides first discussed the possibility of challenging blind trusts last fall but put off discussing the idea with the former governor because his health

was deteriorating. Askew died in March, and Apthorp said former aides and supporters decided at his funeral to honor his legacy by fighting to uphold the full disclosure requirements of the Sunshine Amendment.

He said candidates required to file financial disclosure forms will be qualifying for office next month, raising the possibility that a number of them will subvert full disclosure by using blind trusts.

Apthorp's lawsuit was filed by former Florida State University President Talbot "Sandy" D'Alemberte, who is also former president of the American Bar Association, and his wife and law partner, Patsy Palmer.

Among organizations that are supporting the lawsuit are the First Amendment Foundation and the Florida Press Association.

A copy of the petition is available on the First Amendment Foundation website, www.floridafaf.org.

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