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February 26, 2019

The Honorable Gayle Harrell  
The Florida Senate  
404 South Monroe Street, Room 310 SOB  
Tallahassee, FL 32399-1100

Re: SB 980 Exemption/Protective Injunctions

Dear Senator Harrell:

We are writing in response to SB 980 which is scheduled for consideration by the Senate Judiciary Committee on Monday, March 4.

SB 980 creates a public record exemption for all information contained in certain protective injunctions, as well as affidavits, notices of hearing, and temporary injunctions. Once the respondent is served, the records are subject to disclosure.

Our concern is this: What happens if the respondent, for whatever reason, cannot be served? The bill is silent on this point. We would suggest that SB 980 be amended to clarify once it is determined that the respondent cannot be served or a court dismisses the petition or temporary injunction, the petition and related documents are then subject to disclosure. Such language would be consistent with the exemption for search warrants under Rule 2.420, Fla. Rule of Judicial Administration.

We appreciate your attention to our concerns, Senator Harrell. If you or staff any questions, please don't hesitate to contact us.

Sincerely,

Barbara A. Petersen, President

Cc: The Honorable Bill Galvano, President, The Florida Senate  
The Honorable David Simmons, Chair, Senate Judiciary  
Committee