

ADMINISTRATIVE ORDER
NO. 07-91-07

IN THE CIRCUIT COURT OF THE
NINTH JUDICIAL CIRCUIT IN AND
FOR ORANGE COUNTY, FLORIDA

ADMINISTRATIVE ORDER ON ACCESS TO COURT DATA

Whereas, the Court records are kept by the Clerk of Court in the Clerk's computer system, and the Court has authorized and directed that such data be converted and included in the Court Administration DEC computer system to enable the Court to use such information in the administration of the court system, and

Whereas, the Court recognizes the confidentiality of the records data base as set out by law in Florida Statute 39.411(3) and Rule 3.140(1), Florida Rules of Criminal Procedure, and recognizes that this data base within the Court's computer system is not open to the public, and

Whereas, the Public Defender's Office handles approximately 80% of the delinquency cases in the juvenile division and the Court finds that the Public Defender's Office has a need for access to this data base to efficiently follow and coordinate its cases and has a proper interest in inspecting cases in which it is involved. Further, at the present time there is no provision for the Public Defender to access the cases it is involved in and not the entire data base.

NOW, THEREFORE, I, Frederick Pfeiffer, pursuant to the authority vested in me as Chief Judge of the Ninth Judicial Circuit of the State of Florida, order as follows:

1. The Public Defender is authorized to gain access to the juvenile case information on the DEC computer system through the ATEK software currently being used by Court Administration on a view only non print screen.
2. The access stated above is limited to one account.
3. The Public Defender is directed to keep all information gained from this access confidential and not allow it to be inspected or presented to members of the public. In particular, the public defender is not to make known to anyone outside its office any information obtained from files in which the public defender is not representing one of the parties.
4. That the information available to the Public Defender's Office through the ATEK software is not to be made available for view to others not employed by the Public Defender's Office.
5. That the confidentiality exception set forth in Florida Statute 39.411(3) and Rule 3.140(1), Florida Rules of Criminal Procedure, shall be excepted by this Order, based on its special need, and its special relationship to defendants in the Ninth Judicial Circuit.
6. That the Clerk of the Court, Ninth Judicial Circuit, shall not be in violation of the laws or rules of this State by entering data into its computer system and providing said data to the Court Administrator's Office regarding juveniles and charged individuals not yet brought before the Court.

DONE AND ORDERED at Orlando, Orange County, Florida, this 13th day of November, 1991.

s/ Frederick Pfeiffer
Frederick Pfeiffer
Chief Judge