

*Procedure Regarding Confidentiality Agreement  
And Requested Court Approval Thereof*

The *Florida Rules of Judicial Administration*, specifically Rule 2.420, sets forth specific requirements that the Court must follow in designating records as confidential. Even the motion requesting such designation must contain a specific title [*Fla. R. Jud. Admin.* 2.240 (c) (“Motion to Determine Confidentiality of Court Records”)]. Procedures for hearings, notice of the hearing, and the issuance of orders are all laid out and specifically required and must be adhered to by counsel.

**NOTE THAT THE RULE IS ONLY APPLICABLE TO RECORDS TO BE FILED WITH THE COURT**, and does not apply to discovery unless and until the records are to be filed with the Court.

The Court can only approve a confidentiality agreement, when it involves records filed with the Court, if the parties comply with the procedures set forth in Rule 2.410. On the other hand, the parties are free to enter into any stipulation they wish if court approval is not required.

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