

**IN THE THIRTEENTH JUDICIAL CIRCUIT
HILLSBOROUGH COUNTY, FLORIDA**

ADMINISTRATIVE ORDER S-2008-139

DESTRUCTION OF SEALED CIVIL COURT RECORDS AND EXHIBITS

Florida Judicial Administration Rule 2.430(j) provides that no record which has been sealed from public examination by order of court shall be destroyed without hearing and after such notice as the court shall require. The Clerk of the Circuit Court has historically not destroyed sealed civil court records or exhibits and has amassed a volume of sealed civil court records and exhibits which have met or exceeded the retention periods established in Florida Judicial Administration Rule 2.430(c)(1)(C) and 2.430(c)(1)(H). It is necessary for the proper and efficient administration of justice in the circuit to establish a procedure for the destruction of civil court records and exhibits that have met their applicable retention periods.

By the power vested in me under Florida Rule of Judicial Administration 2.215(b)(2), it is therefore **ORDERED**:

1. Posting of Eligible Cases for Destruction

Upon a determination by the Clerk of the Circuit Court or the clerk's designee ("clerk") that sealed civil court records and exhibits have met their retention period as provided in Florida Judicial Administration Rule 2.430 and are eligible for destruction, the clerk will post a listing of the eligible case numbers and styles in the lobby of the Edgecomb Courthouse and on the clerk's website (www.hillsclerk.com) for a period of no less than 30 days. Prior to posting the listing, the clerk will assign the next available file number under the Clerk's Administrative File established by Administrative Order S-2006-146 or any successor administrative order and will file the listing in the Clerk's Administrative File.

2. Notice and Objection to Destruction

The listing must contain notice to the public that any person seeking to object to the destruction of any civil court record or exhibit described in the listing must file such objection with the clerk in writing. Any objections received by the clerk will be filed in the Clerk's Administrative File.

3. Affidavit by Clerk

Upon expiration of the 30-day posting period described in section 1 of this administrative order, the clerk will file an affidavit stating the listing of civil court records and exhibits eligible for destruction has been publicly posted as required by this administrative order. If no objections are filed, the clerk will state in the affidavit that no objections have been filed.

4. Hearing on Objections

If any objection is filed, the objection will be scheduled for hearing before the chief judge, or the chief judge's designee. The clerk is responsible for noticing the objecting party of the hearing on the objection. The clerk will also post a notice of hearing in the lobby of the Edgecomb Courthouse and on the clerk's website (www.hillsclerk.com) for a period of no less than 10 days prior to the scheduled hearing date and time. Upon the expiration of the 10-day

posting for the notice of hearing, the clerk will file an affidavit stating the notice of hearing has been publicly posted as described in this section.

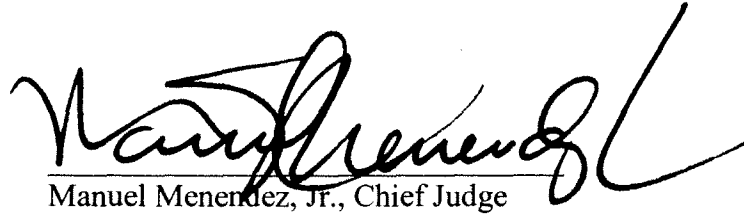
5. Blanket Order

Upon resolution of any filed objections, and when a determination has been made that destruction of civil court records or exhibits, or both, is appropriate, the chief judge, or the chief judge's designee, will sign a blanket order authorizing the clerk to destroy all sealed civil court records and exhibits contained in any listing posted pursuant to section 1 of this administrative order.

6. Effective Date

This administrative order is effective November 1, 2008.

It is ORDERED in Tampa, Hillsborough County, Florida, on this 14th day of October, 2008.


Manuel Menendez, Jr., Chief Judge

Original to: Pat Frank, Clerk of the Circuit Court