

# Internet Access Law and the Santa Rosa County Clerk's Office

**The only records available on the web are the records available to the public during the hours the Clerk's office is open. The internet has simply opened the files to the public twenty four hours a day, seven days a week, as the law anticipates.**

Florida law mandates the Clerk's Office to provide access to the records we have on file. Due to changing technology the records are more accessible than ever and this office has received inquiries as to why the Clerk's office is providing access to these records via the Internet. The following information will explain what the Legislature has directed the Clerk's office to do:

**The Florida Constitution says in part (Art. I, Sec 24):**

*"Every person has the right to inspect or copy any public record made or received in connection with the official business of any...officer...except with respect to records exempted pursuant to this section...."*

**Section 119.07 of Florida Statutes says in part:**

*"Every person who has custody of a public record shall permit the record to be inspected by any person desiring to do so..."*

**Sec. 119.01 of Florida Statutes says in part:**

*"The Legislature finds that, given advancements in technology, providing access to public records by remote electronic means is an additional method of access that agencies should strive to provide to the extent feasible. "*

**Sec. 28.2221 of Florida Statutes says in part:**

*"The Legislature finds that a proper and legitimate state purpose is served by providing the public with access to public records and information on the Internet and hereby determines that the provisions of this section fulfill and further an important state purpose." "No later than January 1, 2002, the county recorder (Clerk of the Court) shall provide a current index of documents recorded in the official records of the county for the period beginning no later than January 1, 1990, on a publicly available Internet website which shall also contain a document requisition point for obtaining images or copies of the documents reflected in the index..." "By January 1, 2006, each county recorder (Clerk of the Court) shall provide for electronic retrieval, at a minimum, of images of documents referenced as the index required to be maintained on the county's official records website by this section."*

**NOTICE:**

The following documents recorded in Official Records after June 5, 2002, will not be available via the Internet website pursuant to action by the 2002 Legislature. The documents listed below recorded in Official Records prior to June 5, 2002, will continue to be available unless the affected party identifies the record and requests in writing that it be removed pursuant to law.

- Military discharge
- Death Certificates
- Court records relating to Family Law
- Court records relating to Juvenile Procedure
- Court records relating to Probate

## Notices for the Suppression of Public Information

**Notice:**

Depending on your occupation, you may be eligible under Florida Statutes, Chapters 119.07(3)(i) and 119.07(3)(i)2, to have your address and other specific personal information suppressed from our public records.

**Notice:**

Any person has the right to request the Clerk/County Recorder to redact his or her social security number, from an image or copy of an Official Record that has been placed on such Clerk's/County Recorder's Publicly available Internet Website. Florida Statutes, Chapter 119.072.

**Notice:**

Any Veteran of the United States Armed Forces or his or her widow or widower, attorney personal representative, executor, or court appointed guardian has the right to request the Clerk/County Recorder to remove from the Official Records any military separation forms recorded by or on behalf of the requesting veteran. The forms eligible for removal include: DD-214; DD-215; WD AGO 53; WD AGO 55; NAVMC 78-PD; and NAVPERS 553. Florida Statutes, Chapter 119.072.

**Notice:**

Any person has the right to request the Clerk/County Recorder to redact his or her bank account, debit, charge and/or credit card numbers from an image or copy of an Official Record that has been placed on such Clerk's/County Recorder's publicly available Internet website. Florida Statutes, Chapter 119.072.

## Public Records Disclaimer

Users of the Santa Rosa County Florida Clerk of the Circuit Court's internet web site must accept the disclaimer below in order to access the online records. **Please read the terms of this Disclaimer Agreement and if you agree with these terms, click on the "Accept" button to continue viewing and using the site.** You are referred to as the "User".

The Clerk's publicly available internet web site is intended for the personal use of the general public for information purposes only. The information available through this publicly available internet web site is not the official record and should not be relied upon for any type of legal action. While the Clerk strives to keep the information current and accurate, this information on the web site is not official and the Clerk will not be responsible for any inaccuracies that may be encountered. Any images copied from this publicly available internet web site have not been certified as being true and correct copies of the instruments filed and recorded with the Clerk. Certified copies of these instruments may be purchased upon request. Events may occur which prevent or delay the web site's availability.

By using this service, in any form, the User agrees to indemnify and hold harmless the Santa Rosa County Clerk of the Circuit Court and anyone involved in storing, retrieving, or displaying this information for any damage of any type that may be caused by accessing this information over the Internet.

## **EFFECTIVE IMMEDIATELY**

Prior to the implementation of a Florida Law which requires that images of County Official Records be published on the Internet by 2006, the Clerk (or Comptroller) was instrumental in assisting the Legislature in developing measures to protect the most sensitive types of information belonging to the public.

Upon becoming law, CS/HB 1679 provides that images of the following types of documents may not be placed on a "publicly available Internet website":

Military Discharge Death Certificates Court files, records of paper relating to matters or cases governed by The Florida Rules of Family Law The Florida Rules of Juvenile Procedure The Florida Rules of Probate.

**Any "affected person" may request that the Clerk of Court/Comptroller or County Recorder remove an image of one of the above-listed documents from a "publicly available Internet website." This request must be in writing and may be delivered in person, by mail, electronically, or by facsimile. The request must specify the "identification" page number of the document to be removed. Forms are available in our office, upon request, to assist you. Forms may also be downloaded from [here](#)**

No fee is charged for this service.

*Florida law requires that images and copies of the above listed documents remain on file and available to the public upon request in the office of the Clerk/County Recorder.*

**DONALD C. SPENCER  
CLERK OF THE CIRCUIT COURT**

Santa Rosa County, Florida

Official Records Division

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# ADVISORY BULLETIN

Florida Association of Court Clerks/Comptrollers

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REF: HB 1563 Updated Notice Provision for Court      DATE: May 23, 2006      NO: 06-030  
Records

FILE NO. F02-008-060522-01      TELEPHONE: (850) 921-0808      CONTACT: B. Allman      PAGE 1 OF 1

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## CLARIFICATION TO ADVISORY BULLETIN 06-28

Regarding our commitment to the Legislature, Clerks should immediately and conspicuously post signs throughout his or her offices for public viewing and should immediately and conspicuously post, on any Internet website or remote electronic site made available by the Clerk of the Circuit Court, a notice stating, in substantially similar form, the following:

*“Any person preparing or filing a court document should not include a social security number or a complete bank account, debit, charge, or credit card number in such document, unless required by law or court rule, or necessary to the adjudication of the case.*

*Any person has a right to request that the Clerk of the Circuit Court remove from an image or copy of a court document a social security number or complete bank account, debit, charge, or credit card number contained in a court document. Such request must be made in writing and delivered by mail, facsimile, electronic transmission, or in person to the Clerk of the Circuit Court. The request must specify the case number, the title of the document, and the identification page number of the document which contains the number to be redacted. A fee will not be charged for the redaction of a social security number or a complete bank account, debit, charge, or credit card number pursuant to such a request.”*

It is further noted that the Clerk has no authority to refuse to accept any document or pleading that contains the aforementioned sequential numbers.

It is anticipated that the notices should be posted by July 1, 2006.

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