

## **MEDIA GUIDELINES**

### **FOR COVERAGE OF HIGH-PROFILE PROCEEDINGS RELATED TO CHILDREN UNDER CHAPTER 39, FLORIDA STATUTES AT THE JUVENILE JUSTICE CENTER, 3300 N.W. 27<sup>TH</sup> AVENUE**

Certain cases and/or proceedings often generate great public interest or are of such high-profile status that special media coverage procedures and accommodations are necessary. Therefore, to ensure a proper balance between media access and the litigants' right to a fair and impartial court proceeding, the following procedures will be in place for high-profile proceedings at the Juvenile Justice Center:

1. All media inquiries or requests for special accommodations should be directed to the Eleventh Judicial Circuit's Public Information Officer (Court PIO), Eunice Sigler, at 305-349-7189 Office, 786-348-7381 Cell, or [esigler@jud11.flcourts.org](mailto:esigler@jud11.flcourts.org) e-mail. Note: e-mail is the best way to reach Ms. Sigler.
2. Only one video camera, operated by one person, and one still photography camera, operated by one photographer, will be allowed in a courtroom at any time. The one video and one still camera inside the courtroom will serve as the "pool" for other interested media. Pool requests will be granted on a first-come, first-served basis, so long as the organization wishing to serve as the pool agrees to share all recordings with other media and has the appropriate equipment/technology to do so.

Alternatively, members of the media may cooperatively come up with their own pooling arrangements and present those to the Court PIO, who will serve as the liaison between the media and the presiding judge and court staff.

Note: Pooling arrangements are the responsibilities of the members of the media wishing to cover a high-profile proceeding. Neither the PIO nor the presiding judge will mediate disputes regarding pool arrangements. In the absence of an agreed pool arrangement, the PIO may designate a pool provider, or the presiding judge may exclude all contesting media parties from the proceedings.

3. Upon arrival at the Juvenile Justice Center, all media personnel should check in with the Administrative Office of the Courts and Miami-Dade Police Department Court Liaison Office before attempting to enter the facility. Only the TV crew and still photography crew serving as the "pool" for other interested media will be allowed to enter the building for a particular proceeding.

4. Except for certain exceptions, such as termination of parental rights proceedings and others outlined under State Statutes, juvenile dependency proceedings are generally open to the public, subject to the discretion of the presiding judge, who may close portions of the proceedings as required by state or federal laws, or if the presiding judge deems that public access may produce harm to the minor children.

However, during open juvenile proceedings, the faces of minors may not be filmed or photographed at any time, and no filming or photography is allowed within the Juvenile Justice Center except for the pool crew set up as the “pool” inside the courtroom. If a second pool crew is stationed outside the courtroom to cover events outside of the courtroom, that crew is also prohibited from filming or photographing the faces of minors anywhere in the courthouse. We protect the confidentiality of minors at all times.

5. The pool video and still cameras inside the courtroom may not produce distracting sound or light. The still camera must be enclosed in a silencing device. No equipment may be set up or taken down while court is in session. Spotlights or flash units may not be used inside the courtroom.
6. The pool video and still photographers serving as the pool should coordinate camera locations with the PIO and the bailiff in advance of any court proceeding. The pool camera operators must comply with the provisions of Rule 2.450, Florida Rules of Judicial Administration, which governs electronic and still photography coverage of court proceedings [*see Appendix for full text of Rule 2.450*].
7. To protect attorney-client privilege and the effective representation by counsel, media broadcast or audio pick-up of conferences that occur in the courtroom between attorneys and their clients, or between counsel and the presiding judge held at the bench (bench conferences), are not permitted.
8. No one is permitted to enter the well of the courtroom at any time without the express permission of the presiding judge.
9. So as not to interfere with court proceedings or with a litigant’s rights, no interviews are permitted within or immediately outside the courtroom at any time. No member of the media may attempt to interview any attorney, litigant, witness, court personnel, or member of the public within or immediately outside the courtroom.
10. The PIO will designate a location outside the courtroom for the pool television camera person and pool still photographer covering events outside of the courtroom. Said location must be at least 10 feet from the courtroom exit doors and cannot impede the orderly flow of pedestrian traffic in hallways

adjacent to the courtroom.

11. Except as provided within these guidelines, no other video cameras, still cameras, or other broadcasting equipment will be permitted in the courthouse, with the exception of equipment used to cover other judicial proceedings.
12. The presiding judge may designate a specified number of seats in the public area of the courtroom for the following categories of individuals: (a) family/friends of litigants, (b) victims, (c) family/friends of victims, (d) general public, (e) court personnel, and (f) media representatives.

Members of the media who are not operating the pool cameras and merely wish to observe the proceedings and take notes will be admitted so long as space is available, and they should contact the Court PIO to determine where the media section of the audience has been designated.

If limited space is available, the Court PIO will attempt to balance available seats among an equal number of print, radio and broadcast journalists.

13. By arrangement with the Court PIO, the courtroom will be made available to the media before subject proceedings for installation of necessary equipment and wiring. The Court PIO may require media representatives to attend a meeting to discuss the placement of cameras, microphones and other equipment to be used to cover subject proceedings.
14. All wiring must be located as to not constitute a safety hazard or an obstruction to pedestrian traffic.
15. Once the court proceedings have concluded, all interviews, filming, and still photography must occur outside the building.
16. There is no media room available at the Juvenile Justice Center, however court operations staff will do everything possible to provide members of the media with access to electrical outlets and any other accommodations that may be provided, subject to availability.
17. If the Court and/or municipal or county governments incur expenses to make accommodations for media coverage of a subject proceeding, media representatives must provide reimbursement for said expenses.
18. Parking is limited and based on space availability. When space is available, satellite trucks may park on the south entrance apron, where police vehicles are allowed to park.
19. The judicial branch is not an agency as defined under Chapter 119, Florida Statutes, therefore requests for court records should be filed pursuant to Rule

2.420, Florida Rules of Judicial Administration, which governs public access to court records [*see Appendix for full text of Rule 2.420*]. Note: this rule exempts from public disclosure those court records made confidential by state or federal law.

20. Pursuant to Florida Statute, Title V, Chapter 39, governing judicial proceedings involving children, court records in juvenile dependency proceedings are not open to inspection by the public, unless a member of the media seeks and obtains a court order from the presiding judge allowing inspection, subject to any redactions required by law. [*See Appendix for full text of Fla. Statute 39.0132*].

By definition, “court records” include transcripts of court proceedings filed with the clerk, as well as electronic records, videotapes or stenographic tapes of court proceedings (Fla. Rules of Judicial Administration, 2.420(b)).

Additionally, information obtained by any designated person or agency in the discharge of their official duties under Ch. 39 is confidential and cannot be disclosed to the media without a specific court order.

## APPENDIX

### RULE 2.420. PUBLIC ACCESS TO JUDICIAL BRANCH RECORDS

#### **(a) Scope and Purpose.**

Subject to the rulemaking power of the Florida Supreme Court provided by article V, section 2, Florida Constitution, the following rule shall govern public access to the records of the judicial branch of government. The public shall have access to all records of the judicial branch of government, except as provided below.

#### **(b) Definitions.**

(1) "Records of the judicial branch" are all records, regardless of physical form, characteristics, or means of transmission, made or received in connection with the transaction of official business by any judicial branch entity and consist of:

(A) "court records," which are the contents of the court file, including the progress docket and other similar records generated to document activity in a case, transcripts filed with the clerk, documentary exhibits in the custody of the clerk, and electronic records, videotapes, or stenographic tapes of depositions or other proceedings filed with the clerk, and electronic records, videotapes, or stenographic tapes of court proceedings; and

(B) "administrative records," which are all other records made or received pursuant to court rule, law, or ordinance, or in connection with the transaction of official business by any judicial branch entity.

(2) "Judicial branch" means the judicial branch of government, which includes the state courts system, the clerk of court when acting as an arm of the court, The Florida Bar, the Florida Board of Bar Examiners, the Judicial Qualifications Commission, and all other entities established by or operating under the authority of the supreme court or the chief justice.

(3) "Custodian." The custodian of all administrative records of any court is the chief justice or chief judge of that court, except that each judge is the custodian of all records that are solely within the possession and control of that judge. As to all other records, the custodian is the official charged with the responsibility of maintaining the office having the care, keeping, and supervision of such records. All references to "custodian" mean the custodian or the custodian's designee.

#### **(c) Exemptions.**

The following records of the judicial branch shall be confidential:

(1) Trial and appellate court memoranda, drafts of opinions and orders, court conference records, notes, and other written materials of a similar nature prepared by judges or court staff acting on behalf of or at the direction of the court as part of the court's judicial decision-making process utilized in disposing of cases and controversies before Florida courts unless filed as a part of the court record;

(2) Memoranda or advisory opinions that relate to the administration of the court and that require confidentiality to protect a compelling governmental interest, including, but not limited to, maintaining court security, facilitating a criminal investigation, or protecting public safety, which cannot be adequately protected by less restrictive measures. The degree, duration, and manner of confidentiality imposed shall be no broader than necessary to protect the compelling governmental interest involved, and a finding shall be made that no less restrictive measures are available to protect this interest. The decision that confidentiality is required with respect to such administrative memorandum or written advisory opinion shall be made by the chief judge;

(3) (A) Complaints alleging misconduct against judges until probable cause is established;

(B) Complaints alleging misconduct against other entities or individuals licensed or regulated by the courts, until a finding of probable cause or no probable cause is established, unless otherwise provided. Such finding should be made within the time limit set by law or rule. If no time limit is set, the finding should be made within a reasonable period of time;

(4) Periodic evaluations implemented solely to assist judges in improving their performance, all information gathered to form the bases for the evaluations, and the results generated therefrom;

- (5) Only the names and qualifications of persons applying to serve or serving as unpaid volunteers to assist the court, at the court's request and direction, shall be accessible to the public. All other information contained in the applications by and evaluations of persons applying to serve or serving as unpaid volunteers shall be confidential unless made public by court order based upon a showing of materiality in a pending court proceeding or upon a showing of good cause;
- (6) Copies of arrest and search warrants and supporting affidavits retained by judges, clerks, or other court personnel until execution of said warrants or until a determination is made by law enforcement authorities that execution cannot be made;
- (7) All records made confidential under the Florida and United States Constitutions and Florida and federal law;
- (8) All records presently deemed to be confidential by court rule, including the Rules for Admission to the Bar, by Florida Statutes, by prior case law of the State of Florida, and by the rules of the Judicial Qualifications Commission;
- (9) Any court record determined to be confidential in case decision or court rule on the grounds that (A) confidentiality is required to (i) prevent a serious and imminent threat to the fair, impartial, and orderly administration of justice; (ii) protect trade secrets; (iii) protect a compelling governmental interest; (iv) obtain evidence to determine legal issues in a case; (v) avoid substantial injury to innocent third parties; (vi) avoid substantial injury to a party by disclosure of matters protected by a common law or privacy right not generally inherent in the specific type of proceeding sought to be closed; (vii) comply with established public policy set forth in the Florida or United States Constitution or statutes or Florida rules or case law;
- (B) the degree, duration, and manner of confidentiality ordered by the court shall be no broader than necessary to protect the interests set forth in subdivision (A);
- (C) no less restrictive measures are available to protect the interests set forth in subdivision (A); and
- (D) except as provided by law or rule of court, reasonable notice shall be given to the public of any order closing any court record.
- (10) The names and any identifying information of judges mentioned in an advisory opinion of the Committee on Standards of Conduct for Judges.

**(d) Judicial Review of Denial of Access Request.**

Expedited review of denials of access to records of the judicial branch shall be provided through an action for mandamus, or other appropriate appellate remedy, in the following manner:

- (1) Where a judge who has denied a request for access to records is the custodian, the action shall be filed in the court having appellate jurisdiction to review the decisions of the judge denying access. Upon order issued by the appellate court, the judge denying access to records shall file a sealed copy of the requested records with the appellate court.
- (2) All other actions under this rule shall be filed in the circuit court of the circuit in which such denial of access occurs.

**(e) Procedure.**

Requests and responses to requests for access to records under this rule shall be made in a reasonable manner.

- (1) Requests for access to records shall be in writing and shall be directed to the custodian. The request shall provide sufficient specificity to enable the custodian to identify the requested records. The reason for the request is not required to be disclosed.
- (2) The custodian shall be solely responsible for providing access to records of the custodian's entity. The custodian shall determine whether the requested record is subject to this rule and, if so, whether the record or portions of the record are exempt from disclosure. The custodian shall determine the form in which the record is provided. If the request is denied, the custodian shall state in writing the basis for the denial.
- (3) Fees for copies of records in all entities in the judicial branch of government, except for copies of court records, shall be the same as those provided in section 119.07, Florida Statutes (2001).

## **RULE 2.450. TECHNOLOGICAL COVERAGE OF JUDICIAL PROCEEDINGS**

### **(a) Electronic and Still Photography Allowed.**

Subject at all times to the authority of the presiding judge to: (i) control the conduct of proceedings before the court; (ii) ensure decorum and prevent distractions; and (iii) ensure the fair administration of justice in the pending cause, electronic media and still photography coverage of public judicial proceedings in the appellate and trial courts of this state shall be allowed in accordance with the following standards of conduct and technology promulgated by the Supreme Court of Florida.

### **(b) Equipment and Personnel.**

(1) At least 1 portable television camera, operated by not more than 1 camera person, shall be permitted in any trial or appellate court proceeding. The number of permitted cameras shall be within the sound discretion and authority of the presiding judge.

(2) Not more than 1 still photographer, using not more than 2 still cameras, shall be permitted in any proceeding in a trial or appellate court.

(3) Not more than 1 audio system for radio broadcast purposes shall be permitted in any proceeding in a trial or appellate court. Audio pickup for all media purposes shall be accomplished from existing audio systems present in the court facility. If no technically suitable audio system exists in the court facility, microphones and related wiring essential for media purposes shall be unobtrusive and shall be located in places designated in advance of any proceeding by the chief judge of the judicial circuit or district in which the court facility is located.

(4) Any “pooling” arrangements among the media required by these limitations on equipment and personnel shall be the sole responsibility of the media without calling upon the presiding judge to mediate any dispute as to the appropriate media representative or equipment authorized to cover a particular proceeding. In the absence of advance media agreement on disputed equipment or personnel issues, the presiding judge shall exclude all contesting media personnel from a proceeding.

### **(c) Sound and Light Criteria.**

(1) Only television photographic and audio equipment that does not produce distracting sound or light shall be used to cover judicial proceedings. No artificial lighting device of any kind shall be used in connection with the television camera.

(2) Only still camera equipment that does not produce distracting sound or light shall be used to cover judicial proceedings. No artificial lighting device of any kind shall be used in connection with a still camera.

(3) It shall be the affirmative duty of media personnel to demonstrate to the presiding judge adequately in advance of any proceeding that the equipment sought to be used meets the sound and light criteria enunciated in this rule. A failure to obtain advance judicial approval for equipment shall preclude its use in any proceeding.

### **(d) Location of Equipment Personnel.**

(1) Television camera equipment shall be positioned in such location in the court facility as shall be designated by the chief judge of the judicial circuit or district in which such facility is situated. The area designated shall provide reasonable access to coverage. If and when areas remote from the court facility that permit reasonable access to coverage are provided, all television camera and audio equipment shall be positioned only in such area. Videotape recording equipment that is not a component part of a television camera shall be located in an area remote from the court facility.

(2) A still camera photographer shall position himself or herself in such location in the court facility as shall be designated by the chief judge of the judicial circuit or district in which such facility is situated. The area designated shall provide reasonable access to coverage. Still camera photographers shall assume a fixed position within the designated area and, once established in a shooting position, shall act so as not to call attention to themselves through further movement. Still camera photographers shall not be permitted to move about in order to obtain photographs of court proceedings.

(3) Broadcast media representatives shall not move about the court facility while proceedings are in session, and microphones or taping equipment once positioned as required by subdivision (b)(3) shall not be moved during the pendency of the proceeding.

**(e) Movement During Proceedings.**

News media photographic or audio equipment shall not be placed in or removed from the court facility except before commencement or after adjournment of proceedings each day, or during a recess. Neither television film magazines nor still camera film or lenses shall be changed within a court facility except during a recess in the proceeding.

**(f) Courtroom Light Sources.**

With the concurrence of the chief judge of a judicial circuit or district in which a court facility is situated, modifications and additions may be made in light sources existing in the facility, provided such modifications or additions are installed and maintained without public expense.

**(g) Conferences of Counsel.**

To protect the attorney-client privilege and the effective right to counsel, there shall be no audio pickup or broadcast of conferences that occur in a court facility between attorneys and their clients, between co-counsel of a client, or between counsel and the presiding judge held at the bench.

**(h) Impermissible Use of Media Material.**

None of the film, videotape, still photographs, or audio reproductions developed during or by virtue of coverage of a judicial proceeding shall be admissible as evidence in the proceeding out of which it arose, in any proceeding subsequent or collateral thereto, or upon retrial or appeal of such proceedings.

**(i) Appellate Review.**

Review of an order excluding the electronic media from access to any proceeding, excluding coverage of a particular participant, or upon any other matters arising under these standards shall be pursuant to Florida Rule of Appellate Procedure 9.100(d).

**FLORIDA STATUTES, TITLE V – JUDICIAL BRANCH, CHAPTER 39 – PROCEEDINGS  
RELATING TO CHILDREN**

**39.0132 Oaths, records, and confidential information.--**

(1) The judge, clerks or deputy clerks, or authorized agents of the department shall each have the power to administer oaths and affirmations.

(2) The court shall make and keep records of all cases brought before it pursuant to this chapter and shall preserve the records pertaining to a dependent child until 7 years after the last entry was made, or until the child is 18 years of age, whichever date is first reached, and may then destroy them, except that records of cases where orders were entered permanently depriving a parent of the custody of a juvenile shall be preserved permanently. The court shall make official records, consisting of all petitions and orders filed in a case arising pursuant to this chapter and any other pleadings, certificates, proofs of publication, summonses, warrants, and other writs which may be filed therein.

(3) The clerk shall keep all court records required by this chapter separate from other records of the circuit court. All court records required by this chapter shall not be open to inspection by the public. All records shall be inspected only upon order of the court by persons deemed by the court to have a proper interest therein, except that, subject to the provisions of s. [63.162](#), a child and the parents of the child and their attorneys, guardian ad litem, law enforcement agencies, and the department and its designees shall always have the right to inspect and copy any official record pertaining to the child. The Justice Administrative Commission may inspect court dockets required by this chapter as necessary to audit compensation of court-appointed attorneys. If the docket is insufficient for purposes of the audit, the commission may petition the court for additional documentation as necessary and appropriate. The court may permit authorized representatives of recognized organizations compiling statistics for proper purposes to inspect and make abstracts from official records, under whatever conditions upon their use and disposition the court may deem proper, and may punish by contempt proceedings any violation of those conditions.

(4)(a)1. All information obtained pursuant to this part in the discharge of official duty by any judge, employee of the court, authorized agent of the department, correctional probation officer, or law enforcement agent is confidential and exempt from s. [119.07](#)(1) and may not be disclosed to anyone other than the authorized personnel of the court, the department and its designees, correctional probation officers, law enforcement agents, guardian ad litem, and others entitled under this chapter to receive that information, except upon order of the court.

2. Any information related to the best interests of a child, as determined by a guardian ad litem, which is held by a guardian ad litem, including but not limited to medical, mental health, substance abuse, child care, education, law enforcement, court, social services, and financial records; and any other information maintained by a guardian ad litem which is identified as confidential information under this chapter; is confidential and exempt from s. [119.07](#)(1) and s. 24(a), Art. I of the State Constitution. Such confidential and exempt information may not be disclosed to anyone other than the authorized personnel of the court, the department and its designees, correctional probation officers, law enforcement agents, guardians ad litem, and others entitled under this chapter to receive that information, except upon order of the court. This subparagraph is subject to the Open Government Sunset Review Act of 1995 in accordance with s. [119.15](#), and shall stand repealed on October 2, 2010, unless reviewed and saved from repeal through reenactment by the Legislature.

(b) The department shall disclose to the school superintendent the presence of any child in the care and custody or under the jurisdiction or supervision of the department who has a known history of criminal sexual behavior with other juveniles; is an alleged juvenile sex offender, as defined in s. [39.01](#); or has pled guilty or nolo contendere to, or has been found to have committed, a violation of chapter 794, chapter 796, chapter 800, s. [827.071](#), or s. [847.0133](#), regardless of adjudication. Any employee of a district school board

who knowingly and willfully discloses such information to an unauthorized person commits a misdemeanor of the second degree, punishable as provided in s. [775.082](#) or s. [775.083](#).

(5) All orders of the court entered pursuant to this chapter shall be in writing and signed by the judge, except that the clerk or deputy clerk may sign a summons or notice to appear.

(6) No court record of proceedings under this chapter shall be admissible in evidence in any other civil or criminal proceeding, except that:

(a) Records of proceedings under this chapter forming a part of the record on appeal shall be used in the appellate court in the manner hereinafter provided.

(b) Records necessary therefor shall be admissible in evidence in any case in which a person is being tried upon a charge of having committed perjury.

(c) Records of proceedings under this chapter may be used to prove disqualification pursuant to s. [435.06](#) and for proof regarding such disqualification in a chapter 120 proceeding.

(d) A final order entered pursuant to an adjudicatory hearing is admissible in evidence in any subsequent civil proceeding relating to placement of, access to, parental time with, adoption of, or parental rights and responsibilities for the same child or a sibling of that child.

(e) Evidence admitted in any proceeding under this chapter may be admissible in evidence when offered by any party in a subsequent civil proceeding relating to placement of, access to, parental time with, adoption of, or parental rights and responsibilities for the same child or a sibling of that child if:

1. Notice is given to the opposing party or opposing party's counsel of the intent to offer the evidence and a copy of such evidence is delivered to the opposing party or the opposing party's counsel; and

2. The evidence is otherwise admissible in the subsequent civil proceeding.

(7) Final orders, records, and evidence in any proceeding under this chapter which are subsequently admitted in evidence pursuant to subsection (6) remain subject to subsections (3) and (4).

**39.507 Adjudicatory hearings; orders of adjudication.--**

(1)(a) The adjudicatory hearing shall be held as soon as practicable after the petition for dependency is filed and in accordance with the Florida Rules of Juvenile Procedure, but no later than 30 days after the arraignment.

(b) Adjudicatory hearings shall be conducted by the judge without a jury, applying the rules of evidence in use in civil cases and adjourning the hearings from time to time as necessary. In a hearing on a petition in which it is alleged that the child is dependent, a preponderance of evidence will be required to establish the state of dependency. Any evidence presented in the dependency hearing which was obtained as the result of an anonymous call must be independently corroborated. In no instance shall allegations made in an anonymous report of abuse, abandonment, or neglect be sufficient to support an adjudication of dependency in the absence of corroborating evidence.

(2) All hearings, except as provided in this section, shall be open to the public, and a person may not be excluded except on special order of the judge, who may close any hearing to the public upon determining that the public interest or the welfare of the child is best served by so doing. The parents or legal custodians shall be allowed to obtain discovery pursuant to the Florida Rules of Juvenile Procedure, provided such discovery does not violate the provisions of s. 39.202. Hearings involving more than one child may be held simultaneously when the children involved are related to each other or were involved in the same case. The child and the parents, caregivers, or legal custodians of the child may be examined separately and apart from each other.

(3) Except as otherwise specifically provided, nothing in this section prohibits the publication of the proceedings in a hearing.

(4) If the court finds at the adjudicatory hearing that the child named in a petition is not dependent, it shall enter an order so finding and dismissing the case.

(5) If the court finds that the child named in the petition is dependent, but finds that no action other than supervision in the child's home is required, it may enter an order briefly stating the facts upon which its finding is based, but withholding an order of adjudication and placing the child's home under the supervision of the department. If the court later finds that the parents of the child have not complied with the conditions of supervision imposed, the court may, after a hearing to establish the noncompliance, but without further evidence of the state of dependency, enter an order of adjudication and shall thereafter have full authority under this chapter to provide for the child as adjudicated. If the child is to remain in an out-of-home placement by order of the court, the court must adjudicate the child dependent.

(6) If the court finds that the child named in a petition is dependent, but chooses not to withhold adjudication or is prohibited from withholding adjudication, it shall incorporate that finding in an order of adjudication entered in the case, briefly stating the facts upon which the finding is made, and the court shall thereafter have full authority under this chapter to provide for the child as adjudicated.

(7) If a court adjudicates a child dependent and the child is in out-of-home care, the court shall inquire of the parent or parents whether the parents have relatives who might be considered as a placement for the child. The court shall advise the parents that, if the parents fail to substantially comply with the case plan, their parental rights may be terminated and that the child's out-of-home placement may become permanent. The parent or parents shall provide to the court and all parties identification and location information of the relatives.

(8) At the conclusion of the adjudicatory hearing, if the child named in the petition is found dependent, the court shall schedule the disposition hearing within 30 days after the last day of the adjudicatory hearing. All parties shall be notified in writing at the conclusion of the adjudicatory hearing by the clerk of the court of the date, time, and location of the disposition hearing.

(9) An order of adjudication by a court that a child is dependent shall not be deemed a conviction, nor shall the child be deemed to have been found guilty or to be a criminal by reason of that adjudication, nor shall that adjudication operate to impose upon the child any of the civil disabilities ordinarily imposed by or resulting from conviction or disqualify or prejudice the child in any civil service application or appointment.

(10) After an adjudication of dependency, or a finding of dependency where adjudication is withheld, the court may order a person who has custody or is requesting custody of the child to submit to a substance abuse assessment or evaluation. The assessment or evaluation must be administered by a qualified professional, as defined in s. [397.311](#). The court may also require such person to participate in and comply with treatment and services identified as necessary, including, when appropriate and available, participation in and compliance with a treatment-based drug court program established under s. [397.334](#). In addition to supervision by the department, the court, including the treatment-based drug court program, may oversee the progress and compliance with treatment by a person who has custody or is requesting custody of the child. The court may impose appropriate available sanctions for noncompliance upon a person who has custody or is requesting custody of the child or make a finding of noncompliance for consideration in determining whether an alternative placement of the child is in the child's best interests. Any order entered under this subsection may be made only upon good cause shown. This subsection does not authorize placement of a child with a person seeking custody, other than the parent or legal custodian, who requires substance abuse treatment.

**39.814 Oaths, records, and confidential information.--**

(1) The judge, clerks or deputy clerks, and authorized agents of the department shall each have the power to administer oaths and affirmations.

(2) The court shall make and keep records of all cases brought before it pursuant to this part and shall preserve the records of proceedings under this part pursuant to the Florida Rules of Judicial Administration. Records of cases where orders were entered permanently depriving a parent of the custody of a child shall be preserved permanently.

(3) The clerk shall keep all court records required by this part separate from other records of the circuit court. All court records required by this part shall not be open to inspection by the public. All records shall be inspected only upon order of the court by persons deemed by the court to have a proper interest therein, except that, custodians of the child and their attorneys, law enforcement agencies, and the department and its designees shall always have the right to inspect and copy any official record pertaining to the child. The court may permit authorized representatives of recognized organizations compiling statistics for proper purposes to inspect and make abstracts from official records, under whatever conditions upon their use and disposition the court may deem proper, and may punish by contempt proceedings any violation of those conditions.

(4) All information obtained pursuant to this part in the discharge of official duty by any judge, employee of the court, authorized agent of the department, or law enforcement agent shall be confidential and exempt from the provisions of s. [119.07](#)(1) and shall not be disclosed to anyone other than the authorized personnel of the court, the department and its designees, law enforcement agents, and others entitled under this part to receive that information, except upon order of the court.

(5) All orders of the court entered pursuant to this part shall be in writing and signed by the judge, except that the clerk or deputy clerk may sign a summons or notice to appear.

(6) No court record of proceedings under this part shall be admissible in evidence in any other civil or criminal proceeding, except that:

(a) Records of proceedings under this part forming a part of the record on appeal shall be used in the appellate court in the manner hereinafter provided.

(b) Records necessary therefor shall be admissible in evidence in any case in which a person is being tried upon a charge of having committed perjury.

(c) A final order entered pursuant to an adjudicatory hearing is admissible in evidence in any subsequent civil proceeding relating to placement of, access to, parental time with, adoption of, or parental rights and responsibilities for the same child or a sibling of that child.

(d) Evidence admitted in any proceeding under this part may be admissible in evidence when offered by any party in a subsequent civil proceeding relating to placement of, access to, parental time with, adoption of, or parental rights and responsibilities for the same child or a sibling of that child if:

1. Notice is given to the opposing party or opposing party's counsel of the intent to offer the evidence and a copy of such evidence is delivered to the opposing party or opposing party's counsel; and

2. The evidence is otherwise admissible in the subsequent civil proceeding.

(7) Final orders, records, and evidence in any proceeding under this part which are subsequently admitted in evidence pursuant to subsection (6) remain subject to subsections (3) and (4).