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Amendments to Florida Family Law Rules of Procedure

NEXT CASE IS THE AMENDMENTS TO THE FLORIDA FAMILY LAW RULES OF PROCEDURE.

THANK YOU.

GOOD MORNING, YOUR HONORS.

CHIEF JUSTICE: IT IS AWFULLY LOAN OUT THERE.

I AM A CIRCUIT JUDGE AND A MEMBER OF THE FAMILY LAW RULES COMMITTEE, AND I AM HERE TODAY DUE TO THE UNAVAILABILITY OF THE CHAMPLT HE CALLED ME AND SAID HIS DAUGHTER WAS PERFORMING IN A PLAY IN IRELAND AND HE WOULD LIKE TO SEE THAT. AND AFTER I FOUND OUT THAT THE COURT HAD SET THIS ON AN ORAL ARGUMENT ON ITS OWN MOTION, I FELT LIKE HE REALLY WANTED TO LEAVE THE COUNTRY.

RIGHT TO THE HEART OF THE MATTER.

BECAUSE YOU ARE CORRECT. THERE WERE NO COMMENTS FILED, BUT THERE WERE TWO RULES THAT I WOULD APPRECIATE IF YOU COULD ADDRESS THAT ARE SOMEWHAT, THEY ARE RELATED TO THE PUBLIC RECORDS ISSUES, AND THAT THE COURT, AND ONE IS, UNDER RULE 12.285, THE MANDATORY DISCLOSURE RULE, THE TRADITIONAL LANGUAGE EXCEPT FOR THE FINANCIAL AID AFFIDAVIT AND CHILD SUPPORT GUIDELINES WORKSHOP, SHEET, NO DOCUMENTS PRODUCED SHALL BE FILED IN THE COURT FILE WITHOUT A COURT ORDER. THAT WAS ONE CONCERN, AND I MEAN HE SPECIALLY GLAD YOU ARE HERE AS A CIRCUIT JUDGE, AS TO WHETHER THAT IS A PRUDENT RULE, WHETHER THERE WOULD BE CONCERN THAT THERE WOULD BE MORE COURT HEARINGS GENERATED BECAUSE OF IT, AND THE SECOND QUESTION HAS TO DO WITH THE CONDITIONAL CEILING UNDER RULE 12.40 AND THIS REQUIREMENT OF WHETHER IT SHOULD BE ON A BULLETIN BOARD AND WHETHER THAT SHOULD BE PLACED IN THE RULES OF JUDICIAL ADMINISTRATION, SO THOSE ARE THE TWO BIG ONES THAT BOTH REALLY RELATE TO PUBLIC RECORD ISSUES.

THAT IS A GOOD POINT, JUSTICE PARIENTE. IF I COULD MAKE A BRIEF PRESENTATION TO PUT IT INTO SOME KIND OF CONTEXT. WE ASK YOU TO ADOPT HAD SEVERAL AMENDMENTS, AND 12.902, WHICH REFORMS THE SHORT FORM AND THE LONG FORM FINANCIAL AFFIDAVITS, WE ASK YOU TO ADOPT SOME LANGUAGE. IT JUST SAYS DON'T PUT IN YOUR ACCOUNT NUMBERS. JUST DO YOUR FINANCIAL DISCLOSURE. IT IS MANDATORY. DON'T PUT IN YOUR ACCOUNT NUMBERS. THEN, WE GO, AND WE SAY, IN 2.85, THE ONLY THING THAT YOU HAVE TO FILE WITH THE COURT ARE YOUR FINANCIAL AFFIDAVITS AS IN THE MANDATORY DISCLOSURE AND THE CHILES SUPPORT AFFIDAVIT WORKSHEET, SO IF WE HAVE TO GO BACK AND REVIEW, WE HAVE INFORMATION FOR THE DIVISION OF PROPERTY, ALIMONY AWARD, FOR ANY ATTORNEYS FEE AWARD AND WE HAVE THE CHILD SUPPORT GUIDELINES CALCULATION.

ALL RIGHT. AND THEN, THEREFORE, ALL OF THE OTHER THINGS, LIKE THE INCOME TAX RETURNS, THE PAY STUBS, THE LOAN APPLICATIONS, THE DEEDS. IS IT THE INTENT OF THE RULE TO REALLY PREVENT THOSE THINGS FROM BEING FILED, BECAUSE, EITHER, A, IT IS A BURDEN TO HAVE ALL OF THOSE FILINGS IN THE COURT FILE, OR, B, ALSO BECAUSE THERE IS ISSUES ABOUT WHY HAVE MORE THINGS IN THE COURT FILE THAT MAY BE NOT NECESSARY FOR THE ADJUDICATION OF THE CASE?

THAT IS ONE POINT, JUST AS YOU DON'T PUT ANSWER TO SAY INTERROGATORIES IN AND OTHER THINGS. YOU ARE JUST GOING TO CLUTTER THE COURT FILE, BUT IDENTITY THEFT, IF YOU GET TO THE HEART OF WHERE OUR CONCERN IS, WE ARE CONCERNED, AGAIN, ABOUT IDENTITY THEFT. WE ARE CONCERNED ABOUT THIS FINANCIAL INFORMATION. WE, AS PUBLIC OFFICIALS, ARE COMFORTABLE AND FAMILIAR WITH THE FACT THAT OUR FINANCIAL CIRCUMSTANCES WILL BE KNOWN TO ANYONE WHO SEEKS THEM. SOMETIMES THEY ARE KNOWN TO THOSE WHO DON'T SEEK THEM, BECAUSE THEY ARE PUBLISHED IN THE NEWSPAPER, BUT MOST PEOPLE HAVE NO CLUE THAT, WHEN THEY ARE FORCED INTO A DISLUTION OF THEIR MARRIAGE, THAT -- A DISSOLUTION OF THEIR MARRIAGE, THAT THEIR FINANCIAL RECORDS ARE GOING TO BE PUBLISH RECORDS TO ANYBODY THAT WANTS TO LOOK, FROM THE IDLY CURIOUS TO THE MALICIOUSLY CURIOUS. THE IDENTITY THEFT ISSUES ARE AT THE HEART OF ALL OF THIS. WE HAVE COME TO YOU THREE TIMES IN THE PAST, ON A RULE ABOUT CONFIDENTIALITY. THREE TIMES YOU HAVE DENIED US, AND THREE TIMES YOU HAVE POINTED US TO RULE 2.051 AND YOU HAVE SAID THIS IS HOW YOU SEAL A COURT RECORD. THIS IS THE PROCEDURE THE COURT WANTS YOU TO FOLLOW. IN THE LAST OPINION IN '98, OCTOBER 29 OF '98, JUSTICE OVERTON USED THE WORDS "THERE IS A THING CALLED CONDITIONAL SEALING." I AM NOT QUITE SURE WHAT A CONDITIONAL SEALING IS, MAYBE WITHIN SUBDIVISIONS 9-B AND C, IT SAYS YOU WON'T DO ANYTHING MORE THAN YOU HAVE TO AND IT WILL BE THE LEAST RESTRICTIVE WHEN YOU ARE DEALING WITH SEALING OF COURT RECORDS. THAT IS THE KIND OF SEALING HE IS TALKING ABOUT.

I WANT TO STAY IN MANDATORY DISCLOSURE. THE LEGISLATURE DID REQUEST THAT THIS RULE BE LOOKED AT AGAIN, AND I THINK THIS SEEMS TO BE AN AGREEMENT, WITHOUT THEIR HAVING BEEN ANY COMMENT FROM ANYONE ELSE IN OPPOSITION, THAT THE, FOR THIS RULE, WHICH REALLY HAS TO DO WITH THE FINANCIAL INFORMATION, THAT THE ONLY THING THAT SHOULD BE FILED IN THE COURT FILE IS THE FINANCIAL AFFIDAVIT AND THE CHILD SUPPORT GUIDELINES. I WANT TO BE CLEAR THAT THE IDEA IS TO PREVENT, WITHOUT A COURT ORDER, ANYTHING ELSE, WHICH IS OF A FINANCIAL NATURE, BY BEING FILED IN THE COURT FILE, AND THAT WE WOULDN'T HAVE TO WORRY, THEN, ABOUT CONDITIONAL SEALING, BECAUSE IT WOULDN'T BE THERE TO BEGIN WITH.

WHAT WE WOULD LIKE, THE ANSWER IS YES, WE DON'T NEED YOUR CREDIT CARD STATEMENTS. WE DON'T NEED ALL OF THE OTHER INFORMATION THAT YOU MIGHT PROVIDE, YOUR BANK STATEMENTS THAT YOU HAVE TO DO, YOUR PAY STUBS, ANYTHING THAT MIGHT REVEAL IDENTITY INFORMATION, SOCIAL SECURITY NUMBERS, ET CETERA, ACCOUNT NUMBERS. WE JUST DON'T WANT THAT, BUT WHAT WE WANT TO CONDITIONALLY SEAL IS THE FINANCIAL AFFIDAVIT AND THAT CHILD SUPPORT GUIDELINE. IT CONTAINS A GREAT DEAL OF FINANCIAL INFORMATION ABOUT A PARTY. IF THEY MEET ALL OF THE OTHER REQUIREMENTS OF 2.051, WE ARE STAYING WITHIN THAT FRAMEWORK, WE SAID IF YOU CAN DO ALL THAT IS REQUIRED IN SUBDIVISION 9-A OF 2.051, WHICH LARGELY SHOWS IN A FAMILY LAW CASE, AT LEAST, AVOIDS SUBSTANTIAL INJURY TO INNOCENT THIRD PARTIES, ALL WE DID IN THE FIRST SENTENCE OF THE RULE ON 12.400-C, WAS SAY HOW DO YOU DO THE NOTICE? BECAUSE THE RULE SAYS REASON ABLE.

LET ME GO BACK TO THE CONCEPT OF CONDITIONAL SEALING. FIRST OF ALL, WHAT IS THE REASON WHY WE SHOULD TREAT THE FILING OF FINANCIAL INFORMATION IN A FAMILY CASE, DIFFERENTLY THAN IF FINANCIAL INFORMATION THAT COULD BE CAUSING IDENTITY THEFT IN ANY OTHER TYPE OF CASE, AND WHY ISN'T THIS SOMETHING THAT SHOULD REALLY BE WITHIN, IF IT IS GOING TO BE CONSIDERED, WITHIN THE RULES OF JUDICIAL ADMINISTRATION? OF COURSE THEY ARE ON THE NEXT CASE, AND I WAS GOING TO SAY CAN THEY COMMENT ON IT BUT THEY HAVEN'T YET. THAT IS A CONCERN AS TO IT BEING WHY IS IT GOING TO BE IN THE FAMILY RULES? SHOULDN'T IT BE IN THE RULES OF JUDICIAL ADMINISTRATION, WHICH IS WHERE THE COURT, ON A PREVIOUS OCCASION THAT SPECIFICALLY, ONE OF THE REASONS THAT IT REJECTED IT IS IT SAID IT NEEDS TO GO WITHIN THAT RULE, BUT BEYOND THAT, BECAUSE THAT IS MAYBE A TECHNICAL THING AS TO WHERE IT GOES, TELL ME HOW YOU ENVISION, SINCE THIS HAS TO BE A FINANCIAL AFFIDAVIT AND A CHILD SUPPORT GUIDELINE IN EVERY CASE AS A JUDGE, HOW IS

THIS PROCEDURE, WHERE WE ARE TRYING TO MAKE LITIGATION SIMPLER, ESPECIALLY IN THE FAMILY LAW AREA, HOW IS THIS GOING TO ACTUALLY, HOW DO YOU ENVISION IT WORKING?

WHAT I WOULD ENVISION IS THAT, IF THEY ONLY FILE THE FINANCIAL AFFIDAVIT AND THE GUIDELINES WORKSHEET THAT, THEN, THEY WANT TO SEEK SEALING, AND THEY CAN SHOW SOME BASIS FOR SEEKING THAT SEALING, AS REQUIRED BY 2.051, THEN THE COURT CAN GRANT THAT SEALING, BUT ONE PROVISION THAT WE ARE LOOKING AT HERE --.

CONDITIONAL SEALING, WHAT DOES THAT MEAN?

THE CONDITIONAL SEALING WE TOOK FROM YOUR OPINION IN 1998, THE OCTOBER 29 317 I DON'T KNOW REGARDING -- THE OCTOBER 29 OPINION REGARDING THE FAMILY LAW RULES, WHERE JUSTICE OVERTON WROTE REGARDING CONDITIONAL SEALINGS. I REMEMBER JUSTICE WELLS WAS HERE AT THE TIME, JUSTICE ANSTEAD AND YOURSELF, WE ARGUED FOR A RULE AT THAT TIME. WE DIDN'T GET THE RULE, BUT WE GOT WHAT I CALL A, AT LEAST A LITTLE SOMETHING THAT SAID, HEY, QUIT WORRYING ABOUT IT. THERE IS A PROVISION. YOU CAN SEAL THESE RECORDS, IF YOU MEET ALL OF THESE REQUIREMENTS, BUT YOU HAVE GOT TO OPEN THEM UP, JUDGE, IF SOMEBODY SHOWS UP WHO HAS A VALID GOVERNMENTAL ACCOUNTABILITY FUNCTION OR IF IT IS A MEMBER OF THE PRESS, AND IF THEY SHOW UP, YOU HAVE GOT TO OPEN IT.

IS THERE ANY CONCERN THAT SOMEBODY MIGHT WANT TO FILE, QUOTE, INNOCENT OR OTHER INFORMATION, AND THAT THIS RULE WILL ACTUALLY CAUSE THERE TO BE, TO HAVE TO BE A COURT HEARING BEFORE THE CLERK WILL ACCEPT THE FILING OF ANY OTHER MATERIALS? IN OTHER WORDS IS THERE ANY CONCERN HERE THAT WE WILL BE CAUSING MORE ACTIVITY, IF THE CLERK IS GOING TO TURN DOWN FILEINGS AND SAY, NO, YOU HAVE GOT TO GET A COURT ORDER TO FILE ANYTHING ACCEPT THIS, AND WE HAVE TO REJECT, IS THERE ANY POTENTIAL FOR THAT?

YOU ARE ON A POINT THAT I DIDN'T STUDY AS HARD ON. MAYBE I SHOULD HAVE. I THINK THE CLERK IS MINISTERIAL. THEY WILL ACCEPT ANYTHING YOU FILE, AND A LOT OF THE PRO IS AS AND A LOT OF -- A LOT OF THE PRO SE AND A LOT OF THOSE FILING IN THE COURT FILE DON'T UNDERSTAND THE RULES, AND IN PRACTITIONER AND FAMILY LAW, THIS IS ALL YOU HAVE TO FILE IS THE GUIDELINES AND THE WORKSHEET.

YOU ARE TRYING TO SEND OUT THAT STRONG MESSAGE.

WE ARE TRYING TO DO THAT, AND THE REASON FOR THE RULE BEING HERE, WE ARE NOT TRYING TO AMEND THAT RULE OF JUDICIAL ADMINISTRATION, BUT SIMPLY TRYING TO POINT OUT TO ALL FAMILY PRACTITIONERS, WHO READ THE RULES MORE THAN ALL LAWYERS, THEY WILL SEE THE THING CALLED CONDITIONAL INFORMATION. THAT WILL LEAD THEM TO RULE 2.251. WHAT KIND OF NOTICE DO YOU HAVE TO GIVE? DO YOU PUBLIC IN -- PUBLISH IN THE PAPER? WHAT DO YOU DO? THIS SAYS IT HAS TO BE IN A COURT FILE, A COURT ORDER AND POSTED AND PASSED AROUND FOR 15 DAYS, SO IF A MEMBER OF THE GOVERNMENT OR PRESS COMES AND THEY HIT THE ORDER AND IT SAYS IT IS CONDITIONALLY SEALED BUT IT HAS TO BE OPENED IF, AND --

LET ME GO BACK TO, BECAUSE AGAIN, THERE IS TWO DIFFERENT THINGS, ONE PREVENTING THINGS FROM BEING FILED AND THE OTHER IF THEY ARE FILED SEALING THEM. THERE IS LESS OF A PROBLEM, AS I SEE IT, FROM A, IF THINGS AREN'T PERTINENT OR NECESSARY FOR THE LITIGATION OF A CASE, THAT THERE IS AN INTEREST THE COURT HAS TO PREVENT UNNECESSARY OR POTENTIALLY INAPPROPRIATE FILINGS. WE DO IT WITH THE MOST CRITICAL OF DISCOVERY DOCUMENTS, INTERROGATORIES, DEPOSITIONS, WE HAVE SAID THOSE DON'T GET FILED, AND WE ACTUALLY HAD A REASON FOR THAT WITHOUT COURT ORDER, SO THERE IS A GOOD REASON, BUT IT LOOSE TO ME THAT, JUST FRYING TO FOLLOW-UP ON WHAT -- JUST TRYING TO FOLLOW-UP ON WHAT JUSTICE ANSTEAD SAID, THAT THE RULE SAYS, EXCEPT FOR FINANCIAL AFFIDAVIT AND CHILD SUPPORT WORKSHOP, NO DOCUMENTS PRODUCED UNDER THIS RULE SHOULD BE FILED IN THE COURT FILE WITHOUT A COURT ORDER. I WANT TO BE CLEAR, BECAUSE IF WE ARE RIGHT,

WHAT WE ARE SAYING IS THAT THERE WAS A WHOLE SLEW OF DOCUMENTS THAT HAVE BEEN REQUIRED TO BE EXCHANGED AMONG PARTIES. ALL OF THE FINANCIAL RECORDS OF THE PARTIES. WE ARE GOING TO BE, IF WE ADOPT THIS, WE ARE GOING TO BE VERY CLEAR THAT NOTHING ELSE THAT HAS TO BE EXCHANGED IS TO BE FILED IN THE COURT FILE, WITHOUT A COURT ORDER. IS THAT THE, NOT TO SAY YOU ONLY HAVE TO FILE TWO THINGS, BUT ANYTHING ELSE IS PERMISSIVE, BUT TO ACTUALLY PREVENT ANY OTHER FINANCIAL INFORMATION FROM BEING FILED.

THE WORD "SHALL" IS SUBJECT TO TWO INTERPRETATIONS, DIRECTORY AND MANDATORY. IF THE WORD "SHOULD" WERE THERE, I THINK IT WOULD ACCOMPLISH WHAT THE COMMITTEE WANTED TO ACCOMPLISH, WHICH WOULD BE THIS IS ALL THAT YOU SHOULD FILE. YOU CAN FILE THE OTHER STUFF IF YOU WANT TO.

SEE, NOW, AND AGAIN, I HATE TO, BECAUSE HERE YOU ARE ON BEHALF OF THE COMMITTEE, BUT TO ME, YOU STARTED OUT SAYING STRONGLY THAT, WE WANT TO PREVENT IDENTITY THEFT. WE WANT TO HAVE SOME LEVEL OF TRYING TO PREVENT THAT. THE LEGISLATURE SEEMED TO BE VERY CONCERNED ABOUT THAT, SO WE ARE GOING TO ALTER THE FINANCIAL AFFIDAVIT, SO WE TAKE OUT ANYTHING THAT IS IDENTIFYING. WHY ISN'T IT, BECAUSE IT SAYS "SHALL" AND IT SEEMS TO ME THAT YOU MADE A GOOD ARGUMENT FOR TWO REASONS. ONE, WHY DO WE NEED IN THE COURT FILE ALL INCOME TAX RETURNS AND PAY STUBS AND ALL OF THIS OTHER STUFF IN THE COURT FILE? WE HAVE PRO SE LITIGANTS. WHY WOULDN'T WE BE CLEAR TO SAY THAT, ONLY UNDERMANNEDATORY DISCLOSURE, NOTHING ELSE OTHER THAN THE FINANCIAL AFFIDAVIT AND THE CHILD SUPPORT GUIDELINES SHALL BE FILED? I MEAN, BECAUSE IF YOU ARE, IF THE ISSUE IS, NO, WE JUST WANTED TO REALLY GIVE SOME DIRECTORY LANGUAGE, THEN THAT, I AM CONCERNED THAT WE ARE NOT GOING TO SOLVE WHAT MAY HAVE BEEN THE PROBLEM THAT THE COMMITTEE WANTED TO ADDRESS.

I WILL GO BACK TO MY ORIGINAL ARGUMENT THEN. WHETHER IT SHALL OR SHOULD, TO ME THE QUESTION IS SHE. WHAT WE REALLY WANTED WAS JUST THOSE TWO DOCUMENTS SHOULD BE FILED. DID WE MEAN TO TELL PEOPLE THEY COULDN'T FILE ANYTHING ELSE IF THEY NEEDED TO, OTHER THAN PRESENTED AS EVIDENCE AT A HEARING, YOU COULD ALWAYS GET IT IN THAT WAY, WE WERE TRYING TO ACCOMPLISH THE TWO GOALS OF THESE ARE THE TWO DOCUMENTS THAT YOU NEED AND THESE ARE THE DOCUMENTS ON A MODIFICATION AND THESE ARE THE HEART OF THE DOCUMENTS THAT YOU ARE GOING TO NEED ON A MODIFICATION TO GO BACK AND LOOK AT SOMETHING, AND THEN THESE ARE THE TWO DOCUMENTS THAT ESSENTIALLY WE WERE TRYING TO PROVIDE SOME NOTIFICATION TO THE EVERYDAY PRACTITIONER, THAT, HEY, THERE IS A WAY TO SEAL THIS INFORMATION, IF YOUR CLIENTS MEET THE CRITERIA OF 2.051 AND HERE IS THE KIND OF NOTICE THAT YOU HAVE TO GIVE BECAUSE IT SAYS REASONABLE NOTICE. IT OUTLINES AND DEEMED TO BE REASONABLE NOTICE, AND YOU CAN GO BEFORE THE COURT AND YOU CAN SEEK TO HAVE A SEALING OF THIS INFORMATION. SOME CONCERNS THAT I WOULD RAISE ADDITIONALLY WITH YOU, ARE THE SECOND AND THE THIRD SENTENCE -- ADDITIONALLY WITH YOU. -- SOME OF THE CONCERNS THAT I WOULD RAISE ADDITIONALLY WITH YOU, ARE THE SECOND AND THE THIRD SENTENCE AND CONCERNS, AND IN MARCH YOU VOTED IN SEPTEMBER, FIRST READING, SECOND READING, ANGI THINK YOUR RULE 2.051-E, WHICH SAYS WHAT IS THE PROCEDURE WHEN YOU MAKE A RECORDS REQUEST, MAY OVERLAP OUR SECOND AND THIRD SENTENCES, AND I WOULD DIRECT YOUR ATTENTION TO THAT, BECAUSE I DON'T KNOW THAT YOU WOULD BE INTERESTED, AND SINCE YOU HAVE CONSTANTLY SENT TUESDAY TO 2.051, BE WANTING TO SET UP A DIFFERENT PROCEDURE, SO ESSENTIALLY YOU MAKE A RECORDS REQUEST. IT GOES TO THE CUSTODIAN OF THE RECORD. THEY EITHER GRANT IT OR DENY IT, AND IF YOU HAVE GOT THE PRESS CREDENTIALS, YOU GET THE INFORMATION.

WOULD THE COMMITTEE CONSIDER, BECAUSE THIS HAS THIS ISSUE ABOUT THE FILING THAT HAS GONE BACK TO THE WORK, THE PUBLIC RECORDS WORK GROUP UNDER THE JMC, IT SEEMS TO ME, BECAUSE THIS IS IMPORTANT ENOUGH, WE WOULDN'T WANT TO REJECT IT AND JUST WAIT

ANOTHER COUPLE OF YEARS.

EXACTLY.

ON THE OTHER HAND, RATHER THAN THIS COURT TRY TO FIGURE OUT HOW TO PUT IT ALL TOGETHER, WOULDN'T IT MAKE SENSE TO LET THE FAMILY LAW RULES COMMITTEE AND THE RULES OF JUDICIAL ADMINISTRATION COMMITTEE AND THIS AD HOC WORK GROUP LOOK AT THIS SPECIFICALLY AND MAKE SURE THAT ALL THAT, YOU KNOW, THE PUBLIC RECORDS RULE AND THE RULE OF JUDICIAL ADMINISTRATION AND THIS RULE ALL WORK TOGETHER, AND WE COULD CONSIDER THAT NOT, YOU KNOW, AND HAVE THAT SUBMITTED BACK TO THE COURT.

THAT IS AN EXCELLENT SUGGESTION, BUT WHAT I WOULD REQUEST OF YOU IS THAT, ON AN INTERIM BASIS, THE FIRST SENTENCE LET'S PRACTITIONERS KNOW, IN PAREN C OF 12.400 THERE, IS A CONDITIONAL SEALING AND KNOWLEDGE OF IT AND HERE IS WHERE YOU GO TO GET 2.051, AND IF THEY MEET THE CONDITIONAL SEALING, THEY GET IT AND IF THEY DON'T, THEY DON'T GET IT, AND THAT WILL LET THEM KNOW THAT THERE IS A PROCEDURE. RIGHT NOW THE GENERAL CONSENSUS AMONG FAMILY LAWYERS IS YOU CAN'T SEAL ANYTHING, ALMOST UNDER ANY CIRCUMSTANCES.

IT SEEMS THAT, IF YOU READ OUR CASE LAW, THAT IS PROBABLY TRUE.

THAT IS IT, AND IT IS A BIGGIE ISSUE, AND THIS -- A BIG ISSUE, AND THIS COURT HAS ALWAYS TAKEN A STRONG STAND TO OPEN ACCESS TO RECORDS. WE DON'T MEAN TO BE IN OPPOSITION TO THAT. WE JUST SAY IN FAMILY LAW, WE HAVE GOT A LITTLE BIT OF A DIFFERENT CIRCUMSTANCE AND WE ASK YOU TO CONSIDER THAT.

CHIEF JUSTICE: ALL RIGHT. THANK YOU VERY MUCH. THIS IS A GOOD IMAGE FOR THE FAMILY LAW RULES COMMITTEE, THAT THE CHAIR IS OVER WITH HIS CHILD IN IRELAND. THANK YOU VERY MUCH.

THANK YOU FOR THE OPPORTUNITY TO APPEAR BEFORE THIS MOST AUGUST BODY.