

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT
IN AND FOR OKALOOSA COUNTY, FLORIDA

IN RE: THE MARRIAGE OF

ROBERT SMITH,
Petitioner/Husband,

and

Case No.: 2023 DR 002629

ANJA GOEN,
Respondent/Wife.

**ORDER GRANTING PETITIONER'S MOTION FOR ORDER DIRECTING THE CLERK OF COURT
TO SEAL FINANCIAL AFFIDAVIT OF HUSBAND/PETITIONER**

THIS MATTER, came before the Court for hearing January 24, 2024 on Robert Smith's Motion for Order Directing the Clerk of Court to Seal Financial Affidavit of Husband/Petitioner (Docket #25, filed November 17, 2023) ("Motion"), and the Court having reviewed the pleadings and having heard argument of counsel, the Court hereby finds and decides as follows:

1. Petitioner's Motion is **GRANTED**.
2. Petitioner's Motion was filed pursuant to Florida Family Law Rule 12.400(c), which provides that the Court has authority to seal the financial information required by Florida Family Law Rule 12.285.
3. This Order complies with Florida Rule of Judicial Administration 2.420(e).
4. This is a dissolution of marriage action.
5. The information contained in Petitioner's Financial Affidavit (Docket #25, filed November 17, 2023) is determined to be confidential.
6. Pursuant to Rule 12.400(c), the Court finds that it is likely that access to the information contained in Petitioner's Financial Affidavit (Docket #25, filed November 17, 2023) would subject Petitioner to abuse, such as the use of the information contained therein by third parties for purposes unrelated to government or judicial accountability or to first amendment rights. *See Nucci v. Nucci*, 987 So. 2d 135 (Fla. 2d DCA 2008); *Daniel v. Daniel*, 922 So. 2d 1041 (Fla. 4th DCA 2006).
7. Neither party's name is determined to be confidential.

8. The progress docket or similar records generate to document activity in the case are not determined to be confidential.

9. The following persons are permitted to view the confidential information contained in Petitioner's Financial Affidavit (Docket #25, filed November 17, 2023):

- (1) Petitioner;
- (2) Petitioner's Counsel of Record;
- (3) Respondent;
- (4) Respondent's Counsel of Record;
- (5) Mediator(s); and
- (6) Expert Witnesses engaged by either Party during the course of this proceeding.

10. The Petitioner's Financial Affidavit will remain sealed for a period of three (3) years.

11. The Court finds that (i) the degree, duration and manner of confidentiality ordered by the Court are no broader than necessary to protect the interests set forth in subdivision (c) and (ii) no less restrictive measures are available to protect the interests set forth in Florida Rule of Judicial Administration 2.420(c).

12. The Clerk is directed to seal Petitioner's Financial Affidavit (Docket #25, filed November 17, 2023).

13. Any non-party seeking access to the sealed record must comply with Florida Rule of Judicial Administration 2.420(c)(5).

14. The Clerk is further directed to publish this Order in accordance with Florida Rule of Judicial Administration 2.420(c)(4).

DONE and ORDERED in Okaloosa, County, Florida.

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sgw399/CIRCUIT COURT JUDGE LACEY POWELL CLARK 02/12/2024 01:48:34 8M620RQB

LACEY POWELL CLARK
Circuit Judge

cc: Elizabeth C. Billhimer
Steven J. Gilpatrick