

**IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
OF THE STATE OF FLORIDA IN AND FOR PINELLAS COUNTY**

**IN RE: JUVENILE WELFARE BOARD,  
THE CHILDREN'S SERVICES COUNCIL OF  
PINELLAS COUNTY**

**Ref. No.: 10-10792CI-77  
UCN: 522010CA010792XXCICI**

**ORDER TO SHOW CAUSE AND NOTICE OF HEARING**

**THIS MATTER** is before the Court on the petition of the **JUVENILE WELFARE BOARD, THE CHILDREN'S SERVICES COUNCIL OF PINELLAS COUNTY (JWB)**, in which it seeks access to the CJIS database. This Court entered an Order to Clarify on July 22, 2010 directing the JWB to clarify the specific records to which it seeks access. The JWB filed its clarification on July 29, 2010 indicating it seeks access to the following juvenile records: dependency (§39.0132); termination of parental rights (§39.814); adoption (§63.162); and delinquency (§985.04).

**IT IS THEREFORE ORDERED** that the entities or individuals listed below shall, within 20 days from the date of this order, show cause why the **JWB's** petition (attached) should not be granted. Additionally, due to the varying legal standards regarding disclosure, this Court directs the response to specifically address each type of case noted above and address the following issues if the petition were granted: restriction of individuals with access; restriction of use and distribution of information gathered; time limitations; and safeguards to prevent unauthorized access.

The Honorable Robert Dillinger, Public Defender  
The Honorable Bernie McCabe, State Attorney  
The Honorable Ken Burke, Pinellas County Clerk of Court  
The Honorable Paula S. O'Neil, Pasco County Clerk of Court

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KEN BURKE  
CLERK OF CIRCUIT/COUNTY COURT

Order to Show Cause; CRC10-010792CI-77

Dan Kirkwood, Assistant General Counsel, Department of Juvenile Justice  
Jennifer Lima-Smith, Suncoast Region Counsel, Department of Children and Families  
Office of Criminal Conflict and Civil Regional Counsel  
Ed Hansen, CJIS Director  
Jim Bennett, Pinellas County Attorney's Office  
Lorita Shirley, Executive Director, Eckerd Youth Alternatives, Inc.  
Donna Rasmussen, 6<sup>th</sup> Circuit Program Director, Guardian Ad Litem  
Any other interested party

**IT IS FURTHER ORDERED** that the Pinellas County Clerk's Office post a copy of this Order on its public website.

**NOTICE OF HEARING**

**YOU ARE HEREBY** notified that a hearing on the Petition will be held on **TUESDAY, SEPTEMBER 21, 2010 at 9:00 AM** at 14250 49<sup>th</sup> St. N., Clearwater, FL, in Courtroom 1 before the undersigned Judge. One (1) hour has been allotted for this hearing.

All persons with a disability requiring reasonable accommodations should contact call (727) 464-4880(V) at least 7 days before your scheduled court appearance.

**DONE AND ORDERED** in Chambers at Clearwater, Pinellas County, Florida

this \_\_\_\_\_ day of August, 2010.

TRUE COPY Original Signed  AUG - 5 2010  J. THOMAS McGRADY CIRCUIT JUDGE
--

J. Thomas McGrady, Chief Judge

cc: The Honorable Robert Dillinger, Public Defender  
The Honorable Bernie McCabe, State Attorney  
The Honorable Ken Burke, Pinellas County Clerk of Court  
The Honorable Paula S. O'Neil, Pasco County Clerk of Court  
Collen M. Flynn, Attorney for JWB  
Dan Kirkwood, Assistant General Counsel, Department of Juvenile Justice  
Jennifer Lima-Smith, Suncoast Region Counsel, Department of Children and Families  
Office of Criminal Conflict and Civil Regional Counsel  
Ed Hansen, CJIS Director  
Jim Bennett, Pinellas County Attorney's Office  
Lorita Shirley, Executive Director, Eckerd Youth Alternatives, Inc.  
Donna Rasmussen, 6<sup>th</sup> Circuit Program Director, Guardian Ad Litem

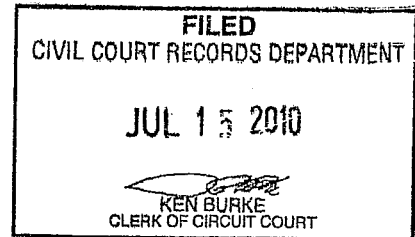
IN THE CIRCUIT COURT FOR THE SIXTH JUDICIAL CIRCUIT,  
PINELLAS COUNTY, FLORIDA

IN RE THE MATTER OF THE PETITION OF:

522010CA010792XXC1C1  
Case No.: 10-10792C1-001

JUVENILE WELFARE BOARD, THE CHILDREN'S  
SERVICES COUNCIL OF PINELLAS COUNTY,  
FOR ACCESS TO CJIS DATA,

Petitioner.

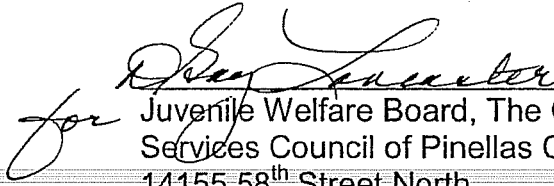


**PETITION FOR AN ADMINISTRATIVE ORDER GRANTING PETITIONER  
ACCESS TO CJIS DATA**

Petitioner, Juvenile Welfare Board, The Children's Services Council of Pinellas County ("JWB") hereby petitions this Court to enter an Administrative Order granting JWB access to the entire CJIS database. In support of its Petition JWB incorporates Exhibit 1 which is its memorandum requesting access. JWB also attaches Exhibit 2 which is a memorandum by the Chief Assistant County Attorney regarding JWB's access to CJIS records.

WHEREFORE JWB respectfully requests that this Court enter an Administrative Order granting it full access to the CJIS database.

Respectfully Submitted:

  
for Juvenile Welfare Board, The Children's  
Services Council of Pinellas County  
14155 58<sup>th</sup> Street North  
Clearwater, FL 33760  
727-547-5600  
727-530-7416 (fax)

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT,  
STATE OF THE STATE OF FLORIDA IN AND FOR PINELLAS COUNTY

IN RE: JUVENILE WELFARE BOARD,  
THE CHILDREN'S SERVICES COUNCIL  
OF PINELLAS COUNTY,

Ref. No.: 10-10792CI-77  
UCN: 52210CA010792XXCICI

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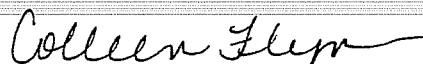
CLARIFICATION OF PETITION FOR AN ADMINISTRATIVE ORDER  
GRANTING PETITIONER ACCESS TO CJIS DATA

Petitioner, Juvenile Welfare Board, The Children's Services Council of Pinellas County ("JWB") by and through its counsel, Colleen M. Flynn, of Johnson, Pope, Bokor, Ruppel & Burns, LLP., responds to this Court's Order to Clarify of July 22, 2010, as follows:

1. JWB previously filed its petition for access to the CJIS database.
2. JWB clarifies and supplements its previous petition and states that it is seeking access to confidential juvenile records including: dependency (§39.0132); termination of parental rights (§39.814); adoption (§63.162); and delinquency (§985.04).

WHEREFORE JWB respectfully requests that this Court enter an Administrative Order granting it access to the CJIS database for confidential juvenile records pertaining to dependency, termination of parental rights, adoption and delinquency.

Respectfully Submitted:

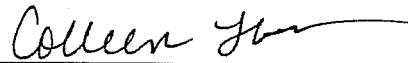


Colleen M. Flynn, Esq.  
Johnson, Pope, Bokor, Ruppel  
& Burns, LLP

FBN#190470/SPN#2510190  
911 Chestnut Street  
Clearwater, FL 33756  
(727) 461-1818 telephone  
(727) 441-8617 facsimile  
Attorneys for JWB

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been mailed via Regular U. S. Mail to: The Honorable Robert H. Dillinger, Esquire, Public Defender's Office, 14250 49<sup>th</sup> Street N., Clearwater, FL 33762-2800, The Honorable Bernard J. McCabe, Jr, Esq., State Attorney's Office, P.O. Box 5028, Clearwater, FL 33758-5028, The Honorable Ken Burke, Pinellas County Clerk of Court, 315 Court Street, Clearwater, FL 33756, The Honorable Paula S. O'Neil, Pasco County Clerk of Court, West Pasco County Judicial Center, 7530 Little Road, New Port Richey, FL 34654, Daniel R. Kirkwood, Esquire, Department of Juvenile Justice, 1313 N. Tampa Road, Suite 902, Tampa, FL 33602-3330, Jennifer Lima-Smith, Esquire, Suncoast Regional Counsel, Department of Children and Families, 9393 N. Florida Avenue, Tampa, FL 33612-7907, Mr. Ed Hansen, CJIS Director, 14250 49<sup>th</sup> Street North, Clearwater, FL 33762, Office of Criminal Conflict and Civil Regional Counsel, 15500 Lightwave Drive, Clearwater, FL 33760, and James L. Bennett, Esquire, Pinellas County Attorney's Office, 315 Court Street, Clearwater, FL 33756-5165, this 29<sup>th</sup> day of July, 2010.



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Colleen M. Flynn, Esquire  
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& Burns, LLP  
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