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CLERK OF CIRCUIT COURT
AND COMPTROLLER
LAKE COUNTY
TAVARES, FLORIDA

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT
IN AND FOR LAKR COUNTY, FLORIDA
PROBATE DIVISION

IN RE: JIMMY SMITH **DC# U00322** **CASE NO.: 26MH581**

ORDER GRANTING MOTION TO DETERMINE THE CONFIDENTIALITY OF COURT RECORDS

THIS MATTER is before the Court on a Motion to Determine the Confidentiality of Court Records filed by the Warden of Lake Correctional Institution, by and through undersigned counsel and pursuant to Florida Rules of Judicial Administration 2.420(c)(7) and 2.420(e). The Warden of Lake Correctional Institution seeks an order determining that the entire court file and the progress docket(s) relative to petitions filed under the Corrections Mental Health Act, sections 945.40-945.49, Florida Statutes, are confidential.

This motion [was / was not] contested and a hearing was conducted on **November 6, 2026.** The Court **GRANTS** the motion as follows:

1. The confidentiality of the entire court file and the progress docket(s) relative to the Petition for Continued Treatment filed pursuant to section 945.48, Florida Statutes, is required to protect the protected health information of the inmate pursuant to the Health Insurance Portability and Accountability Act, Privacy Rule, 45 C.F.R. Part 164, Subpart E, and Section 945.10(1)(a), Florida Statutes.

1. This Corrections Mental Health Act hearing is substantially similar to a Baker Act proceeding held pursuant to the Florida Mental Health Act, Sections 394.451-394.4789, Florida Statutes. Therefore, the confidentiality of the entire court file and the progress docket(s) relative to the Petition for Continued Treatment filed pursuant to section 945.48, Florida Statutes, is required to protect similar information in this case as would be found confidential in Baker Act

cases under the Florida Mental Health Act, Section 394.4615(7), Florida Statutes.

2. The Court further finds that no less restrictive measure is available to protect this/these interest(s), and that the degree, duration and manner of confidentiality ordered herein are no broader than necessary to protect the interest(s).

WHEREFORE, it is hereby **ORDERED** that:

The Clerk of the Circuit Court is hereby directed to maintain the entire court file and the progress docket(s) relative to the Petition for Continued Treatment filed pursuant to section 945.48, Florida Statutes, as confidential.

It is further **ORDERED** that any materials found to be confidential pursuant to this Order shall be conditionally disclosed upon the entry of a further order by this Court finding that such disclosure is necessary for purposes of judicial or governmental accountability or First Amendment rights.

It is further **ORDERED** that any materials found to be confidential pursuant to this Order may otherwise be disclosed only as follows:

1. to any judge of this Circuit for case-related reasons;

2. to the Chief Judge or his or her designee;

3. to adult parties or their attorneys of record; or

4. by further order of the Court.

DONE AND ORDERED in Chambers, this 6th day of November, 2026, in Lake County, Florida.

CIRCUIT JUDGE

Copies provided to:
Inmate
Public Defender
Department of Corrections, Office of General Counsel, Tallahassee
Lake Correctional Institution, Medical Records