



Florida Firm Latest Recipient of Knight FOI Fund Grant

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Columbia, Mo. (April 1, 2010) – A firm representing a pair of sisters in a mobile home community in Bradenton, Florida, is the latest recipient of a Knight FOI Fund grant by the National Freedom of Information Coalition, in a case that raises some big issues about open government in small settings.

The NFOIC awarded Lewis, Longman & Walker \$15,000 to help offset a portion of the mounting legal costs in a suit brought by the sisters against the Trailer Estates Park and Recreation District for what they claim is a series of violations of Florida Sunshine and Public Records laws. The District was at one time a mobile home park that converted into a Special District form of government governed by an elected nine-member Board of Trustees.

The lawsuit describes a long pattern of open meetings and public records violations, including (among others): executive committee meetings with no notice, minutes or public participation; committee meetings not noticed or without minutes taken; committee meetings held in private homes; and secret votes during committee meetings by unsigned written ballots.

It also alleges that the District failed to produce requested documents, committed unreasonable delays in producing documents, and destroyed and in other cases improperly redacted documents.

“This lawsuit is important to open government in several respects,” said Barbara Petersen, president of the [Florida First Amendment Foundation](#). “First, it will affirm that open government is required of all local governments in Florida, including special taxing districts. Second, it will affirm that local governments cannot get around the Sunshine law by claiming that their elected officials can discuss government issues outside of public meetings based on claims that they serve in administrative capacities which require that they continually coordinate. And finally, this case will affirm that all local governments must operate in a manner that fulfills the goals of the Sunshine law not in a manner that

seeks to narrowly construe the Sunshine law or create, expand, or exploit exceptions to the Sunshine law.”

The First Amendment Foundation is also exploring other opportunities to participate in this important lawsuit.

Sunshine complaints from special taxing district and community development district residents are among the most common at the First Amendment Foundation, Petersen said, adding that the case would affirm the public record law requirements that a government keep public records in public possession, in an organized fashion so that they are readily available for public inspection. Finally, the case seeks to reiterate that responses to public record requests are to be complete and timely and that requestors should not be subject to questioning, scrutiny or public humiliation for questioning the actions of their local government.

“We are grateful to receive this generous grant from the Knight FOI Fund and look forward to continued assistance from the First Amendment Foundation,” said Kevin S. Hennessy, of Lewis, Longman & Walker. “Perhaps District officials might now recognize that they are subject to Florida’s open government laws.”

For more information on the Knight FOI Fund, including the selection process for grants and how to apply, see <http://www.nfoic.org/knight-foi-fund>.

About the NFOIC

The **National Freedom of Information Coalition** is a national network of state freedom of information advocates, citizen-driven nonprofit freedom of information organizations, academic and First Amendment centers, journalistic societies and attorneys. A unit of the [Missouri School of Journalism](#), the NFOIC is an affiliate of the [Donald W. Reynolds Journalism Institute](#). Its mission is to foster government transparency at the state and local level. NFOIC is based at the [University of Missouri](#), home to the nation’s oldest [Freedom of Information Center](#). For more, visit <http://www.nfoic.org/>.