

OPEN GOVERNMENT MEDIATION PROGRAM

Chapter 16.60, F.S.—

Public records mediation program within the Office of the Attorney General; creation; duties.—

(1) As used in this section, "mediation" means a process whereby a neutral third person, called the mediator, acts to encourage and facilitate the resolution of a dispute between two or more parties. It is a formal, nonadversarial process that has the objective of helping the disputing parties reach a mutually acceptable, voluntary agreement. In mediation, decisionmaking authority rests with the parties. The role of the mediator includes, but is not limited to, assisting the parties in identifying issues, fostering joint problem solving, and exploring settlement alternatives.

(2) The public records mediation program is created within the Office of the Attorney General.

(3) The Office of the Attorney General shall:

(a) Employ one or more mediators to mediate disputes involving access to public records. A person may not be employed by the department as a mediator unless that person is a member in good standing of The Florida Bar. The Office of the Attorney General may adopt rules of procedure to govern its mediation proceedings.

(b) Recommend to the Legislature needed legislation governing access to public records, to public records, and is intended to be supplemental to, not a substitution for, the other powers given to the Attorney General by law.

(c) Assist the Department of State in preparing training seminars regarding access to public records.

(4) This section is intended to provide a method for resolving disputes relating

History.—s. 4, ch. 95-296; s. 3, ch. 2000-158; s. 2, ch. 2000-324.

OFFICE OF OPEN GOVERNMENT

Excerpt from Executive Order 07-01

Section 3. I hereby create the Office of Open Government within the Office of the Governor. The Office of Open Government is charged with providing the Office of the Governor and each of the executive agencies under my purview with the guidance and tools to serve Florida with integrity and transparency.

To that end, the Office's primary functions will be: (1) to assure full and expeditious compliance with Florida's open government and public records laws, and (2) to provide training to all executive agencies under my purview on transparency and accountability. The Office will also have primary responsibility for ensuring that the Office of the Governor complies with public records requests in an expeditious manner.

Each agency secretary is further directed to designate a person at his or her agency who will act as the agency's public records/open government contact person.

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That individual will be responsible for complying with public records/open government requests and compliance at their respective agency and will also be the primary liaison between that agency and the Office of Open Government for purposes of training and compliance.

Excerpt from Senate Bill 2008

Section 3. Section 14.40, Florida Statutes, is created to read:

14.40 Office of Open Government.—

(1) The Office of Open Government is created within the Executive Office of the Governor.

(2) The director of the Office of Open Government shall be appointed by and serve at the pleasure of the Governor.

(3) The purpose of the Office of Open Government is to:

(a) Assist agencies, as defined in s. 119.011, in complying with the requirements of chapter 119 and the public-meeting requirements of chapter 286.011; and

(b) Provide training to agencies, as defined in s. 119.011, regarding their responsibilities under chapter 119 and the public-meeting requirements of chapter 286.

(2008 Legislative Session)