

**IN THE CIRCUIT COURT FOR THE NINTH JUDICIAL CIRCUIT,
IN AND FOR ORANGE COUNTY, FLORIDA**

In re: GUARDIANSHIP OF

CASE NO.: 48-2003-CP-001188-O

J. D. S., an adult,

B/F DOB: 08/25/80

**ORDER UNSEALING PORTIONS OF GUARDIAN’S REPORT
AND
ORDER APPROVING GUARDIAN’S PLAN FOR FUTURE MEDICAL CARE**

THIS MATTER came before the Court for consideration of the “Guardian’s Report Regarding JDS’ Medical Status/Future Medical Care.” Having reviewed the Report and court file, as well as the applicable law, the Court finds as follows:

_____J.D.S. is an adult with multiple disabilities, who is currently housed at a Department of Children and Families approved home. As the result of an apparant rape, which occurred while she was housed in a different facility, J.D.S. is over six months pregnant.

At the conclusion of a hearing held on June 2, 2003, pursuant to the requirements of section 744.331, Florida Statutes, J.D.S. was found by this Court to be an incapacitated adult. Also, on June 2, 2003, in accord with the relevant sections of Chapter 744, Florida Statutes, the Court heard petitions for the appointment of a guardian for J.D.S. and appointed Patti Riley Jarrell as J.D.S.’s legal guardian.

The Guardian was directed to immediately collect copies of all information concerning the Ward from the Department of Children and Families, specifically including any and all medical records and information concerning J.D.S. This Court has not seen any previous medical reports because no formal medical information has been filed by the Department since this matter arose.

The complete passage by the Court reads:

The Guardian is hereby directed to immediately collect copies of all information concerning the Ward from the Department of Children and Families, specifically including any and all medical records and information concerning J.D.S. The Guardian is directed to obtain a full and complete medical evaluation of J.D.S. no later than fifteen days after the date of the issuance of the Letters of Guardianship. The Guardian must file with the Court no later than ten days after the medical evaluation, full information concerning J.D.S.'s medical status and a plan for her future medical care. All medical information filed in this matter is confidential and shall be kept under seal.

To protect the privacy rights of J.D.S., the above order was imposed. Previously, the Department had released medical information to a proposed guardian without regard to J.D.S.'s privacy rights and such was filed in a guardianship file which is not sealed. This Court has previously denied the Department's requests to seal, after the fact, since all information was made a public record by the filing. This Report, filed by the Guardian, was filed at the Court's request and the Court intends to protect the privacy rights of all entities involved.

The guardian, Patti R. Jarrell, is to be commended for her exemplary work on behalf of J.D.S. The extensive, detailed follow through on J.D.S.'s care, both medical and personal is greatly appreciated and this Court finds her involvement on behalf of J.D.S. to be confirmation of her experience and appointment to this case.

CONSIDERED, ORDERED AND ADJUDGED:

This Court will unseal portions of the Guardian's Report that are not medical records of J.D.S., that do not refer to her location, that do not name her treating providers, and that do not detail future hospitalization plans for J.D.S. All exhibits to the Report remain sealed under this ruling. Attached to this order is the unsealed Report.

The Guardian's Plan for Future Medical Care is hereby approved by this Court.

DONE AND ORDERED at Orlando, Orange County, Florida, this 25th day of June, 2003.

LAWRENCE R. KIRKWOOD
Circuit Court Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via FAX and U. S. mail to **Rod Taylor, Esquire**, Attorney for J.D.S., Post Office Box 577, Gotha, Florida 34734-0577; **Frank P. Nisi, Jr., Esquire**, 2003 Lake Howell Lane, Maitland, Florida 32751; and **Kelly McKibben, Esquire**, Acting Chief Legal Counsel for the Department of Children and Families, 400 W. Robinson Street, Suite S-1106, Orlando, Florida 32801, on this 25th day of June, 2003.

Judicial Assistant