

Guest column: Senate bill would limit public access to legal notices

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There is legislation moving in the Florida Senate (Senate Bill 1666) this year that would make major changes to how bank foreclosures are noticed.

These changes could be detrimental to many citizens, as we have yet to overcome the digital divide which disenfranchises large facets of Floridians, and the change proposed in this bill to house the second public notice of foreclosure to the Internet would greatly diminish access to this critical information.

Currently, Florida law requires that the first and second notices of foreclosures be printed in newspapers. And, effective July 2013, notices will also be required to be posted on the newspapers' websites. Moreover, since July 1, 2012, Florida's newspapers have been required to post their notices to www.floridapublicnotices.com. However, research shows that newspapers have been posting notices to this independent website of the Florida Press Association, where all notices are easily searchable and available at no charge to the public and no additional cost to the advertiser, since 2002 — well before they were required to. In fact, by 2004, the majority of newspapers in circulation were posting notices to this site.

Yet, while independent research shows that local newspapers and their web sites continue to be a trusted source for local news and information, SB 1666 has a provision in it that would remove the second notice requirement from a local newspaper or newspaper's website and allow it to only be posted on a third-party website, operated by a new vendor with no public accountability or history of publishing legal notices. On behalf of the Florida Press Association, I firmly believe that this move would significantly hinder access to this critical information.

When Floridians want information, they turn to their newspapers, both in print and online.

Research shows that Floridians still regularly read print newspapers and consider them a source of valuable information. Scarborough Research (Multi Market 2012 Release 2) found that 60 percent of Floridians surveyed had read a print edition newspaper in the past 7 days, further debunking the myth that print newspapers are becoming obsolete.

But even if that wasn't true and print newspaper readership was on the decline and the argument that posting online is more in line with current times and technology, then, wouldn't logic further dictate that posting these vital second notices on trusted and well-known newspaper sites would ensure that tech-savvy consumers would see these notices? And, wouldn't that too accomplish the sponsor's goal of bringing public notices "into the 21st century?"

On behalf of the Florida Press Association and all Floridians impacted by this proposed legislation change, we urge lawmakers to remove this portion of this good bill and work to ensure that the public is able to view public notices of foreclosures in trusted public newspapers and newspaper web sites.

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Matt Walsh is Florida Press Association Board of Directors Chair.



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