

How can I keep my address confidential in a court case if I am in fear of domestic violence?

Question: I am in fear of domestic violence from my spouse or another party in my court case. What do I have to do if I want to keep my address confidential?

Answer: In a domestic or repeat violence injunction case, the clerk of court has procedures in place to keep your address confidential. If a party in the injunction case properly files their pleadings at the domestic violence desk, the clerk will send you the copies of their pleadings so that you are properly notified of the filing and the hearing.

In most types of proceedings, the confidential address procedure through the clerk is not available because parties are required to copy other parties with pleadings filed in the case. In addition to sending copies of all pleadings, the moving party must prepare a notice of hearing and send it to all parties in the case.

If you do not want the other party(s) to have your home address you can consider the following:

1. Obtain a post office box. The post office cannot reveal the true address of a post office box owner, who is a private person and not a business, without a court order.
2. Ask your employer if you may use your work address to receive mail on your court case and as your service address for personal service.
3. If you are a victim of domestic violence or the guardian of an adult, minor child or impaired person who is a victim of domestic violence, you may inquire about the Address Confidentiality Program (ACP) with the Florida Attorney General's Office. You will be interviewed for acceptance into the program. Please call the Florida Attorney General at 1-800-226-6667 (local # 850-414-3300, TDD/TTY users may use the Florida Relay service at 1-800-955-8771) for information on setting up the interview.

How the program works: If you are accepted into the ACP program you will be given a substitute address to use for your mailing and legal process service address. The Attorney General will be the only one who has your real address. All first class mail sent, or legal process served, to the substitute ACP address will be forwarded to you by the Attorney General's Office. Your acceptance into the program is for a set period of time, is revocable, and must be renewed upon expiration. If you are accepted into the ACP program you will be given an identification card. It is your responsibility to determine who will get your actual address and who will get your ACP address. Government agencies are required to accept your ACP address but if you have previously given your actual address, they may not have to replace it with your substitute address.

The courts may order you to reveal your true address during a court case. Be aware that many government agencies share information and if you have given your true address to one, it may be shared with other agencies. Federal agencies and private businesses are not required to accept your ACP address but many will do so. Certain agencies, such as law enforcement, have the right to access your true address for certain reasons. A false or incorrect application under this program constitutes a second degree misdemeanor.