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FLORIDA'S NEWSPAPER FOR THE C-SUITE  
**Business Observer**

FIRST INSERTION

NOTICE OF FORECLOSURE SALE IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT OF FLORIDA IN AND FOR POLK COUNTY GENERAL JURISDICTION DIVISION  
**CASE NO. 53-2022-CA-001769 SPECIALIZED LOAN SERVICING LLC,**

**Plaintiff, vs. TERESA ALLINE O' HARA, et al., Defendants.** NOTICE IS HEREBY GIVEN pursuant to a Summary Final Judgment of Foreclosure entered April 27, 2023 in Civil Case No. 53-2022-CA-001769 of the Circuit Court of the TENTH Judicial Circuit in and for Polk County, Bartow, Florida, wherein SPECIALIZED LOAN SERVICING LLC is Plaintiff and TERESA ALLINE O' HARA, et al., are Defendants, the Clerk of Court, STACY BUTTERFIELD, CPA, will sell to the highest and best bidder for cash electronically at [www.polk.realforeclose.com](http://www.polk.realforeclose.com) in accordance with Chapter 45, Florida Statutes on the 12th day of June, 2023 at 10:00 AM on the following described property as set forth in said Summary Final Judgment, to-wit:

LOT 12, BLOCK B, GLENDALE MANOR FIRST ADDITION, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 44, PAGE 37, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

Any person claiming an interest in the surplus from the sale, if any, other than the property owner as of the date of the lis pendens, must file a claim before the clerk reports the surplus as unclaimed.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Office of the Court Administrator, (863) 534-4690, within two (2) working days of your receipt of this (describe notice); if you are hearing or voice impaired, call TDD (863) 534-7777 or Florida Relay Service 711.

/s/ Robyn Katz  
Robyn Katz, Esq.  
McCalla Raymer Leibert Pierce, LLC  
Attorney for Plaintiff  
110 SE 6th Street, Suite 2400  
Fort Lauderdale, FL 33301  
Phone: (407) 674-1850  
Fax: (321) 248-0420  
Email: MRService@mccalla.com  
Fla. Bar No.: 0146803  
7182514  
21-00322-2  
May 19, 26, 2023 23-00697K

FIRST INSERTION

NOTICE TO CREDITORS IN THE CIRCUIT COURT FOR POLK COUNTY, FLORIDA PROBATE DIVISION  
**File No. 23CP-496**  
**Division Probate**  
**IN RE: ESTATE OF**  
**KIM OBREMSKI SHELTON**  
**Deceased.**

The administration of the estate of Kim Obremski Shelton, deceased, whose date of death was November 18, 2022, is pending in the Circuit Court for Polk County, Florida, Probate Division, the address of which is Post Office Drawer 9000, Bartow, Florida 33830. The names and addresses of the personal representative and the personal representative's attorney are set forth below.

All creditors of the decedent and other persons having claims or demands against decedent's estate on whom a copy of this notice is required to be served must file their claims with this court ON OR BEFORE THE LATER OF 3 MONTHS AFTER THE TIME OF THE FIRST PUBLICATION OF THIS NOTICE OR 30 DAYS AFTER THE DATE OF SERVICE OF A COPY OF THIS NOTICE ON THEM.

All other creditors of the decedent and other persons having claims or demands against decedent's estate must file their claims with this court WITHIN 3 MONTHS AFTER THE DATE OF THE FIRST PUBLICATION OF THIS NOTICE.

ALL CLAIMS NOT FILED WITHIN THE TIME PERIODS SET FORTH IN FLORIDA STATUTES SECTION 733.702 WILL BE FOREVER BARRED.

NOTWITHSTANDING THE TIME PERIODS SET FORTH ABOVE, ANY CLAIM FILED TWO (2) YEARS OR MORE AFTER THE DECEDENT'S DATE OF DEATH IS BARRED.

The date of first publication of this notice is May 19, 2023.

**Personal Representative:**

/s/ **Billie Jo Olson**  
**Billie Jo Olson**

7006 Highpoint Circle  
Sellersburg, Indiana 47172

Attorney for Personal Representative:

/s/ **Charlotte C. Stone**  
**Charlotte C. Stone, Esq.**  
Florida Bar Number: 21297  
Stone Law Group, P.L.  
3200 US Hwy 27 S., Suite 201  
Sebring, Florida 33870  
Telephone: (863) 402-5424  
Fax: (863) 402-5425  
E-Mail:  
[charlotte@stonelawgroupfl.com](mailto:charlotte@stonelawgroupfl.com)  
Secondary E-Mail:  
[tami@stonelawgroupfl.com](mailto:tami@stonelawgroupfl.com)  
May 19, 26, 2023 23-00707K

FIRST INSERTION

NOTICE UNDER FICTITIOUS NAME LAW PURSUANT TO SECTION 865.09, FLORIDA STATUTES NOTICE IS HEREBY GIVEN that Andrea Rogers will engage in business under the fictitious name DRELUX, with a physical address 200 FOXTAIL LOOP DAVENPORT, FL 33837, with a mailing address 200 FOXTAIL LOOP DAVENPORT, FL 33837, and already registered the name mentioned above with the Florida Department of State, Division of Corporations.

May 19, 2023 23-00714K

FIRST INSERTION

NOTICE TO CREDITORS IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT IN AND FOR POLK COUNTY, FLORIDA PROBATE DIVISION  
**FILE NO: 23-CP-001296**  
**IN RE: ESTATE OF**  
**SUSAN LYNN HARRIS**  
**Deceased.**

The administration of the Estate of SUSAN LYNN HARRIS, deceased, whose date of death was June 07, 2021, is pending in the Circuit Court for Polk County, Florida, Probate Division, the address of which is 255 N. Broadway Ave. Bartow, FL 33830-3912.

The names and addresses of the Personal Representative and the Personal Representative's attorney are set forth below.

NAME OF PERSONAL REPRESENTATIVE: SARAH JANE JACKSON: 240 Padgett Place s. Lakeland FL, 33809. RELATIONSHIP: DAUGHTER OF DECEDENT.

All creditors of the decedent and other persons having claims or demands against decedent's Estate on whom a copy of this notice has been served must file their claims with this court WITHIN THE LATER OF 3 MONTHS AFTER THE FIRST PUBLICATION OF THIS NOTICE OR 30 DAYS AFTER THE TIME OF SERVICE OF A COPY OF THIS NOTICE ON THEM.

All other creditors of the decedent and other persons having claims or demands against decedent's estate MUST FILE THEIR CLAIMS WITH THIS COURT WITHIN 3 MONTHS AFTER THE DATE OF THE FIRST PUBLICATION OF THIS NOTICE. ALL CLAIMS NOT SO FILED WILL BE FOREVER BARRED.

NOTWITHSTANDING THE TIME PERIOD SET FORTH ABOVE, ANY CLAIM FILED TWO (2) YEARS OR MORE AFTER THE DECEDENT'S DATE OF DEATH IS BARRED.

The date of first publication of this notice is the 19 day of May, 2023.

**Personal Representative:**

**SARAH JANE JACKSON**

240 Padgett Place s. Lakeland FL, 33809  
Attorney for Personal Representative:  
**BRYAN R. DEVOLDER, ESQ.**  
Florida Bar Number: 122751  
Devolder Law Firm, PLLC  
15310 Amberly Drive Suite 250 #300  
Tampa, FL 33647  
Telephone: (813) 724-3880  
E-Mail: [eportalfl@devolderlaw.com](mailto:eportalfl@devolderlaw.com)  
Secondary email:  
[paralegal@devolderlaw.com](mailto:paralegal@devolderlaw.com)  
May 15, 2023.  
May 19, 26, 2023 23-00711K

**PUBLISH YOUR LEGAL NOTICE**

We publish all Public sale, Estate & Court-related notices

- We offer an online payment portal for easy credit card payment
- Service includes us e-filing your affidavit to the Clerk's office on your behalf
- Simply email your notice to [legal@businessobserverfl.com](mailto:legal@businessobserverfl.com)

FLORIDA'S NEWSPAPER FOR THE C-SUITE  
**Business Observer**





SECOND INSERTION

NOTICE TO CREDITORS IN THE CIRCUIT COURT FOR POLK COUNTY, FLORIDA PROBATE DIVISION File No. 23-CP-001133

Division: Probate IN RE: ESTATE OF BERNICE L. LAWRENCE, Deceased. The administration of the estate of Bernice L. Lawrence, deceased, whose date of death was February 10, 2023, is pending in the Circuit Court for Polk County, Florida, Probate Division...

Personal Representative: Jason Kral

250 Mirror Lake Drive North St. Petersburg, FL 33701 Attorney for Personal Representative: Matthew D. Weidner

SECOND INSERTION

NOTICE TO CREDITORS IN THE CIRCUIT COURT FOR POLK COUNTY, FLORIDA PROBATE DIVISION File No. 53-2023-CP-001561-0000-XX

Division: Probate IN RE: ESTATE OF BRENTON M. MAY, Deceased. The administration of the Estate of Brenton M. May, deceased, whose date of death was February 11, 2023, is pending in the Circuit Court for Polk County, Florida...

Personal Representative: Randy D. Harrison

5230 Lunn Road Lakeland, Florida 33811 Attorney for Personal Representative: Carol J. Wallace Attorney for Petitioner Florida Bar Number: 71059

SECOND INSERTION

NOTICE TO CREDITORS IN THE CIRCUIT COURT OF THE 10TH JUDICIAL CIRCUIT IN AND FOR POLK COUNTY, FLORIDA PROBATE DIVISION File No. 2022CP0039230000XX

IN RE: ESTATE OF ANNETTE DESSOURCES, Deceased. The administration of the estate of ANNETTE DESSOURCES, Deceased, whose date of death was September 23, 2022, is pending in the Circuit Court for Polk County, Florida...

Personal Representative: TIWANDA TURNER

Attorney for Personal Representative: Scott R. Bugay, Esquire Florida Bar No. 5207 Citicentre, Suite P600 290 NW 165th Street Miami FL 33169 Telephone: (305) 956-9040

SECOND INSERTION

NOTICE TO CREDITORS IN AND FOR THE TENTH CIRCUIT COURT FOR POLK COUNTY, FLORIDA File No. 2023CP000617

Probate Division IN RE: ESTATE OF TOMMY S. BURNETT, Deceased. The administration of the estate of Tommy S. Burnett, deceased, whose date of death is December 6, 2022, is pending in the Tenth Circuit Court for Polk County...

Personal Representative: Tina Burnett

4525 Windee Ave Lakeland FL 33811 /s/Cory L. Chandler CORY L. CHANDLER, ESQ. Florida Bar No. 621552

SECOND INSERTION

NOTICE OF FORECLOSURE SALE IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT IN AND FOR POLK COUNTY, FLORIDA

Case No.: 2022-CA-000033 PENNYMAC LOAN SERVICES, LLC, Plaintiff, v.

UNKNOWN PERSONAL REPRESENTATIVE OF THE ESTATE OF ANGEL L. GUADALUPE FONSECA, et al., Defendants. NOTICE is hereby given that Stacy M. Butterfield, Clerk of the Circuit Court of Polk County, Florida...

Lot 40, Randa Ridge Phase 1, a subdivision according to the plat thereof recorded in Plat Book 125, Pages 26 through 29, inclusive, of the Public Records of Polk County, Florida. Property Address: 1049 Ronlin St, Haines City, FL 33844

mands against decedent's estate must file their claims with this court WITHIN THREE (3) MONTHS AFTER THE DATE OF THE FIRST PUBLICATION OF THIS NOTICE.

ALL CLAIMS NOT FILED WITHIN THE TIME PERIODS SET FORTH IN FLORIDA STATUTES, SECTION 733.702 WILL BE FOREVER BARRED.

NOTWITHSTANDING THE TIME PERIODS SET FORTH ABOVE, ANY CLAIM FILED TWO (2) YEARS OR MORE AFTER THE DECEDENT'S DATE OF DEATH IS BARRED.

The date of first publication of this notice May 12, 2023.

Petitioner: Tina Burnett 4525 Windee Ave Lakeland FL 33811

/s/Cory L. Chandler CORY L. CHANDLER, ESQ. Florida Bar No. 621552 Spector Gadon Rosen Vinci LLP 360 Central Avenue, Suite 1550 St. Petersburg, Florida 33701

SECOND INSERTION

Any person claiming an interest in the surplus from the sale, if any, other than the property owner as of the date of the Lis Pendens must file a claim before the clerk reports the surplus as unclaimed.

If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Office of the Court Administrator, 255 N. Broadway Avenue, Bartow, Florida 33830...

Submitted on this 5th day of May, 2023. TIFFANY & BOSCO, P.A. /s/ Kathryn I. Kasper, Esq. Anthony R. Smith, Esq. FL Bar #157147 Kathryn I. Kasper, Esq. FL Bar #621188

SECOND INSERTION

NOTICE OF SALE PURSUANT TO CHAPTER 45 IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT IN AND FOR POLK COUNTY, FLORIDA CIVIL ACTION

Case No.: 53-2022-CA-001013 U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR BANC OF AMERICA FUNDING 2008-FTI TRUST, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2008-FTI,

Plaintiff, vs. DEREK V PYLE AKA DEREK PYLE, et al, Defendant(s).

NOTICE IS HEREBY GIVEN Pursuant to a Final Judgment of Foreclosure dated April 13, 2023, and entered in Case No. 53-2022-CA-001013 of the Circuit Court of the Tenth Judicial Circuit in and for Polk County, Florida...

LOTS 5 AND 6, BLOCK 33, CROOKED LAKE SUBDIVISION, AS PER PLAT BOOK 3, PAGES 28 AND 29, PUBLIC RECORDS OF POLK COUNTY,

SECOND INSERTION

RE-NOTICE OF SALE IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT IN AND FOR POLK COUNTY, FLORIDA

Case No.: 2020-CA-000156-0000-00 WILMINGTON SAVINGS FUND SOCIETY, FSB, AS OWNER TRUSTEE OF THE RESIDENTIAL CREDIT OPPORTUNITIES TRUST VIIA, Plaintiff, vs. AMOS AKINOLA: et al., Defendants.

NOTICE IS HEREBY GIVEN pursuant to a Final Judgment of Foreclosure dated January 19, 2023 entered in Civil Case No. 2020-CA-000156-0000-00 of the Circuit Court of the 10th Judicial Circuit in and for Polk County, Florida...

The Clerk, Stacey M. Butterfield, will sell to the highest bidder for cash, by electronic sale beginning at 10:00 A.M. on the prescribed date at www.polk.realforeclose.com on June 7, 2023 on the following described property as set forth in said Final Judgment...

SECOND INSERTION

NOTICE OF FORECLOSURE SALE IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT IN AND FOR POLK COUNTY, FLORIDA GENERAL JURISDICTION DIVISION

Case No. 2008CA-006258-0000-00 THE BANK OF NEW YORK AS TRUSTEE FOR THE BENEFIT OF THE CERTIFICATEHOLDERS CWABS, INC. ASSET BACKED CERTIFICATES, SERIES 2007-9, Plaintiff, vs. Leland Charles Piester, et al., Defendants.

NOTICE IS HEREBY GIVEN pursuant to the Final Judgment and/ or Order Rescheduling Foreclosure Sale, entered in Case No. 2008CA-006258-0000-00 of the Circuit Court of the TENTH Judicial Circuit, in and for Polk County, Florida...

ALL CLAIMS NOT FILED WITHIN THE TIME PERIODS SET FORTH IN FLORIDA STATUTES SECTION 733.702 WILL BE FOREVER BARRED. NOTWITHSTANDING THE TIME PERIODS SET FORTH ABOVE, ANY CLAIM FILED TWO (2) YEARS OR MORE AFTER THE DECEDENT'S DATE OF DEATH IS BARRED.

FLORIDA. TOGETHER WITH THAT PORTION OF THE STREET RIGHT-OF-WAY VACATED AND ABANDONED BY A RESOLUTION CLOSING ROAD DATED FEBRUARY 27, 1979, AND RECORDED IN OFFICIAL RECORD BOOK 1365, PAGE 622, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

A/K/A 1350 WARD LOOP RD BABSON PARK FL 33827 Any person claiming an interest in the surplus from the sale, if any, other than the property owner as of the date of the Lis Pendens must file a claim before the Clerk reports the surplus as unclaimed.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Office of the Court Administrator, 255 N. Broadway Avenue, Bartow, Florida 33830...

Dated this 05 day of May, 2023. ALBERTELLI LAW P. O. Box 23028 Tampa, FL 33623 Tel: (813) 221-4747 Fax: (813) 221-9171

SECOND INSERTION

INCLUSIVE, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA. Property address: 814 Dengar Street, Haines City, Florida 33844

Any person claiming an interest in the surplus from the sale, if any, other than the property owner as of the date of the lis pendens must file a claim before the clerk reports the surplus as unclaimed. The Court, in its discretion, may enlarge the time of the sale. Notice of the changed time of sale shall be published as provided herein.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Office of the Court Administrator, 255 N. Broadway Avenue, Bartow, Florida 33830...

DATED this 9th day of May, 2023. LAW OFFICES OF MANDEL, MANGANELLI & LEIDER, P.A. Attorneys for Plaintiff 1900 N.W. Corporate Blvd., Ste. 305W Boca Raton, FL 33431 Telephone: (561) 826-1740 Email: service@mml-pa.com

SECOND INSERTION

THE WEST 110 FEET OF THE NORTH 2 FEET OF LOT 34 OF C.W. ROCKNER'S ADDITION TO FORT MEADE, ACCORDING TO THE PLAT THEREOF RECORDED IN DEED BOOK P, PAGE 354, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

AND THE NORTH 1/2 OF LOT 16 AND THE SOUTH 90 FEET OF LOTS 17 AND 18 IN BLOCK G OF WILDWOOD PARK, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 16, PAGE 16 PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

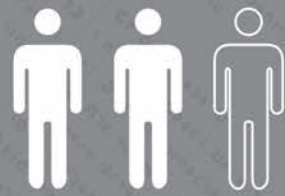
Any person claiming an interest in the surplus from the sale, if any, other than the property owner as of the date of the lis pendens must file a claim before the clerk reports the surplus as unclaimed. If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance.

Dated this 9th day of May, 2023. BROCK & SCOTT, PLLC Attorney for Plaintiff 2001 NW 64th St, Suite 130 Ft. Lauderdale, FL 33309 Phone: (954) 618-6955, ext. 4766 Fax: (954) 618-6954 FLCourtDocs@brockandscott.com



# WHEN PUBLIC NOTICES REACH THE PUBLIC, EVERYONE BENEFITS.

Some officials want to move notices from newspapers to government-run websites, where they may not be easily found.



Why try to fix something that isn't broken?

**2 OUT OF 3**

U.S. adults read a newspaper in print or online during the week.



**NEWS MEDIA**  
ALLIANCE

[www.newsmediaalliance.org](http://www.newsmediaalliance.org)

Keep Public Notices in Newspapers.

## PUBLIC NOTICES

## An American Tradition

Public notice is an important tool in assuring an informed citizenry. Notices are mandated by legislatures to make sure there is a public window into the activities of governments, officers of the court and others holding a public trust. There are four key elements to a valid public notice. It should be executed by an entity outside the one mandated to provide notice, so proper checks and balances are in place.

A public notice informs citizens of government or government-related activities that affect citizens' everyday lives. A public notice typically has four elements:

- **Independent:** A public notice is published in a forum independent of the government, typically in a local newspaper.

- **Archivable:** A public notice is archived in a secure and publicly available format.

- **Accessible:** A public notice is capable of being accessed by all segments of society.

- **Verifiable:** The public and the source of the notice are able to verify that the notice was published, usually by an affidavit provided by the publisher.

*(Adapted from the Public Resource Notice Center)*

## Types of Public Notices

There are three standard types:

- **Citizen participation notices** inform the public about proposed government action and allow the public time to react to such proposals.

One such example is a public hearing notice.

- **Business and commerce notices**

relate to government contracts and purchases. Notices of contract bids allow citizens to ensure that the government is operating in accordance with principles of equal opportunity and is acting responsibly in spending taxpayer money.

- **Court notices** are required of many non-governmental entities that

use public powers or institutions in some way. Examples include notices of home mortgage foreclosures, which can provide a public alert of widespread credit problems, fraud in underwriting and a basis for analyses of housing trends.

This notice allows the public to object to an appointment based on any conflict of interest.

## The history of public notices

Public notices existed long before the emergence of newspapers. The concept itself began when early civilizations posted notices in public squares. This crude method was eventually refined with the publication of the first English language newspaper in 1665 — a court newspaper called the Oxford Gazette. After being renamed The London Gazette, this official newspaper carried notices from the King's Court, London

officials and outlying regions.

The American system is modeled after the British system. State governments published public notices before America's founding, and the newly-created federal government followed suit. In 1789, the Acts of the First Congress required the Secretary of State to publish all bills, orders, resolutions and congressional votes in at least three publicly available newspapers.

An important premise both in federal

and local governments of the United States, as well as in many republics around the world, is that information about government activities must be accessible for the electorate to make well-informed decisions.

Public notices in newspapers still provide this accessibility to citizens who want to know more about government activities. Public notice laws serve to outline the most effective method of reaching the public.

## Public notice supports due process

Public notices are integral to democratic governance and stem from the right to "due process of law" guaranteed by the federal and state constitutions. Due process of law protects Americans' rights from arbitrary or wrongful violations. This concept has two parts: substantive due process and procedural due process.

Substantive due process refers to the

types of rights that are protected. Procedural due process refers to the means of protecting those rights.

Substantive due process ensures that certain basic rights are not violated, while procedural due process may require suitable notice and a hearing before a government or court-appointed body can act in a way that may affect those basic rights.

Public notices play a vital role in

substantive and procedural due process because they provide a window into government actions and also afford notice to citizens of actions about to take place so they may exercise their constitutional right to be heard. Notification not only informs the individual or entity most directly affected, but it also informs the public, which has an interest in knowing how public powers are being used.

## THE RISKS OF NOTICES ONLY ON THE INTERNET

Although it has been part of American society for a quarter-century as a network for scholars and government agencies, the Internet has been widely used by citizens for about 15 years.

Because of its structure with computer clients and servers, information packets and open-network codes, the Internet remains vulnerable and sometimes unstable. Power surges, corrupted software and downed servers can disrupt access. Government agencies cannot ensure that information located on a server is secure.

Even a highly technological site like that of the Pentagon's has been affected. In June 2007, the Pentagon was forced to take about 1,500 computers off-line because of a cyber-attack. Then-Defense Department Secretary Robert Gates stated that the Pentagon sees hundreds of attacks every day.

Public notices guard our constitutional right to due process of law by informing citizens of government action and providing proof of publication via notarized affidavits of publication. Unlike the time-tested and trusted local newspapers that citizens have come to rely on for public notices, the Internet is an unstable medium for information. While it is a valuable tool in disseminating information, it has not yet reached a level of sophistication and technological stability that would justify its supplanting newspapers as the primary venue for public notices.

It is still uncertain how a "Net" affidavit could show proof of a public notice publication when constant technological change makes any attempt at archiving and accessing such a document online for any significant time dubious.

No less problematic for the Internet is its reach. Those who live in rural areas where broadband does not exist and others who simply cannot afford the Internet cannot access web public notices. In situations where foreclosures are on the rise due, in part, to predatory mortgage lending, more, not less, access to public notices is needed to better inform citizens about their rights and their choices.

It is difficult to justify, then, moving public notices from newspapers only to public-notice Web sites administered either by already over-burdened state governments or by third-party vendors who lack the experience and long-term viability newspapers have proven in publishing notices.

So far in the Internet age, newspapers remain the most trusted and primary method for providing citizens access to public notices.

## WHY NEWSPAPERS?

## Newspapers are the primary source

Newspapers, founded on the constitutional right of free press, have been serving the public's right to know in America since pre-colonial times and on the European continent since the 17th century. Because of their traditional information role in society and their long-established independence, newspapers remain the primary source for publishing public notices.

Upholding the public's right to know is essential to our country's way of life. Our government governs with the consent of the people, and this consent must be informed. Local newspapers keep the public informed about the inner workings of their respective state and local governments, thereby allowing citizens to participate more fully in the democratic process. Without this participation, the potential for misguided policies increases.

## Newspaper tradition

Newspapers allow the government to notify the public of government actions. The government has a fundamental responsibility to ensure adequate notification to the public of its actions. Therefore, the government has a duty to make sure the methods used in satisfying this responsibility are the most effective.

Newspapers provide neutrality from government and credible distance from political pressures or partisan disagreements. Local and community newspapers serve as third-party reporters to the public, publishing information that can be beneficial or sometimes detrimental to the government's public image. They provide an environment for notices that the

public traditionally has regarded as neutral. Public notices in this print environment gain credibility because of the long history of trust in the local newspaper.

Placing notices on government Web sites undermines this neutral interest and removes a critical check and balance. While it may seem appealing on the surface in an age of ever-more sophisticated government Web sites, the potential for mishandling is great.

On the other hand, public notices in independent newspapers increase government transparency by opening up the decision-making process to the public's eyes. Without this oversight, local governments could enact controversial policies without input from the public.

Newspapers serve as effective monitors of governments and ensure that they publish information as required by law. Public notices are typically required by a statute or a regulation. The independent press can provide a valuable civic role by helping to monitor that the notices were published when required. If governments were responsible for publishing their own notices, no neutral and independent entity would have the incentive and the means to track public-notice publication.

## Newspapers: The best medium for public notices

Newspapers, for the most of the republic's history, have been the accepted medium for public notices. This is exactly where the public, even infrequent readers, expects to find them. In addition, specialized publications, such as legal newspapers, are well known for

providing public notices to the population through legal communities. Other general interest newspapers, such as county seat weeklies, are the forum where county citizens expect to locate notices of important public business. Furthermore, the vast majority of these notices arrive at citizens' homes in a context that compels readership (amid local news, sports features and other content).

Another reason for the effectiveness of newspapers is that newspapers provide valid evidence of readership.

Legislatures are rightly concerned about web-only notices, given the digital divide between rich and poor, rural and urban residents. The Internet is either too costly or simply geographically unavailable to large segments of society.

## Notices become historical records

The newspaper as paper of record is an important factor in the public policy of notices. Government Web sites cannot provide a secure archival history the way newspapers can. Electronic records lack permanence and can easily be intentionally or accidentally erased. Even the Library of Congress has recognized this shortcoming and has embarked upon a major project to attempt to archive digital records that are in danger of being "forever lost" due to Internet impermanence.

Despite these problems, the federal courts unwisely approved a rule change to the Federal Rules of Civil Procedure recently that would

move notices of federal asset forfeitures out of newspapers and onto a Web site administered by the Department of Justice. Yet, the courts have little research to show that the Justice Department's Web site will produce viable, accessible, archivable notices.

While Internet web pages pose serious archiving challenges, newspapers, on the other hand, become historical documents. They are oriented and published with a date on every page. They cannot be deceptively altered after printing as a web page could. Historians, judges, lawyers, genealogists and researchers, to name only a few, use newspapers and public notices in particular as sources for records.

## Newspaper notices protect due process

Procedural due process, as granted by the U.S. Constitution and interpreted

by courts, generally requires an individual to receive notice and a hearing before he or she is deprived of certain rights or property. For example, before a person's home is sold by a county sheriff at a foreclosure sale, he or she must receive notice of the foreclosure sale and an opportunity to save the house from foreclosure. If the owner does not receive the notice, he may challenge the sale in court. The court may then void the sale or prevent the sale from happening to protect due process.

Newspapers are generally paid to run public notices, which recognizes that their publication creates a cost in paper, ink and delivery.

