

THE FLORIDA SENATE  
2016 SUMMARY OF LEGISLATION PASSED  
**Committee on Judiciary**

**HB 967 — Family Law**

by Rep. Stevenson and others (SB 972 by Senator Lee)

This bill establishes a collaborative law process to facilitate out-of-court settlements in divorce and paternity cases. The process brings together collaborative attorneys, mental health professionals, and financial specialists to help the parties reach a consensus. The terms of the process are contained in a collaborative law participation agreement.

The collaborative law process may resolve such matters in family law as:

- Alimony and child support;
- Marital property distribution;
- Child custody and visitation;
- Parental relocation with a child;
- Premarital, marital, and postmarital agreements; and
- Paternity.

Parties may enter into a collaborative law participation agreement before filing a petition with the court or while an action is pending. The bill also allows the case to be partially resolved collaboratively, with the remainder to be resolved through the traditional adversarial process.

Communications made during and as part of the collaborative process are generally confidential and privileged from disclosure, not subject to discovery in a subsequent court proceeding, and inadmissible as evidence.

The effect of the bill is contingent upon the adoption of implementing rules by the Florida Supreme Court.

If approved by the Governor, these provisions take effect July 1, 2016.

*Vote: Senate 39-0; House 117-0*