

THE FLORIDA SENATE
2022 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/SB 1012 — Victims of Crimes

by Judiciary Committee and Senators Burgess, Book, and Perry

The bill amends s. 960.001, F.S., to provide that, in addition to other enumerated information, a victim must be informed of his or her right to employ private counsel. A new provision is added that encourages The Florida Bar to develop a registry of attorneys who are willing to serve on a pro bono basis as advocates for crime victims.

This statute is amended to clarify that victims who are not incarcerated, or the victim's representatives, may, upon request, be informed, be present, and be heard at all stages of criminal and juvenile proceedings. The bill removes language from the existing statute to remove the conditions that a victim has a right to be informed, present, or to be heard "when relevant," at a "crucial" stage, and "to the extent that this right does not interfere with constitutional rights of the accused."

This statute is further amended to clarify that victims who are incarcerated may, upon request, be informed, and submit written statements at all stages of criminal and juvenile proceedings. The bill removes language from the existing statute to remove the requirement that the stage be a "crucial" stage for the incarcerated victim to be informed and submit statements at proceedings.

The bill amends ss. 960.0021 and 985.036, F.S., relating to a court's responsibility to inform a victim of his or her rights and the rights of a victim in a juvenile proceeding, respectively, to specify that the victim must be informed upon request.

If approved by the Governor, these provisions take effect July 1, 2022.

Vote: Senate 37-0; House 113-0