

Committee on Children, Families, and Elder Affairs

CS/CS/CS/SB 1224 — Protection of Children and Victims of Crime

by Fiscal Policy Committee; Appropriations Committee on Criminal and Civil Justice; Children, Families, and Elder Affairs Committee; and Senators Burton and Grall

The bill amends multiple statutes to expand the role and operations of the Statewide Guardian Ad Litem Office (office), and specifies the duties and responsibilities of that office and Guardians Ad Litem (GAL). Specifically, the bill:

- Requires appointment of a GAL at the earliest possible time to represent a child throughout dependency proceedings, including appeals.
- Allows for representation of the child by GAL in proceedings outside of dependency cases in order to secure services and benefits that provide for the care, safety, and protection of the child.
- Requires the GAL to receive invitation to a multidisciplinary team staffing in the event of a placement change.
- Requires that the written description of programs and services required in the case plan for a child who is 13 years of age or older must include age-appropriate activities for the child's development of relationships, coping skills, and emotional well-being.
- Requires the office to provide oversight and technical assistance to Attorneys Ad Litem (AAL) and develop a training program in collaboration with dependency court stakeholders, including, but not limited to, dependency judges, representatives from legal aid providing AAL representation, and an AAL appointed from a registry maintained by the chief judge.
- Requires the office to assist youth in meeting supportive adults with the hope of creating an ongoing relationship and requires collaboration with the Department of Children and Families (DCF) Office of Continuing Care to connect youth with supportive adults.
- Establishes the Fostering Prosperity grant program to help youth transition from foster care to independent adult living and requires increased GAL involvement in, and court attention to, ensuring a youth aging out of care has a permanent connection to a caring adult.

The bill also amends s. 741.29, F.S., to require law enforcement officers who investigate an alleged incident of domestic violence to administer a lethality assessment if the allegation is against an intimate partner, regardless of whether an arrest is made. Specifically, the bill:

- Requires the Department of Law Enforcement must consult with the Department of Children and Families, the Florida Sheriffs Association, the Florida Police Chiefs Association, and the Florida Partnership to End Domestic Violence, and at least two domestic violence advocacy organizations to develop policies, procedures, and training necessary for implementation of a statewide evidence-based lethality assessment. The approved training on how to administer the assessment must be accessible to a law enforcement officer in an online format.
- Requires an analysis of the questions of the lethality assessment placed in statute by the bill, and recommendations as to whether they should be included in a statewide lethality

assessment instrument and form and requires a report by the DCF to the President of the Senate and Speaker of the House of Representatives detailing the results and recommendations, including proposed statutory changes, of the creation of the lethality assessment instrument and form.

- Requires the Criminal Justice Standards and Training Commission to require by rule that all law enforcement receive instruction on the policies and procedures for administering a lethality assessment and minimum training requirements.
- Requires the head of each law enforcement agency to provide written certification verifying the agency has complied with new training requirements, by November 1, 2026; and requires a report to the Governor, President of the Senate, and Speaker of the House of Representatives identifying each law enforcement agency not in compliance with the training requirements by January 1, 2027.
- Requires a law enforcement officer to advise the victim of the results of the assessment and refer the victim to the nearest locally certified domestic violence center if the victim's responses meet the criteria for referral. If a victim does not, or is unable to, provide information to a law enforcement officer sufficient to allow the officer to administer a lethality assessment, the officer must document the lack of an assessment in the written police report and refer the victim to the nearest locally certified domestic violence center.
- Requires a notation of the score of a lethality assessment, if administered, to be included in the written police report.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.

Vote: Senate 40-0; House 112-0