

By the Committee on Family Law & Children and
Representatives Roberts, Crow, Wallace, Effman and Detert

1 A bill to be entitled
2 An act relating to supervised family
3 visitation; amending s. 414.0252, F.S.;
4 modifying the definition of "family" under the
5 WAGES Program, for specified purposes; creating
6 s. 753.01, F.S.; providing legislative findings
7 and intent; creating s. 753.02, F.S.; providing
8 definitions; creating s. 753.03, F.S.;
9 establishing the Office for Certification and
10 Monitoring of Supervised Visitation Programs
11 under the Clearinghouse on Supervised
12 Visitation within the Institute for Family
13 Violence Studies of the Florida State
14 University School of Social Work; providing for
15 certification and monitoring of supervised
16 visitation programs; creating s. 753.04, F.S.;
17 providing duties of the Clearinghouse on
18 Supervised Visitation; providing for minimum
19 program standards; providing for appointment of
20 an advisory board; providing board membership;
21 providing for approval of program certification
22 and funding; providing for certain training and
23 assistance for supervised visitation programs;
24 providing for rules; repealing ss. 753.001,
25 753.002, and 753.004, F.S., relating to the
26 Florida Family Visitation Network and
27 supervised visitation projects; providing a
28 directive to statute editors; providing
29 appropriations; providing an effective date.
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31 Be It Enacted by the Legislature of the State of Florida:

1 Section 1. Subsection (5) of section 414.0252, Florida
2 Statutes, is amended to read:

3 414.0252 Definitions.--As used in ss. 414.015-414.45,
4 the term:

5 (5) "Family" means the assistance group or the
6 individuals whose needs, resources, and income are considered
7 when determining eligibility for temporary assistance. The
8 family for purposes of temporary assistance includes the minor
9 child, custodial parent, or caretaker relative who resides in
10 the same house or living unit. The family may also include
11 individuals whose income and resources are considered in whole
12 or in part in determining eligibility for temporary assistance
13 but whose needs, due to federal or state restrictions, are not
14 considered. These individuals include, but are not limited to,
15 ineligible noncitizens or sanctioned individuals. The family,
16 for purposes of services that meet the Temporary Assistance
17 for Needy Families goal of encouraging the formation and
18 maintenance of two-parent families, includes the noncustodial
19 parent who does not reside in the same house or living unit,
20 but who maintains contact with his or her child.

21 Section 2. Section 753.01, Florida Statutes, is
22 created to read:

23 753.01 Supervised visitation programs; legislative
24 findings and intent.--

25 (1) The Legislature finds that a large number of
26 children experience the separation or divorce of their parents
27 and that some of those children have been determined by the
28 court to be at risk or are allegedly at risk for physical,
29 emotional, or sexual abuse, parental abduction, domestic
30 violence, or parental impairment due to substance abuse or
31 mental illness.

1 (2) The Legislature further finds that there are
2 children who have been adjudicated dependent by the court and
3 ordered into out-of-home placements as a result of those same
4 risks.

5 (3) The Legislature recognizes that Florida is
6 witnessing the rapid development of supervised visitation
7 centers across the state. These programs offer an opportunity
8 for nonresidential parents to maintain contact with their
9 children in a safe environment. Supervised visitation centers
10 provide a critically needed service in facilitating safe
11 contact between perpetrators of domestic violence and their
12 children. These centers provide the judiciary with an
13 important tool to safeguard against abuse or exposure to other
14 behaviors that may be unduly stressful or traumatic to a
15 child.

16 (4) Recognizing that in some circumstances it is
17 necessary to provide a safe and structured setting for child
18 visitation and exchange, the Legislature intends through this
19 chapter, subject to specific appropriations, to assist in the
20 development of supervised visitation programs and to provide a
21 means by which uniform standards for the administration and
22 certification of such programs can be developed.

23 Section 3. Section 753.02, Florida Statutes, is
24 created to read:

25 753.02 Definitions.--As used in this chapter:

26 (1) "Child" means an unmarried person under the age of
27 18 who has not been emancipated by order of the court and
28 whose contact with a noncustodial parent requires supervision
29 pursuant to a court order.

1 (2) "Clearinghouse" means the Clearinghouse on
2 Supervised Visitation within the Institute for Family Violence
3 Studies of the Florida State University School of Social Work.

4 (3) "Client" means the residential parent,
5 nonresidential parent, or child receiving supervised contact
6 services pursuant to a court referral to a supervised
7 visitation program.

8 (4) "Supervised exchange" means the supervision of the
9 movement of the child from the residential parent to the
10 nonresidential parent at the start of the supervised
11 visitation, and from the nonresidential parent back to the
12 residential parent at the end of the supervised visitation.

13 (5) "Supervised visitation" means the contact between
14 a nonresidential parent and child which occurs in the presence
15 of an independent third party.

16 (6) "Supervised Visitation Network" means the
17 international association of agencies and individuals created
18 to share information, to establish and improve on supervised
19 visitation as an integral part of services for families, to
20 provide a forum for the exchange of information and supervised
21 visitation services, to develop standards of practice of
22 supervised visitation, to educate professionals and the public
23 about the value of supervised visitation, and to promote
24 public awareness about the need for supervised visitation.

25 (7) "Supervised visitation program" means a program
26 created to provide facilities, resources, and administrative
27 services in the course of offering a safe and structured
28 setting for supervised visitation and exchange. Only for the
29 purposes of obtaining criminal history information on
30 potential employees and volunteers, a supervised visitation
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1 program is a qualified entity, providing care, as defined in
2 s. 943.0542.

3 Section 4. Section 753.03, Florida Statutes, is
4 created to read:

5 753.03 Office for Certification and Monitoring of
6 Supervised Visitation Programs.--There is established the
7 Office for Certification and Monitoring of Supervised
8 Visitation Programs under the Clearinghouse on Supervised
9 Visitation within the Institute for Family Violence Studies of
10 the Florida State University School of Social Work. The
11 clearinghouse may certify and monitor all supervised
12 visitation programs that receive court referrals. The purpose
13 of the certification of programs is to uniformly and
14 systematically standardize supervised visitation programs to
15 ensure the safety of the children, parents, and others who use
16 the programs, as well as the safety of the staff and
17 surrounding community.

18 Section 5. Section 753.04, Florida Statutes, is
19 created to read:

20 753.04 Duties of the Clearinghouse on Supervised
21 Visitation.--The Clearinghouse on Supervised Visitation shall
22 promulgate minimum standards to govern the purpose, policies,
23 standards of practice, program content, security measures,
24 qualifications of providers, training and credentials of
25 staff, and procedures governing all aspects of supervised
26 visitation program standards. In promulgating the minimum
27 standards, the clearinghouse shall collaborate with the
28 executive board of the Florida Chapter of the Supervised
29 Visitation Network and the advisory board created in this
30 section. The clearinghouse shall:

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- 1 (1) Create an advisory board to assist in promulgating
2 minimum standards. The members of the advisory board shall
3 include:
- 4 (a) Two members of the executive board of the Florida
5 Chapter of the Supervised Visitation Network, appointed by the
6 president of the Florida Chapter of the Supervised Visitation
7 Network.
- 8 (b) A representative from the Office of the State
9 Courts Administrator, appointed by the State Courts
10 Administrator.
- 11 (c) A representative from the Department of Children
12 and Family Services, appointed by the Secretary of Children
13 and Family Services.
- 14 (d) A representative from the Florida Coalition
15 Against Domestic Violence, appointed by the executive director
16 of the Florida Coalition Against Domestic Violence.
- 17 (e) A representative from a Florida law enforcement
18 agency, appointed by the executive director of the Florida
19 Sheriffs Association.
- 20 (f) A family law judge, appointed by the Chief Justice
21 of the Florida Supreme Court.
- 22 (g) Up to two representatives of supervised visitation
23 programs, appointed by the director of the clearinghouse.
- 24 (h) A representative from the Junior League, selected
25 from among those chapters of the Junior League that contribute
26 funding to supervised visitation programs. The name of the
27 representative must be provided to the clearinghouse within 30
28 days after the effective date of this act.
- 29 (2) Develop by rule criteria for the approval or
30 rejection of certification or funding of supervised visitation
31 programs.

1 (3) Develop by rule minimum standards for the
2 administration and implementation of supervised visitation
3 programs to ensure the safety of families and staff in the
4 programs.

5 (4) Receive, and approve or reject, applications for
6 certification of supervised visitation programs and receive,
7 and approve or reject, applications for funding of supervised
8 visitation programs. When approving funding for a newly
9 certified supervised visitation program, every effort shall be
10 made to avoid duplication of services and to minimize any
11 adverse economic impact on existing certified programs or
12 services provided in the same judicial circuit.

13 (5) Monitor each certified supervised visitation
14 program annually to ensure compliance with the minimum
15 standards.

16 (6) Create a formula for the distribution of funds
17 available for supervised visitation programs, with the advice
18 of the advisory board. In developing the formula, the
19 following shall be considered: population, express support of
20 the local judiciary, a rural and geographical area factor, the
21 incidence of domestic violence, and the number of petitions
22 for dissolution of marriage, injunctions for protection
23 against domestic violence, and petitions for dependency filed
24 in the judicial circuit.

25 (7) Continue to develop competency-based training
26 materials on supervised visitation, continue to produce and
27 disseminate a newsletter on supervised visitation issues,
28 continue to compile data on program utilization, and continue
29 to provide technical and legal assistance and research to
30 supervised visitation programs.

31 (8) Adopt rules to implement this section.

1 Section 6. Sections 753.001, 753.002, and 753.004,
2 Florida Statutes, are repealed.
3 Section 7. The Division of Statutory Revision of the
4 Office of Legislative Services is directed to retitle chapter
5 753, Florida Statutes, "Supervised Family Visitation."
6 Section 8. There is hereby appropriated to the
7 Clearinghouse on Supervised Visitation within the Institute
8 for Family Violence Studies of the Florida State University
9 School of Social Work \$180,461 from the General Revenue Fund
10 for the purpose of implementing sections 4 and 5 of this act,
11 relating to certification and monitoring of supervised
12 visitation programs.
13 Section 9. There is hereby appropriated to the
14 Clearinghouse on Supervised Visitation within the Institute
15 for Family Violence Studies of the Florida State University
16 School of Social Work, in a lump sum, \$3,340,000 from the
17 Federal Grants Trust Fund, to implement supervised visitation
18 program development. The source of funding shall be the
19 Temporary Assistance to Needy Families block grant. Any
20 expenditures from the Temporary Assistance for Needy Families
21 block grant shall be expended in accordance with the
22 requirements and limitations of part A of Title IV of the
23 Social Security Act, as amended, or any other applicable
24 federal requirement or limitation.
25 Section 10. This act shall take effect October 1,
26 2000.
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HOUSE SUMMARY

Modifies the definition of "family" under the WAGES Program to include a noncustodial parent, for purposes of encouraging formation and maintenance of two-parent families. Provides legislative findings and intent with respect to supervised family visitation programs. Provides definitions. Establishes the Office for Certification and Monitoring of Supervised Visitation Programs under the Clearinghouse on Supervised Visitation within the Institute for Family Violence Studies of the Florida State University School of Social Work. Specifies duties of the office and the clearinghouse relating to minimum standards, certification, monitoring, and funding of supervised visitation programs, and provides for program training and assistance. Directs the clearinghouse to create an advisory board and specifies board membership. Repeals present statutes relating to the Florida Family Visitation Network and supervised visitation projects. Provides appropriations.