

By the Council for Smarter Government and Representatives
Gardiner, Needelman, Kravitz and Heyman

1 A bill to be entitled
2 An act relating to crime victims; creating s.
3 960.0021, F.S.; providing legislative findings;
4 providing for an advisement from the court to
5 the victim of a crime with respect to the
6 rights of victims; providing that such
7 advisement is only for the benefit of crime
8 victims; providing that the circuit court
9 administrator shall work in coordination with
10 the clerk of court; providing that failure to
11 provide such advisement shall not affect the
12 validity of any hearing, conviction, or
13 sentence; providing an effective date.

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15 Be It Enacted by the Legislature of the State of Florida:

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17 Section 1. Section 960.0021, Florida Statutes, is
18 created to read:

19 960.0021 Legislative intent; advisement to victims.--

20 (1) The Legislature finds that in order to ensure that
21 crime victims can effectively understand and exercise their
22 rights, and in order to promote law enforcement that considers
23 the interests of crime victims, victims must be properly
24 advised in the courts of this state.

25 (2) Any judge who presides over a criminal docket at
26 which accused persons are arraigned or sentenced, or when
27 cases are considered for case management, shall announce the
28 following advisement:

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1 If you are the victim of a crime with a case
2 pending before this court, you are advised that
3 you have the right:

4 (1) To be informed.

5 (2) To be present.

6 (3) To be heard, when relevant, at all
7 crucial stages of criminal proceedings to the
8 extent that these rights do not interfere with
9 the constitutional rights of the accused.

10 (4) To receive advance notification, when
11 possible, of judicial proceedings and
12 notification of scheduling changes.

13 (5) To seek crimes compensation and
14 restitution.

15 (6) To consult with the state attorney's
16 office in certain felony cases regarding the
17 disposition of the case.

18 (7) To make an oral or written
19 victim-impact statement at the time of
20 sentencing of a defendant.

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22 For further information regarding additional
23 rights afforded to victims of crime, you may
24 contact the state attorney's office or obtain a
25 listing of your rights from the Clerk of Court.

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27 (3) The circuit court administrator shall coordinate
28 efforts to ensure that victim rights information, as
29 established in s. 960.001(1)(o), is provided to the clerk of
30 the court.

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1 (4) This section is only for the benefit of crime
2 victims. Accordingly, a failure to comply with this section
3 shall not affect the validity of any hearing, conviction, or
4 sentence.

5 Section 2. This act shall take effect upon becoming a
6 law.

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