

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 for the display of
7 a poster containing information concerning the
8 rights of crime victims; requiring the
9 Department of Legal Affairs to provide such
10 posters to the courts; providing that such
11 advisement is only for the benefit of crime
12 victims; providing that failure to provide such
13 advisement shall not affect the validity of any
14 hearing, conviction, or sentence; providing
15 that the circuit court administrator shall work
16 in coordination with the clerk of the court;
17 amending s. 960.001, F.S.; requiring the clerk
18 of the court to make available certain
19 information regarding enforcing liens and
20 judgments; providing an effective date.

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

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24 Section 1. Section 960.0021, Florida Statutes, is
25 created to read:

26 960.0021 Legislative intent; advisement to victims.--
27 (1) The Legislature finds that in order to ensure that
28 crime victims can effectively understand and exercise their
29 rights under s. 16, Art. I of the State Constitution, and to
30 promote law enforcement that considers the interests of crime
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1 victims, victims must be properly advised in the courts of
2 this state.

3 (2) The courts may fulfill their obligation to advise
4 crime victims by:

5 (a) Making the following announcement at any
6 arraignment, sentencing, or case-management proceeding:

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8 "If you are the victim of a crime with a case
9 pending before this court, you are advised that
10 you have the right:

11 1. To be informed.

12 2. To be present.

13 3. To be heard, when relevant, at all
14 crucial stages of criminal proceedings to the
15 extent that these rights do not interfere with
16 the constitutional rights of the accused.

17 4. To receive advance notification, when
18 possible, of judicial proceedings and
19 notification of scheduling changes, pursuant to
20 section 960.001, Florida Statutes.

21 5. To seek crimes compensation and
22 restitution.

23 6. To consult with the state attorney's
24 office in certain felony cases regarding the
25 disposition of the case.

26 7. To make an oral or written
27 victim-impact statement at the time of
28 sentencing of a defendant.

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30 For further information regarding additional
31 rights afforded to victims of crime, you may

1 contact the state attorney's office or obtain a
2 listing of your rights from the Clerk of
3 Court."

4 ; or

5 (b) Displaying prominently on the courtroom doors
6 posters giving notification of the existence and general
7 provisions of this chapter. The Department of Legal Affairs
8 shall provide the courts with the posters specified by this
9 paragraph.

10 (3) The circuit court administrator shall coordinate
11 efforts to ensure that victim rights information, as
12 established in s. 960.001(1)(o), is provided to the clerk of
13 the court.

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

18 Section 2. Paragraph (j) of subsection (1) of section
19 960.001, Florida Statutes, is amended to read:

20 960.001 Guidelines for fair treatment of victims and
21 witnesses in the criminal justice and juvenile justice
22 systems.--

23 (1) The Department of Legal Affairs, the state
24 attorneys, the Department of Corrections, the Department of
25 Juvenile Justice, the Parole Commission, the State Courts
26 Administrator and circuit court administrators, the Department
27 of Law Enforcement, and every sheriff's department, police
28 department, or other law enforcement agency as defined in s.
29 943.10(4) shall develop and implement guidelines for the use
30 of their respective agencies, which guidelines are consistent
31 with the purposes of this act and s. 16(b), Art. I of the

1 State Constitution and are designed to implement the
2 provisions of s. 16(b), Art. I of the State Constitution and
3 to achieve the following objectives:

4 (j) Notification of right to request restitution.--Law
5 enforcement agencies and the state attorney shall inform the
6 victim of the victim's right to request and receive
7 restitution pursuant to s. 775.089 or s. 985.231(1)(a)1., and
8 of the victim's rights of enforcement under ss. 775.089(6) and
9 985.201 in the event an offender does not comply with a
10 restitution order. The state attorney shall seek the
11 assistance of the victim in the documentation of the victim's
12 losses for the purpose of requesting and receiving
13 restitution. In addition, the state attorney shall inform the
14 victim if and when restitution is ordered. If an order of
15 restitution is converted to a civil lien or civil judgment
16 against the defendant, the clerks shall make available at
17 their office, as well as on their website, information
18 provided by the Secretary of State, the court, or The Florida
19 Bar on enforcing the civil lien or judgment.

20 Section 3. This act shall take effect July 1, 2002.
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