

By Senator Campbell

33-316-02

1 A bill to be entitled
2 An act relating to children and families;
3 creating s. 752.011, F.S.; providing for
4 court-ordered visitation for grandparents and
5 great-grandparents under certain circumstances;
6 providing for appointment of a guardian ad
7 litem and family mediation if the court makes a
8 preliminary finding that the minor is
9 threatened with demonstrable significant mental
10 or emotional harm without such visitation;
11 requiring court-ordered evaluation of the child
12 if mediation fails; providing for a hearing to
13 determine whether the minor is threatened with
14 demonstrable significant mental or emotional
15 harm; providing criteria for such a
16 determination; providing for attorney's fees
17 and costs; applying the Uniform Child Custody
18 Jurisdiction Act; repealing s. 752.01, F.S.,
19 relating to grandparental visitation;
20 encouraging consolidation of actions under ss.
21 61.13, 752.011, F.S.; amending ss. 752.015,
22 752.07, F.S., to conform cross-references;
23 amending s. 39.01, F.S.; including references
24 to great-grandparents in definitions relating
25 to dependent children; amending s. 39.509,
26 F.S.; providing for great-grandparents'
27 visitation rights; amending ss. 39.801,
28 63.0425, F.S.; providing for a
29 great-grandparent's right to adopt; amending s.
30 61.13, F.S.; providing for great-grandparents'
31 visitation rights and standing with regard to

1 evaluating custody arrangements; conforming
2 this section to provisions of this act;
3 amending s. 63.172, F.S.; conforming references
4 relating to great-grandparental visitation
5 rights under ch. 752, F.S.; providing an
6 effective date.

7
8 Be It Enacted by the Legislature of the State of Florida:

9
10 Section 1. Section 752.011, Florida Statutes, is
11 created to read:

12 752.011 Action by grandparent or great-grandparent for
13 right of visitation; when petition shall be granted.--

14 (1) A grandparent or great-grandparent of a minor may
15 petition for visitation with that minor if:

16 (a) One or both of the parents of the minor are
17 deceased;

18 (b) The marriage of the parents of the minor has been
19 dissolved, whether or not a dissolution action is pending;

20 (c) A parent of the minor has deserted the minor;

21 (d) The minor was born out of wedlock and not later
22 determined to be a minor born within wedlock as provided in s.
23 742.091;

24 (e) The minor is living with both natural parents who
25 are still married to each other, whether or not there is a
26 broken relationship between either or both parents of the
27 minor and the grandparents or great-grandparents, and either
28 or both parents have used their parental authority to prohibit
29 a relationship between the minor and the grandparents or
30 great-grandparents; or

31

1 (f) A deceased parent of the minor has made a written
2 testamentary statement requesting that there be visitation
3 between his or her surviving minor child and the grandparent
4 or great-grandparent.

5 (2) Upon the filing of a petition by a grandparent or
6 great-grandparent for visitation rights, the court shall hold
7 a preliminary hearing to find whether there is evidence that
8 the minor is suffering or is threatened with suffering
9 demonstrable significant mental or emotional harm as a result
10 of a parental decision not to permit visitation or contact
11 with the grandparent or great-grandparent. Absent such a
12 finding, the court shall dismiss the petition and shall award
13 reasonable attorney's fees and costs to be paid by the
14 petitioner to the respondent.

15 (3) If the court finds that there is evidence that the
16 minor is suffering or is threatened with suffering
17 demonstrable significant mental or emotional harm as a result
18 of a parental decision not to permit visitation or contact
19 with the grandparent or great-grandparent, the court may
20 appoint a guardian ad litem and shall order the matter to
21 family mediation as provided in chapter 44 and Rules 12.740
22 and 12.741 of the Florida Family Law Rules of Procedure.

23 (4) When mediation fails to yield a resolution, the
24 court shall order a psychological evaluation of the minor
25 pursuant to Rule 12.363, Fla. Fam. L.R.P., if comparable
26 evidence of the findings expected from such an evaluation is
27 unavailable.

28 (5) After a hearing on the matter, the court may award
29 reasonable rights of visitation to the grandparent or
30 great-grandparent with respect to the minor if the court finds
31 that:

1 (a) There is clear and convincing evidence that the
2 minor is suffering or is threatened with suffering
3 demonstrable significant mental or emotional harm as a result
4 of a parental decision not to permit visitation or contact
5 with the grandparent or great-grandparent and that visitation
6 with the grandparent or great-grandparent will alleviate or
7 mitigate the harm; and

8 (b) That the visitation will not materially harm the
9 parent-child relationship.

10 (6) In assessing demonstrable significant mental or
11 emotional harm as those terms are used in this chapter, the
12 court shall consider the totality of the circumstances
13 affecting the mental and emotional well-being of the minor,
14 including:

15 (a) The love, affection, and other emotional ties
16 existing between the minor and the grandparent or
17 great-grandparent, including those based upon a relationship
18 that has been permitted previously by one or more of the
19 minor's parents.

20 (b) The length and quality of the prior relationship
21 between the minor and the grandparent or great-grandparent,
22 including the extent to which the grandparent or
23 great-grandparent has been involved in providing regular care
24 and support of the minor.

25 (c) Whether the grandparent or great-grandparent has
26 established or attempted to establish ongoing personal contact
27 with the minor.

28 (d) The reasons for which a parent or parents have
29 made a decision to end contact or visitation between the minor
30 and the grandparent or great-grandparent which was permitted
31 previously by the parent or parents.

1 (e) Whether there has been demonstrable significant
2 mental or emotional harm to the minor as the result of
3 disruption in the family unit due to divorce, abandonment by a
4 parent, or disability or death of a parent, sibling, or other
5 household member, for which the minor has derived support and
6 stability from the relationship with the grandparent or
7 great-grandparent, and whether the continuation of that
8 support and stability is likely to prevent further harm.

9 (f) The existence or threat of mental injury to the
10 minor as defined in s. 39.01.

11 (g) When one parent is deceased, whether visitation
12 with the grandparent or great-grandparent will help maintain
13 or facilitate contact between the minor and the deceased
14 parent's extended family of origin such that demonstrable
15 significant mental or emotional harm to the minor from loss of
16 additional family relationships is mitigated.

17 (h) The present mental, physical, and emotional needs
18 and health of the minor.

19 (i) The present mental, physical, and emotional health
20 of the grandparent or great-grandparent.

21 (j) The recommendations of the minor's guardian ad
22 litem.

23 (k) The results of the psychological evaluation of the
24 minor pursuant to Rule 12.363, Fla. Fam. L.R.P.

25 (l) The preference of the minor if the minor is
26 determined to be of sufficient maturity to express a
27 preference.

28 (m) When a parent is deceased, any written
29 testamentary statement by the deceased parent requesting that
30 visitation with the grandparent or great-grandparent be
31 granted or stating a belief that such visitation would reduce

1 or mitigate demonstrable significant mental or emotional harm
2 to the minor as a result of the parent's death. The absence of
3 such a testamentary statement may not be construed as evidence
4 that the deceased parent would have objected to the requested
5 visitation.

6 (n) Such other factors as the court considers
7 necessary in making this determination.

8 (7) In assessing whether granting a petition brought
9 under this chapter will cause material harm to the
10 parent-child relationship, the court shall consider the
11 totality of the circumstances affecting the parent-child
12 relationship, including:

13 (a) Whether there have been previous disputes between
14 the parents and the grandparent or great-grandparent over
15 childrearing or other matters related to the care and
16 upbringing of the minor;

17 (b) Whether visitation would materially interfere with
18 or compromise parental authority;

19 (c) Whether visitation can be arranged in such a
20 manner as not to materially detract from the parent-child
21 relationship, including the quantity of time available for
22 enjoyment of the parent-child relationship and any other
23 consideration related to disruption of the schedule and
24 routines of the parents' and the minor's home lives;

25 (d) Whether visitation is being sought for the primary
26 purpose of continuing or establishing a relationship with the
27 minor with the intent that the minor benefit from the
28 relationship;

29 (e) Whether the requested visitation would expose the
30 minor to conduct, moral standards, experiences, or other
31

1 factors that are inconsistent with influences provided by the
2 parent;

3 (f) The nature of the relationship between the parents
4 and the grandparent or great-grandparent;

5 (g) The reasons for which a parent or parents have
6 made a decision to end contact or visitation between the minor
7 and the grandparent or great-grandparent which has been
8 permitted previously by that parent or parents;

9 (h) The psychological toll of visitation disputes on
10 the minor in the particular circumstances; and

11 (i) Such other factors as the court considers
12 necessary in making this determination.

13 (8) Sections 61.1302-61.1348, the Uniform Child
14 Custody Jurisdiction Act, apply to actions brought under this
15 chapter.

16 (9) If separate actions under this section and s.
17 61.13 are pending concurrently, courts are strongly encouraged
18 to consolidate the actions in order to minimize the burden of
19 litigation of visitation rights on the minor and the parties.

20 (10) An order of grandparent visitation or
21 great-grandparent visitation may be modified upon a showing of
22 substantial change in circumstances or a showing that
23 visitation is causing material harm to the parent-child
24 relationship.

25 (11) An original action requesting visitation rights
26 under this chapter may be filed by any grandparent or
27 great-grandparent only once during any 2-year period, except
28 on good cause shown that the minor is suffering or threatened
29 with suffering demonstrable significant mental or emotional
30 harm caused by a parental decision to deny or limit contact or
31 visitation between a minor and grandparent or

1 great-grandparent, which was not known to the grandparent or
2 great-grandparent at the time of filing an earlier action.

3 (12) This section does not provide for visitation
4 rights for grandparents or great-grandparents of minors placed
5 for adoption under chapter 63 except as provided in s. 752.07
6 with respect to adoption by a stepparent.

7 (13) Section 57.105 applies to actions brought under
8 this chapter.

9 Section 2. Section 752.01, Florida Statutes, is
10 repealed.

11 Section 3. Section 752.015, Florida Statutes, is
12 amended to read:

13 752.015 Mediation of visitation disputes.--It shall be
14 the public policy of this state that families resolve
15 differences over grandparent visitation within the family. It
16 shall be the further public policy of this state that when
17 families are unable to resolve differences relating to
18 grandparent visitation that the family participate in any
19 formal or informal mediation services that may be available.
20 When families are unable to resolve differences relating to
21 grandparent visitation and a petition is filed pursuant to s.
22 752.011 ~~s. 752.01~~, the court shall, if such services are
23 available in the circuit, refer the case to family mediation
24 in accordance with rules promulgated by the Supreme Court.

25 Section 4. Section 752.07, Florida Statutes, is
26 amended to read:

27 752.07 Effect of adoption of child by stepparent on
28 right of visitation; when right may be terminated.--When there
29 is a remarriage of one of the natural parents of a minor child
30 for whom visitation rights may be or may have been granted to
31 a grandparent pursuant to s. 752.011 ~~s. 752.01~~, any subsequent

1 adoption by the stepparent will not terminate any
2 grandparental rights. However, the court may determine that
3 ~~termination of such visitation rights~~ should be terminated
4 based upon the standards for granting such visitation which
5 are set forth in s. 752.011 ~~is in the best interest of the~~
6 ~~child~~ and rule accordingly, after affording the grandparent an
7 opportunity to be heard.

8 Section 5. Subsections (46) and (50) of section 39.01,
9 Florida Statutes, are amended to read:

10 39.01 Definitions.--When used in this chapter, unless
11 the context otherwise requires:

12 (1) "Abandoned" means a situation in which the parent
13 or

14 (46) "Next of kin" means an adult relative of a child
15 who is the child's brother, sister, grandparent,
16 great-grandparent, aunt, uncle, or first cousin.

17 (50) "Participant," for purposes of a shelter
18 proceeding, dependency proceeding, or termination of parental
19 rights proceeding, means any person who is not a party but who
20 should receive notice of hearings involving the child,
21 including foster parents or the legal custodian of the child,
22 identified prospective parents, grandparents or
23 great-grandparents entitled to priority for adoption
24 consideration under s. 63.0425, actual custodians of the
25 child, and any other person whose participation may be in the
26 best interest of the child. A community-based agency under
27 contract with the department to provide protective services
28 may be designated as a participant at the discretion of the
29 court. Participants may be granted leave by the court to be
30 heard without the necessity of filing a motion to intervene.

31

1 Section 6. Section 39.509, Florida Statutes, is
2 amended to read:

3 39.509 Grandparents' and great-grandparents'
4 ~~Grandparents~~ rights.--Notwithstanding any other provision of
5 law, a maternal or paternal grandparent or great-grandparent
6 as well as a stepgrandparent or step-great-grandparent is
7 entitled to reasonable visitation with his or her grandchild
8 or great-grandchild who has been adjudicated a dependent child
9 and taken from the physical custody of the parent unless the
10 court finds that such visitation is not in the best interest
11 of the child or that such visitation would interfere with the
12 goals of the case plan. Reasonable visitation may be
13 unsupervised and, where appropriate and feasible, may be
14 frequent and continuing.

15 (1) Grandparent or great-grandparent visitation may
16 take place in the home of the grandparent or great-grandparent
17 unless there is a compelling reason for denying such a
18 visitation. The department's caseworker shall arrange the
19 visitation to which a grandparent or great-grandparent is
20 entitled pursuant to this section. The state shall not charge
21 a fee for any costs associated with arranging the visitation.
22 However, the grandparent or great-grandparent shall pay for
23 the child's cost of transportation when the visitation is to
24 take place in the grandparent's or great-grandparent's home.
25 The caseworker shall document the reasons for any decision to
26 restrict a grandparent's or great-grandparent's visitation.

27 (2) A grandparent or great-grandparent entitled to
28 visitation pursuant to this section shall not be restricted
29 from appropriate displays of affection to the child, such as
30 appropriately hugging or kissing his or her grandchild or
31 great-grandchild. Gifts, cards, and letters from the

1 grandparent or great-grandparent and other family members
2 shall not be denied to a child who has been adjudicated a
3 dependent child.

4 (3) Any attempt by a grandparent or great-grandparent
5 to facilitate a meeting between the child who has been
6 adjudicated a dependent child and the child's parent or legal
7 custodian, or any other person in violation of a court order
8 shall automatically terminate future visitation rights of the
9 grandparent or great-grandparent.

10 (4) When the child has been returned to the physical
11 custody of his or her parent, the visitation rights granted
12 pursuant to this section shall terminate.

13 (5) The termination of parental rights does not affect
14 the rights of grandparents or great-grandparents unless the
15 court finds that such visitation is not in the best interest
16 of the child or that such visitation would interfere with the
17 goals of permanency planning for the child.

18 (6) In determining whether grandparental or
19 great-grandparental visitation is not in the child's best
20 interest, consideration may be given to the finding of guilt,
21 regardless of adjudication, or entry or plea of guilty or nolo
22 contendere to charges under the following statutes, or similar
23 statutes of other jurisdictions: s. 787.04, relating to
24 removing minors from the state or concealing minors contrary
25 to court order; s. 794.011, relating to sexual battery; s.
26 798.02, relating to lewd and lascivious behavior; chapter 800,
27 relating to lewdness and indecent exposure; or chapter 827,
28 relating to the abuse of children. Consideration may also be
29 given to a report of abuse, abandonment, or neglect under ss.
30 415.101-415.113 or this chapter and the outcome of the
31 investigation concerning such report.

1 Section 7. Paragraph (a) of subsection (3) of section
2 39.801, Florida Statutes, is amended to read:

3 39.801 Procedures and jurisdiction; notice; service of
4 process.--

5 (3) Before the court may terminate parental rights, in
6 addition to the other requirements set forth in this part, the
7 following requirements must be met:

8 (a) Notice of the date, time, and place of the
9 advisory hearing for the petition to terminate parental rights
10 and a copy of the petition must be personally served upon the
11 following persons, specifically notifying them that a petition
12 has been filed:

- 13 1. The parents of the child.
- 14 2. The legal custodians of the child.
- 15 3. If the parents who would be entitled to notice are
16 dead or unknown, a living relative of the child, unless upon
17 diligent search and inquiry no such relative can be found.
- 18 4. Any person who has physical custody of the child.
- 19 5. Any grandparent or great-grandparent entitled to
20 priority for adoption under s. 63.0425.
- 21 6. Any prospective parent who has been identified
22 under s. 39.503 or s. 39.803.
- 23 7. The guardian ad litem for the child or the
24 representative of the guardian ad litem program, if the
25 program has been appointed.

26
27 The document containing the notice to respond or appear must
28 contain, in type at least as large as the type in the balance
29 of the document, the following or substantially similar
30 language: "FAILURE TO PERSONALLY APPEAR AT THIS ADVISORY
31 HEARING CONSTITUTES CONSENT TO THE TERMINATION OF PARENTAL

1 RIGHTS OF THIS CHILD (OR CHILDREN). IF YOU FAIL TO APPEAR ON
2 THE DATE AND TIME SPECIFIED, YOU MAY LOSE ALL LEGAL RIGHTS AS
3 A PARENT TO THE CHILD OR CHILDREN NAMED IN THE PETITION
4 ATTACHED TO THIS NOTICE."

5 Section 8. Paragraph (b) of subsection (2), paragraphs
6 (c) and (d) of subsection (4), and subsections (6) and (7) of
7 section 61.13, Florida Statutes, are amended to read:

8 61.13 Custody and support of children; visitation
9 rights; power of court in making orders.--

10 (2)

11 (b)1. The court shall determine all matters relating
12 to custody of each minor child of the parties in accordance
13 with the best interests of the child and in accordance with
14 the Uniform Child Custody Jurisdiction Act. It is the public
15 policy of this state to assure that each minor child has
16 frequent and continuing contact with both parents after the
17 parents separate or the marriage of the parties is dissolved
18 and to encourage parents to share the rights and
19 responsibilities, and joys, of childrearing. After considering
20 all relevant facts, the father of the child shall be given the
21 same consideration as the mother in determining the primary
22 residence of a child irrespective of the age or sex of the
23 child.

24 2. The court shall order that the parental
25 responsibility for a minor child be shared by both parents
26 unless the court finds that shared parental responsibility
27 would be detrimental to the child. Evidence that a parent has
28 been convicted of a felony of the third degree or higher
29 involving domestic violence, as defined in s. 741.28 and
30 chapter 775, or meets the criteria of s. 39.806(1)(d), creates
31 a rebuttable presumption of detriment to the child. If the

1 presumption is not rebutted, shared parental responsibility,
2 including visitation, residence of the child, and decisions
3 made regarding the child, may not be granted to the convicted
4 parent. However, the convicted parent is not relieved of any
5 obligation to provide financial support. If the court
6 determines that shared parental responsibility would be
7 detrimental to the child, it may order sole parental
8 responsibility and make such arrangements for visitation as
9 will best protect the child or abused spouse from further
10 harm. Whether or not there is a conviction of any offense of
11 domestic violence or child abuse or the existence of an
12 injunction for protection against domestic violence, the court
13 shall consider evidence of domestic violence or child abuse as
14 evidence of detriment to the child.

15 a. In ordering shared parental responsibility, the
16 court may consider the expressed desires of the parents and
17 may grant to one party the ultimate responsibility over
18 specific aspects of the child's welfare or may divide those
19 responsibilities between the parties based on the best
20 interests of the child. Areas of responsibility may include
21 primary residence, education, medical and dental care, and any
22 other responsibilities that the court finds unique to a
23 particular family.

24 b. The court shall order "sole parental
25 responsibility, with or without visitation rights, to the
26 other parent when it is in the best interests of" the minor
27 child.

28 c. The court may award the grandparents or
29 great-grandparents visitation rights with a minor child
30 pursuant to the criteria set forth in s. 752.011 if it is in
31 the child's best interest. Grandparents or great-grandparents

1 have legal standing to seek judicial enforcement of such an
2 award. This section does not require that grandparents or
3 great-grandparents be made parties to or given notice of
4 dissolution pleadings or proceedings, nor do grandparents or
5 great-grandparents have legal standing as "contestants" as
6 defined in s. 61.1306. However, if separate actions under this
7 section and s. 752.011 are pending concurrently, courts are
8 strongly encouraged to consolidate the actions in order to
9 minimize the burden of litigation of visitation rights on the
10 child.A court may not order that a child be kept within the
11 state or jurisdiction of the court solely for the purpose of
12 permitting visitation by the grandparents or
13 great-grandparents.

14 3. Access to records and information pertaining to a
15 minor child, including, but not limited to, medical, dental,
16 and school records, may not be denied to a parent because the
17 parent is not the child's primary residential parent.

18 (4)

19 (c) When a custodial parent refuses to honor a
20 noncustodial parent's, ~~or~~ grandparent's, or
21 great-grandparent's visitation rights without proper cause,
22 the court shall, after calculating the amount of visitation
23 improperly denied, award the noncustodial parent, ~~or~~
24 grandparent, or great-grandparent a sufficient amount of extra
25 visitation to compensate the noncustodial parent, ~~or~~
26 grandparent, or great-grandparent, which visitation shall be
27 ordered as expeditiously as possible in a manner consistent
28 with the best interests of the child and scheduled in a manner
29 that is convenient for the person deprived of visitation. In
30 ordering any makeup visitation, the court shall schedule such
31 visitation in a manner that is consistent with the best

1 interests of the child or children and that is convenient for
2 the noncustodial parent, ~~or~~ grandparent, or great-grandparent.

3 In addition, the court:

4 1. May order the custodial parent to pay reasonable
5 court costs and attorney's fees incurred by the noncustodial
6 parent, ~~or~~ grandparent, or great-grandparent to enforce their
7 visitation rights or make up improperly denied visitation;

8 2. May order the custodial parent to attend the
9 parenting course approved by the judicial circuit;

10 3. May order the custodial parent to do community
11 service if the order will not interfere with the welfare of
12 the child;

13 4. May order the custodial parent to have the
14 financial burden of promoting frequent and continuing contact
15 when the custodial parent and child reside further than 60
16 miles from the noncustodial parent;

17 5. May award custody, rotating custody, or primary
18 residence to the noncustodial parent, upon the request of the
19 noncustodial parent, if the award is in the best interests of
20 the child; or

21 6. May impose any other reasonable sanction as a
22 result of noncompliance.

23 (d) A person who violates this subsection may be
24 punished by contempt of court or other remedies as the court
25 deems appropriate.

26 (6) In any proceeding under this section, the court
27 may not deny shared parental responsibility, custody, or
28 visitation rights to a parent, ~~or~~ grandparent, or
29 great-grandparent solely because that parent, ~~or~~ grandparent,
30 or great-grandparent is or is believed to be infected with
31 human immunodeficiency virus; but the court may condition such

1 rights upon the parent's, ~~or~~ grandparent's, or
2 great-grandparent's agreement to observe measures approved by
3 the Centers for Disease Control and Prevention of the United
4 States Public Health Service or by the Department of Health
5 for preventing the spread of human immunodeficiency virus to
6 the child.

7 (7) In any case where the child is actually residing
8 with a grandparent or great-grandparent in a stable
9 relationship, whether or not the court has awarded custody to
10 the grandparent or great-grandparent ~~or not~~, the court may
11 recognize the grandparent or great-grandparent ~~grandparents~~ as
12 having the same standing as parents for evaluating what
13 custody arrangements are in the best interest of the child.

14 Section 9. Subsection (1) of section 63.0425, Florida
15 Statutes, is amended to read:

16 63.0425 Grandparent's or great-grandparent's right to
17 adopt.--

18 (1) When a child who has lived with a grandparent or
19 great-grandparent for at least 6 months is placed for
20 adoption, the adoption entity handling the adoption shall
21 notify that grandparent or great-grandparent of the impending
22 adoption before the petition for adoption is filed. If the
23 grandparent or great-grandparent petitions the court to adopt
24 the child, the court shall give first priority for adoption to
25 that grandparent or great-grandparent.

26 (2) This section does ~~shall~~ not apply if the placement
27 for adoption is a result of the death of the child's parent
28 and a different preference is stated in the parent's will.

29 (3) This section does ~~shall~~ not apply in stepparent
30 adoptions.

31

1 (4) ~~Nothing in~~ This section does not ~~shall~~ contravene
2 ~~the provisions of~~ s. 63.142(4).

3 Section 10. Subsection (2) of section 63.172, Florida
4 Statutes, is amended to read:

5 63.172 Effect of judgment of adoption.--

6 (2) If one or both parents of a child die without the
7 relationship of parent and child having been previously
8 terminated and a spouse of the living parent or a close
9 relative of the child thereafter adopts the child, the child's
10 right of inheritance from or through the deceased parent is
11 unaffected by the adoption and, unless the court orders
12 otherwise, the adoption will not terminate any grandparental
13 or great-grandparental rights delineated under chapter 752.
14 For purposes of this subsection, a close relative of a child
15 is the child's brother, sister, grandparent,
16 great-grandparent, aunt, or uncle.

17 Section 11. This act shall take effect July 1, 2002.

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19 *****

20 SENATE SUMMARY

21 Provides for court-ordered visitation by grandparents or
22 great-grandparents in certain circumstances. Provides for
23 appointment of a guardian ad litem and for family
24 mediation if the court makes a preliminary finding that
25 the minor is threatened with demonstrable significant
26 mental or emotional harm in the absence of such
27 visitation. Requires court-ordered evaluation of the
28 child if mediation fails. Provides for a hearing to
29 determine whether the minor is threatened with
30 demonstrable significant mental or emotional harm.
31 Provides criteria for such a determination. Provides for
awarding attorney's fees and costs. Applies the Uniform
Child Custody Jurisdiction Act. Encourages consolidation
of legal actions under ss. 61.13 and 752.011, F.S.
Includes references to great-grandparents in definitions
relating to dependent children. Provides for
great-grandparents' visitation rights. Provides for a
great-grandparent's right to adopt. Provides for
great-grandparents' visitation rights and standing with
regard to evaluating custody arrangements. Conforms
cross-references to changes made by the act.