

Amendment No. 01 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

The Committee on Judicial Oversight offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause

and insert:

Section 1. Subsection (7) of section 39.502, Florida Statutes, is amended to read:

(7) Service of the summons and service of pleadings, papers, and notices subsequent to the summons on persons outside this state must be made pursuant to section 9 of the Uniform Child Custody Jurisdiction and Enforcement Act ~~§~~ 61.1312.

Section 2. Paragraph (b) of subsection (2) of section 61.13, Florida Statutes, is amended to read and paragraph (e) is created to read:

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

(2)

(b)1. The court shall determine all matters relating to custody of each minor child of the parties in accordance

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1 with the best interests of the child and in accordance with
2 the Uniform Child Custody Jurisdiction and Enforcement Act. It
3 is the public policy of this state to assure that each minor
4 child has frequent and continuing contact with both parents
5 after the parents separate or the marriage of the parties is
6 dissolved and to encourage parents to share the rights and
7 responsibilities, and joys, of childrearing. After considering
8 all relevant facts, the father of the child shall be given the
9 same consideration as the mother in determining the primary
10 residence of a child irrespective of the age or sex of the
11 child.

12 2(e) When either parent materially violates a
13 visitation or custody order without proper cause or consent of
14 the other parent, in addition to any other remedies and
15 sanctions provided at law, the court may order the violating
16 party to post a bond or other security sufficient to provide
17 for damages to the other party for any future violation.
18 Violation of a visitation order shall include failure of
19 either parent to provide care for a child during a time
20 designated in a court order for him or her to be responsible
21 for the child. Upon a future material violation, the proceeds
22 of any bond or other security posted pursuant to this
23 subsection may be used to reimburse the nonviolating party for
24 actual costs or damages, including without limitation the
25 costs to locate and return the child, reasonable attorney's
26 fees and costs, and lost wages or child care expenses. Any
27 deficiency of bond or security assets shall not absolve the
28 violating party of responsibility to pay the full amount of
29 damages determined by the court.

30 Section 3. (1) In a proceeding in which the court
31 enters an order of child custody or visitation, including in a

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1 modification proceeding, upon the presentation of competent
2 substantial evidence that there is a risk that one party may
3 violate the court's order of visitation or custody by removing
4 a child from this state or country or by concealing the
5 whereabouts of a child, or upon stipulation of the parties,
6 the court may:

7 (a) order that a parent may not remove the child from
8 this state without the notarized written permission of both
9 parents or further court order;

10 (b) order that a parent may not remove the child from
11 this country without the notarized written permission of both
12 parents or further court order;

13 (c) order that a parent may not take the child to a
14 country that has not ratified or acceded to the Hague
15 Convention on the Civil Aspects of International Child
16 Abduction unless the other parent agrees in writing that the
17 child may be taken to the county; or

18 (d) require that party to post bond or other security.

19 (2) If the court enters an order of child custody or
20 visitation, including in a modification proceeding, that
21 includes a provision entered under (b) or (c) a certified copy
22 of the order should be sent by the parent who requested the
23 restriction to the Passport Services Office of the U.S.
24 Department of State requesting that they not issue a passport
25 to the child without their signature or further court order.

26 (3) In assessing the need for a bond, the court may
27 consider any reasonable factor bearing upon the risk that a
28 party may violate a visitation or custody order by removing a
29 child from this state or country or by concealing the
30 whereabouts of a child, including but not limited to whether:

31 (a) A court has previously found that a party

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1 previously removed a child from Florida or another state in
2 violation of a custody or visitation order, or whether a court
3 had found that a party has threatened to take a child out of
4 Florida or another state;

5 (b) The party has strong family and community ties to
6 Florida or to other states or countries, including whether the
7 party is a citizen of another country;

8 (c) The party has strong financial reasons to remain
9 in Florida or to relocate to another state or country;

10 (d) The party has engaged in activities that suggest
11 plans to leave Florida, such as quitting employment; sale of a
12 residence or termination of a lease on a residence, without
13 efforts to acquire an alternative residence in the state;
14 closing bank accounts or otherwise liquidating assets; or
15 applying for a passport;

16 (e) The party has a history of domestic violence,
17 child abuse, or child neglect; or

18 (f) The party has a criminal record.

19 (4) A party shall not be required to post a bond under
20 this section if the cost of obtaining the bond exceeds the
21 party's ability to pay.

22 (5) Upon a material violation of any custody or
23 visitation order entered under this section, the court may
24 order the bond forfeited in whole or in part. Upon an order
25 of forfeiture, the proceeds of any bond or other security
26 posted pursuant to this subsection may only be used to:

27 (a) Reimburse the nonviolating party for actual costs
28 or damages incurred in upholding the court's order of custody
29 or visitation.

30 (b) Locate and return the child to the residence as
31 set forth in the visitation or custody order.

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1 (c) Reimburse reasonable fees and costs as determined
2 by the court.

3 (d) Any remaining proceeds shall be:

4 1. held as further security if deemed necessary by the
5 court, and if further security is not found to be necessary;

6 2. applied to any child support arrears owed by the
7 parent against whom the bond was required, and if no arrears
8 exists;

9 3. all remaining proceeds will be returned to the
10 parent against whom the bond required.

11 Section 4. Short title.--Sections 1 through 43 of this
12 act may be cited as the "Uniform Child Custody Jurisdiction
13 and Enforcement Act."

14 Section 5. Purposes of act; construction of
15 provisions.--The general purposes of this act are to:

16 (1) Avoid jurisdictional competition and conflict with
17 courts of other states in matters of child custody which have
18 in the past resulted in the shifting of children from state to
19 state with harmful effects on their well-being.

20 (2) Promote cooperation with the courts of other
21 states to the end that a custody decree is rendered in the
22 state which can best decide the case in the interest of the
23 child.

24 (3) Discourage the use of the interstate system for
25 continuing controversies over child custody.

26 (4) Deter abductions.

27 (5) Avoid relitigation of custody decisions of other
28 states in this state.

29 (6) Facilitate the enforcement of custody decrees of
30 other states.

31 (7) Promote and expand the exchange of information and

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1 other forms of mutual assistance between the courts of this
2 state and those of other states concerned with the same child.

3 (8) Make uniform the law with respect to the subject
4 of this act among states enacting it.

5 Section 6. Definitions.--As used in sections 1 through
6 43 of this act, the term:

7 (1) "Abandoned" means left without provision for
8 reasonable and necessary care or supervision.

9 (2) "Child" means an individual who has not attained
10 18 years of age.

11 (3) "Child custody determination" means a judgment,
12 decree, or other order of a court providing for the legal
13 custody, physical custody, or visitation with respect to a
14 child. The term includes a permanent, temporary, initial, and
15 modification order. The term does not include an order
16 relating to child support or other monetary obligation of an
17 individual.

18 (4) "Child custody proceeding" means a proceeding in
19 which legal custody, physical custody, or visitation with
20 respect to a child is an issue. The term includes a proceeding
21 for divorce, separation, neglect, abuse, dependency,
22 guardianship, paternity, termination of parental rights, and
23 protection from domestic violence, in which the issue may
24 appear. The term does not include a proceeding involving
25 juvenile delinquency, contractual emancipation, or enforcement
26 under sections 24 through 40.

27 (5) "Commencement" means the filing of the first
28 pleading in a proceeding.

29 (6) "Court" means an entity authorized under the law
30 of a state to establish, enforce, or modify a child custody
31 determination.

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1 (7) "Home state" means the state in which a child
2 lived with a parent or a person acting as a parent for at
3 least 6 consecutive months immediately before the commencement
4 of a child custody proceeding. In the case of a child less
5 than 6 months of age, the term means the state in which the
6 child lived from birth with any of the persons mentioned. A
7 period of temporary absence of any of the mentioned persons is
8 part of the period.

9 (8) "Initial determination" means the first child
10 custody determination concerning a particular child.

11 (9) "Issuing court" means the court that makes a child
12 custody determination for which enforcement is sought under
13 this act.

14 (10) "Issuing state" means the state in which a child
15 custody determination is made.

16 (11) "Modification" means a child custody
17 determination that changes, replaces, supersedes, or is
18 otherwise made after a previous determination concerning the
19 same child, whether or not it is made by the court that made
20 the previous determination.

21 (12) "Person" means an individual, corporation,
22 business trust, estate, trust, partnership, limited liability
23 company, association, joint venture, or government;
24 governmental subdivision, agency, instrumentality, or public
25 corporation; or any other legal or commercial entity.

26 (13) "Person acting as a parent" means a person, other
27 than a parent, who:

28 (a) Has physical custody of the child or has had
29 physical custody for a period of 6 consecutive months,
30 including any temporary absence, within 1 year immediately
31 before the commencement of a child custody proceeding; and

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1 (b) Has been awarded legal custody by a court or
2 claims a right to legal custody under the law of this state.

3 (14) "Physical custody" means the physical care and
4 supervision of a child.

5 (15) "State" means a state of the United States, the
6 District of Columbia, Puerto Rico, the United States Virgin
7 Islands, or any territory or insular possession subject to the
8 jurisdiction of the United States.

9 (16) "Tribe" means an Indian tribe, or band, or
10 Alaskan Native village which is recognized by federal law or
11 formally acknowledged by a state.

12 (17) "Warrant" means an order issued by a court
13 authorizing law enforcement officers to take physical custody
14 of a child.

15 Section 7. Proceedings governed by other law.--This
16 act does not govern an adoption proceeding or a proceeding
17 pertaining to the authorization of emergency medical care for
18 a child.

19 Section 8. Application to Indian tribes.--

20 (1) A child custody proceeding that pertains to an
21 Indian child as defined in the Indian Child Welfare Act, 25
22 U.S.C.. s. 1901 et seq., is not subject to this act to the
23 extent that it is governed by the Indian Child Welfare Act.

24 (2) A court of this state shall treat a tribe as if it
25 were a state of the United States for purposes of applying
26 sections 1 through 23.

27 (3) A child custody determination made by a tribe
28 under factual circumstances in substantial conformity with the
29 jurisdictional standards of this act must be recognized and
30 enforced under sections 24 through 40.

31 Section 9. International application of act.--

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1 (1) A court of this state shall treat a foreign
2 country as if it were a state of the United States for
3 purposes of applying sections 1 through 23.

4 (2) Except as otherwise provided in subsection (3), a
5 child custody determination made in a foreign country under
6 factual circumstances in substantial conformity with the
7 jurisdictional standards of this act must be recognized and
8 enforced under sections 24 through 40.

9 (3) A court of this state need not apply this act if
10 the child custody law of a foreign country violates
11 fundamental principles of human rights.

12 Section 10. Effect of child custody determination.--A
13 child custody determination made by a court of this state that
14 had jurisdiction under this act binds all persons who have
15 been served in accordance with the laws of this state or
16 notified in accordance with section 9 or who have submitted to
17 the jurisdiction of the court, and who have been given an
18 opportunity to be heard. As to those persons, the
19 determination is conclusive as to all decided issues of law
20 and fact except to the extent the determination is modified.

21 Section 11. Priority.--If a question of existence or
22 exercise of jurisdiction under this act is raised in a child
23 custody proceeding, the question, upon request of a party,
24 must be given priority on the calendar and handled
25 expeditiously.

26 Section 12. Notice to persons outside the state.--

27 (1) Notice required for the exercise of jurisdiction
28 when a person is outside this state may be given in a manner
29 prescribed by the laws of this state for the service of
30 process or by the laws of the state in which the service is
31 made. Notice must be given in a manner reasonably calculated

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1 to give actual notice, but may be by publication if other
2 means are not effective.

3 (2) Proof of service may be made in the manner
4 prescribed by the law of this state or by the law of the state
5 in which the service is made.

6 (3) Notice is not required for the exercise of
7 jurisdiction with respect to a person who submits to the
8 jurisdiction of the court.

9 Section 13. Appearance and limited immunity.--

10 (1) A party to a child custody proceeding, including a
11 modification proceeding, or a petitioner or respondent in a
12 proceeding to enforce or register a child custody
13 determination, is not subject to personal jurisdiction in this
14 state for another proceeding or purpose solely by reason of
15 having participated, or of having been physically present for
16 the purpose of participating, in the proceeding.

17 (2) A person who is subject to personal jurisdiction
18 in this state on a basis other than physical presence is not
19 immune from service of process in this state. A party present
20 in this state who is subject to the jurisdiction of another
21 state is not immune from service of process allowable under
22 the laws of that state.

23 (3) The immunity granted by subsection (1) does not
24 extend to civil litigation based on acts unrelated to the
25 participation in a proceeding under this act committed by an
26 individual while present in this state.

27 Section 14. Communication between courts.--

28 (1) A court of this state may communicate with a court
29 in another state concerning a proceeding arising under this
30 act.

31 (2) The court may allow the parties to participate in

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1 the communication. If the parties are not able to participate
2 in the communication, they must be given the opportunity to
3 present facts and legal arguments before a decision on
4 jurisdiction is made.

5 (3) Communication between courts on schedules,
6 calendars, court records, and similar matters may occur
7 without informing the parties. A record need not be made of
8 the communication.

9 (4) Except as otherwise provided in subsection (3), a
10 record must be made of a communication under this section. The
11 parties must be informed promptly of the communication and
12 granted access to the record.

13 (5) For the purposes of this section, "record" means
14 information that is inscribed on a tangible medium or that is
15 stored in an electronic or other medium and is retrievable in
16 perceivable form.

17 Section 15. Taking testimony in another state.--

18 (1) In addition to other procedures available to a
19 party, a party to a child custody proceeding may offer
20 testimony of witnesses who are located in another state,
21 including testimony of the parties and the child, by
22 deposition or other means allowable in this state for
23 testimony taken in another state. The court on its own motion
24 may order that the testimony of a person be taken in another
25 state and may prescribe the manner in which and the terms upon
26 which the testimony is taken.

27 (2) A court of this state may permit an individual
28 residing in another state to be deposed or to testify by
29 telephone, audiovisual means, or other electronic means before
30 a designated court or at another location in that state. A
31 court of this state shall cooperate with courts of other

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1 states in designating an appropriate location for the
2 deposition or testimony.

3 (3) Documentary evidence transmitted from another
4 state to a court of this state by technological means that do
5 not produce an original writing may not be excluded from
6 evidence on an objection based on the means of transmission.

7 Section 16. Cooperation between courts; preservation
8 of records.--

9 (1) A court of this state may request the appropriate
10 court of another state to:

11 (a) Hold an evidentiary hearing;

12 (b) Order a person to produce or give evidence
13 pursuant to procedures of that state;

14 (c) Order that an evaluation be made with respect to
15 the custody of a child involved in a pending proceeding;

16 (d) Forward to the court of this state a certified
17 copy of the transcript of the record of the hearing, the
18 evidence otherwise presented, and any evaluation prepared in
19 compliance with the request; and

20 (e) Order a party to a child custody proceeding or any
21 person having physical custody of the child to appear in the
22 proceeding with or without the child.

23 (2) Upon request of a court of another state, a court
24 of this state may hold a hearing or enter an order described
25 in subsection (1).

26 (3) Travel and other necessary and reasonable expenses
27 incurred under subsections (1) and (2) may be assessed against
28 the parties according to the laws of this state.

29 (4) A court of this state shall preserve the
30 pleadings, orders, decrees, records of hearings, evaluations,
31 and other pertinent records with respect to a child custody

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1 proceeding until the child attains 18 years of age. Upon
2 appropriate request by a court or law enforcement official of
3 another state, the court shall forward a certified copy of
4 these records.

5 Section 17. Initial child custody jurisdiction.--

6 (1) Except as otherwise provided in section 17, a
7 court of this state has jurisdiction to make an initial child
8 custody determination only if:

9 (a) This state is the home state of the child on the
10 date of the commencement of the proceeding, or was the home
11 state of the child within 6 months before the commencement of
12 the proceeding and the child is absent from this state but a
13 parent or person acting as a parent continues to live in this
14 state;

15 (b) A court of another state does not have
16 jurisdiction under paragraph (a), or a court of the home state
17 of the child has declined to exercise jurisdiction on the
18 ground that this state is the more appropriate forum under
19 section 20 or section 21, and:

20 1. The child and the child's parents, or the child and
21 at least one parent or a person acting as a parent, have a
22 significant connection with this state other than mere
23 physical presence; and

24 2. Substantial evidence is available in this state
25 concerning the child's care, protection, training, and
26 personal relationships;

27 (c) All courts having jurisdiction under paragraph (a)
28 or paragraph (b) have declined to exercise jurisdiction on the
29 ground that a court of this state is the more appropriate
30 forum to determine the custody of the child under section 20
31 or section 21; or

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1 (d) No court of any other state would have
2 jurisdiction under the criteria specified in paragraph (a),
3 paragraph (b), or paragraph (c).

4 (2) Subsection (1) is the exclusive jurisdictional
5 basis for making a child custody determination by a court of
6 this state.

7 (3) Physical presence of, or personal jurisdiction
8 over, a party or a child is not necessary or sufficient to
9 make a child custody determination.

10 Section 18. Exclusive, continuing jurisdiction.--

11 (1) Except as otherwise provided in section 17, a
12 court of this state which has made a child custody
13 determination consistent with section 14 or section 16 has
14 exclusive, continuing jurisdiction over the determination
15 until:

16 (a) A court of this state determines that the child,
17 the child's parents, and any person acting as a parent do not
18 have a significant connection with this state and that
19 substantial evidence is no longer available in this state
20 concerning the child's care, protection, training, and
21 personal relationships; or

22 (b) A court of this state or a court of another state
23 determines that the child, the child's parent, and any person
24 acting as a parent do not presently reside in this state.

25 (2) A court of this state that has made a child
26 custody determination and does not have exclusive, continuing
27 jurisdiction under this section may modify that determination
28 only if it has jurisdiction to make an initial determination
29 under section 14.

30 Section 19. Jurisdiction to modify
31 determination.--Except as otherwise provided in section 17, a

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1 court of this state may not modify a child custody
2 determination made by a court of another state unless a court
3 of this state has jurisdiction to make an initial
4 determination under section 14(1)(a) or (b) and:

5 (1) The court of the other state determines it no
6 longer has exclusive, continuing jurisdiction under section 15
7 or that a court of this state would be a more convenient forum
8 under section 20; or

9 (2) A court of this state or a court of the other
10 state determines that the child, the child's parents, and any
11 person acting as a parent do not presently reside in the other
12 state.

13 Section 20. Temporary emergency jurisdiction.--

14 (1) A court of this state has temporary emergency
15 jurisdiction if the child is present in this state and the
16 child has been abandoned or it is necessary in an emergency to
17 protect the child because the child, or a sibling or parent of
18 the child, is subjected to or threatened with mistreatment or
19 abuse.

20 (2) If there is no previous child custody
21 determination that is entitled to be enforced under this act,
22 and a child custody proceeding has not been commenced in a
23 court of a state having jurisdiction under sections 14 through
24 16, a child custody determination made under this section
25 remains in effect until an order is obtained from a court of a
26 state having jurisdiction under sections 14 through 16. If a
27 child custody proceeding has not been or is not commenced in a
28 court of a state having jurisdiction under sections 14 through
29 16, a child custody determination made under this section
30 becomes a final determination, if it so provides and this
31 state becomes the home state of the child.

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1 (3) If there is a previous child custody determination
2 that is entitled to be enforced under this act, or a child
3 custody proceeding has been commenced in a court of a state
4 having jurisdiction under sections 14 through 16, any order
5 issued by a court of this state under this section must
6 specify in the order a period which the court considers
7 adequate to allow the person seeking an order to obtain an
8 order from the state having jurisdiction under sections 14
9 through 16. The order issued in this state remains in effect
10 until an order is obtained from the other state within the
11 period specified or the period expires.

12 (4) A court of this state which has been asked to make
13 a child custody determination under this section, upon being
14 informed that a child custody proceeding has been commenced
15 in, or a child custody determination has been made by, a court
16 of a state having jurisdiction under sections 14 through 16,
17 shall immediately communicate with the other court. A court of
18 this state which is exercising jurisdiction pursuant to
19 sections 14 through 16, upon being informed that a child
20 custody proceeding has been commenced in, or a child custody
21 determination has been made by, a court of another state under
22 a statute similar to this section shall immediately
23 communicate with the court of that state to resolve the
24 emergency, protect the safety of the parties and the child,
25 and determine a period for the duration of the temporary
26 order.

27 Section 21. Notice; opportunity to be heard;
28 joinder.--

29 (1) Before a child custody determination is made under
30 this act, notice and an opportunity to be heard in accordance
31 with the standards of section 9 must be given to all persons

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1 entitled to notice under the laws of this state as in child
2 custody proceedings between residents of this state, any
3 parent whose parental rights have not been previously
4 terminated, and any person having physical custody of the
5 child.

6 (2) This act does not govern the enforceability of a
7 child custody determination made without notice or an
8 opportunity to be heard.

9 (3) The obligation to join a party and the right to
10 intervene as a party in a child custody proceeding under this
11 act are governed by the laws of this state as in child custody
12 proceedings between residents of this state.

13 Section 22. Simultaneous proceedings.--

14 (1) Except as otherwise provided in section 17, a
15 court of this state may not exercise its jurisdiction under
16 sections 14 through 24 if, at the time of the commencement of
17 the proceeding, a proceeding concerning the custody of the
18 child had been commenced in a court of another state having
19 jurisdiction substantially in conformity with this act, unless
20 the proceeding has been terminated or is stayed by the court
21 of the other state because a court of this state is a more
22 convenient forum under section 20.

23 (2) Except as otherwise provided in section 17, a
24 court of this state, before hearing a child custody
25 proceeding, shall examine the court documents and other
26 information supplied by the parties pursuant to section 22. If
27 the court determines that a child custody proceeding was
28 previously commenced in a court in another state having
29 jurisdiction substantially in accordance with this act, the
30 court of this state shall stay its proceeding and communicate
31 with the court of the other state. If the court of the state

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1 having jurisdiction substantially in accordance with this act
2 does not determine that the court of this state is a more
3 appropriate forum, the court of this state shall dismiss the
4 proceeding.

5 (3) In a proceeding to modify a child custody
6 determination, a court of this state shall determine whether a
7 proceeding to enforce the determination has been commenced in
8 another state. If a proceeding to enforce a child custody
9 determination has been commenced in another state, the court
10 may:

11 (a) Stay the proceeding for modification pending the
12 entry of an order of a court of the other state enforcing,
13 staying, denying, or dismissing the proceeding for
14 enforcement;

15 (b) Enjoin the parties from continuing with the
16 proceeding for enforcement; or

17 (c) Proceed with the modification under conditions it
18 considers appropriate.

19 Section 23. Inconvenient forum.--

20 (1) A court of this state which has jurisdiction under
21 this act to make a child custody determination may decline to
22 exercise its jurisdiction at any time if it determines that it
23 is an inconvenient forum under the circumstances and that a
24 court of another state is a more appropriate forum. The issue
25 of inconvenient forum may be raised upon motion of a party,
26 the court's own motion, or request of another court.

27 (2) Before determining whether it is an inconvenient
28 forum, a court of this state shall consider whether it is
29 appropriate for a court of another state to exercise
30 jurisdiction. For this purpose, the court shall allow the
31 parties to submit information and shall consider all relevant

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- 1 factors, including:
- 2 (a) Whether domestic violence has occurred and is
- 3 likely to continue in the future and which state could best
- 4 protect the parties and the child;
- 5 (b) The length of time the child has resided outside
- 6 this state;
- 7 (c) The distance between the court in this state and
- 8 the court in the state that would assume jurisdiction;
- 9 (d) The relative financial circumstances of the
- 10 parties;
- 11 (e) Any agreement of the parties as to which state
- 12 should assume jurisdiction;
- 13 (f) The nature and location of the evidence required
- 14 to resolve the pending litigation, including testimony of the
- 15 child;
- 16 (g) The ability of the court of each state to decide
- 17 the issue expeditiously and the procedures necessary to
- 18 present the evidence; and
- 19 (h) The familiarity of the court of each state with
- 20 the facts and issues in the pending litigation.
- 21 (3) If a court of this state determines that it is an
- 22 inconvenient forum and that a court of another state is a more
- 23 appropriate forum, it shall stay the proceedings upon
- 24 condition that a child custody proceeding be promptly
- 25 commenced in another designated state and may impose any other
- 26 condition the court considers just and proper.
- 27 (4) A court of this state may decline to exercise its
- 28 jurisdiction under this act if a child custody determination
- 29 is incidental to an action for divorce or another proceeding
- 30 while still retaining jurisdiction over the divorce or other
- 31 proceeding.

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1 Section 24. Jurisdiction declined by reason of
2 conduct.--

3 (1) Except as otherwise provided in section 17 or by
4 other law of this state, if a court of this state has
5 jurisdiction under this act because a person seeking to invoke
6 its jurisdiction has engaged in unjustifiable conduct, the
7 court shall decline to exercise its jurisdiction unless:

8 (a) The parents and all persons acting as parents have
9 acquiesced in the exercise of jurisdiction;

10 (b) A court of the state otherwise having jurisdiction
11 under sections 14 through 16 determines that this state is a
12 more appropriate forum under section 20; or

13 (c) No court of any other state would have
14 jurisdiction under the criteria specified in sections 14
15 through 16.

16 (2) If a court of this state declines to exercise its
17 jurisdiction pursuant to subsection (1), it may fashion an
18 appropriate remedy to ensure the safety of the child and
19 prevent a repetition of the unjustifiable conduct, including
20 staying the proceeding until a child custody proceeding is
21 commenced in a court having jurisdiction under sections 14
22 through 16.

23 (3) If a court dismisses a petition or stays a
24 proceeding because it declines to exercise its jurisdiction
25 pursuant to subsection (1), it shall assess against the party
26 seeking to invoke its jurisdiction necessary and reasonable
27 expenses, including costs, communication expenses, attorney's
28 fees, investigative fees, expenses for witnesses, travel
29 expenses, and child care during the course of the proceedings,
30 unless the party from whom fees are sought establishes that
31 the assessment would be clearly inappropriate. The court may

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1 not assess fees, costs, or expenses against this state unless
2 authorized by law other than this act.

3 Section 25. Information to be submitted to the
4 court.--

5 (1) Subject to state law providing for the
6 confidentiality of procedures, addresses, and other
7 identifying information in a child custody proceeding, each
8 party, in its first pleading or in an attached affidavit,
9 shall give information, if reasonably ascertainable, under
10 oath as to the child's present address or whereabouts, the
11 places where the child has lived during the last 5 years, and
12 the names and present addresses of the persons with whom the
13 child has lived during that period. The pleading or affidavit
14 must state whether the party:

15 (a) Has participated, as a party or witness or in any
16 other capacity, in any other proceeding concerning the custody
17 of or visitation with the child and, if so, identify the
18 court, the case number, and the date of the child custody
19 determination, if any;

20 (b) Knows of any proceeding that could affect the
21 current proceeding, including proceedings for enforcement and
22 proceedings relating to domestic violence, protective orders,
23 termination of parental rights, and adoptions and, if so,
24 identify the court, the case number, and the nature of the
25 proceeding; and

26 (c) Knows the names and addresses of any person not a
27 party to the proceeding who has physical custody of the child
28 or claims rights of legal custody or physical custody of, or
29 visitation with, the child and, if so, the names and addresses
30 of those persons.

31 (2) If the information required by subsection (1) is

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1 not furnished, the court, upon motion of a party or its own
2 motion, may stay the proceeding until the information is
3 furnished.

4 (3) If the declaration as to any of the items
5 described in paragraphs (1)(a)-(c) is in the affirmative, the
6 declarant shall give additional information under oath as
7 required by the court. The court may examine the parties under
8 oath as to details of the information furnished and other
9 matters pertinent to the court's jurisdiction and the
10 disposition of the case.

11 (4) Each party has a continuing duty to inform the
12 court of any proceeding in this or any other state that could
13 affect the current proceeding.

14 Section 26. Appearance of parties and child.--

15 (1) In a child custody proceeding in this state, the
16 court may order a party to the proceeding who is in this state
17 to appear before the court in person with or without the
18 child. The court may order any person who is in this state and
19 who has physical custody or control of the child to appear in
20 person with the child.

21 (2) If a party to a child custody proceeding whose
22 presence is desired by the court is outside this state, the
23 court may order that a notice given pursuant to section 9
24 include a statement directing the party to appear in person
25 with or without the child and informing the party that failure
26 to appear may result in a decision adverse to the party.

27 (3) The court may enter any orders necessary to ensure
28 the safety of the child and of any person ordered to appear
29 under this section.

30 (4) If a party to a child custody proceeding who is
31 outside this state is directed to appear under subsection (2)

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1 or desires to appear in person before the court with or
2 without the child, the court may require another party to pay
3 reasonable and necessary travel and other expenses of the
4 party so appearing and of the child.

5 Section 27. Definitions.--As used in sections 24
6 through 40, the term:

7 (1) "Petitioner" means a person who seeks enforcement
8 of an order for return of a child under the Hague Convention
9 on the Civil Aspects of International Child Abduction or
10 enforcement of a child custody determination.

11 (2) "Respondent" means a person against whom a
12 proceeding has been commenced for enforcement of an order for
13 return of a child under the Hague Convention on the Civil
14 Aspects of International Child Abduction or enforcement of a
15 child custody determination.

16 Section 28. Enforcement under the Hague
17 Convention.--Under this act, a court of this state may enforce
18 an order for the return of a child made under the Hague
19 Convention on the Civil Aspects of International Child
20 Abduction as if it were a child custody determination.

21 Section 29. Duty to enforce.--

22 (1) A court of this state shall recognize and enforce
23 a child custody determination of a court of another state if
24 the latter court exercised jurisdiction in substantial
25 conformity with this act or the determination was made under
26 factual circumstances meeting the jurisdictional standards of
27 this act and the determination has not been modified in
28 accordance with this act.

29 (2) A court of this state may utilize any remedy
30 available under other law of this state to enforce a child
31 custody determination made by a court of another state. The

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1 remedies provided by sections 24 through 40 are cumulative and
2 do not affect the availability of other remedies to enforce a
3 child custody determination.

4 Section 30. Temporary visitation.--

5 (1) A court of this state which does not have
6 jurisdiction to modify a child custody determination may issue
7 a temporary order enforcing:

8 (a) A visitation schedule made by a court of another
9 state; or

10 (b) The visitation provisions of a child custody
11 determination of another state that does not provide for a
12 specific visitation schedule.

13 (2) If a court of this state makes an order under
14 paragraph (1)(b), it shall specify in the order a period that
15 it considers adequate to allow the petitioner to obtain an
16 order from a court having jurisdiction under the criteria
17 specified in sections 14 through 23. The order remains in
18 effect until an order is obtained from the other court or the
19 period expires.

20 Section 31. Registration of child custody
21 determination.--

22 (1) A child custody determination issued by a court of
23 another state may be registered in this state, with or without
24 a simultaneous request for enforcement, by sending to the
25 appropriate court in this state:

26 (a) A letter or other document requesting
27 registration;

28 (b) Two copies, including one certified copy, of the
29 determination sought to be registered, and a statement under
30 penalty of perjury that to the best of the knowledge and
31 belief of the person seeking registration the order has not

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1 been modified; and

2 (c) Except as otherwise provided in section 22, the
3 name and address of the person seeking registration and any
4 parent or person acting as a parent who has been awarded
5 custody or visitation in the child custody determination
6 sought to be registered.

7 (2) On receipt of the documents required by subsection
8 (1), the registering court shall:

9 (a) Cause the determination to be filed as a foreign
10 judgment, together with one copy of any accompanying documents
11 and information, regardless of their form; and

12 (b) Serve notice upon the persons named pursuant to
13 paragraph (1)(c) and provide them with an opportunity to
14 contest the registration in accordance with this section.

15 (3) The notice required by paragraph (2)(b) must state
16 that:

17 (a) A registered determination is enforceable as of
18 the date of the registration in the same manner as a
19 determination issued by a court of this state;

20 (b) A hearing to contest the validity of the
21 registered determination must be requested within 20 days
22 after service of notice; and

23 (c) Failure to contest the registration will result in
24 confirmation of the child custody determination and preclude
25 further contest of that determination with respect to any
26 matter that could have been asserted.

27 (4) A person seeking to contest the validity of a
28 registered order must request a hearing within 20 days after
29 service of the notice. At that hearing, the court shall
30 confirm the registered order unless the person contesting
31 registration establishes that:

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1 (a) The issuing court did not have jurisdiction under
2 sections 14 through 23;

3 (b) The child custody determination sought to be
4 registered has been vacated, stayed, or modified by a court
5 having jurisdiction to do so under sections 14 through 23; or

6 (c) The person contesting registration was entitled to
7 notice, but notice was not given in accordance with the
8 standards of section 9 in the proceedings before the court
9 that issued the order for which registration is sought.

10 (5) If a timely request for a hearing to contest the
11 validity of the registration is not made, the registration is
12 confirmed as a matter of law and the person requesting
13 registration and all persons served must be notified of the
14 confirmation.

15 (6) Confirmation of a registered order, whether by
16 operation of law or after notice and hearing, precludes
17 further contest of the order with respect to any matter which
18 could have been asserted at the time of registration.

19 Section 32. Enforcement of registered determination.--

20 (1) A court of this state may grant any relief
21 normally available under the laws of this state to enforce a
22 registered child custody determination made by a court of
23 another state.

24 (2) A court of this state shall recognize and enforce,
25 but may not modify, except in accordance with sections 14
26 through 23, a registered child custody determination of
27 another state.

28 Section 33. Simultaneous proceedings.--If a proceeding
29 for enforcement under sections 24 through 40 is commenced in a
30 court of this state and the court determines that a proceeding
31 to modify the determination is pending in a court of another

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1 state having jurisdiction to modify the determination under
2 sections 14 through 23, the enforcing court shall immediately
3 communicate with the modifying court. The proceeding for
4 enforcement continues unless the enforcing court, after
5 consultation with the modifying court, stays or dismisses the
6 proceeding.

7 Section 34. Expedited enforcement of child custody
8 determination.--

9 (1) A petition under sections 24 through 40 must be
10 verified. Certified copies of all orders sought to be enforced
11 and of any order confirming registration must be attached to
12 the petition. A copy of a certified copy of an order may be
13 attached instead of the original.

14 (2) A petition for enforcement of a child custody
15 determination must state:

16 (a) Whether the court that issued the determination
17 identified the jurisdictional basis it relied upon in
18 exercising jurisdiction and, if so, what the basis was;

19 (b) Whether the determination for which enforcement is
20 sought has been vacated, stayed, or modified by a court whose
21 decision must be enforced under this act and, if so, identify
22 the court, the case number, and the nature of the proceeding;

23 (c) Whether any proceeding has been commenced that
24 could affect the current proceeding, including proceedings
25 relating to domestic violence, protective orders, termination
26 of parental rights, and adoptions and, if so, identify the
27 court, the case number, and the nature of the proceeding;

28 (d) The present physical address of the child and the
29 respondent, if known;

30 (e) Whether relief in addition to the immediate
31 physical custody of the child and attorney's fees is sought,

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1 including a request for assistance from law enforcement
2 officers and, if so, the relief sought; and

3 (f) If the child custody determination has been
4 registered and confirmed under section 28, the date and place
5 of registration.

6 (3) Upon the filing of a petition, the court shall
7 issue an order directing the respondent to appear in person
8 with or without the child at a hearing and may enter any order
9 necessary to ensure the safety of the parties and the child.
10 The hearing must be held on the next judicial day after
11 service of the order unless that date is impossible. In that
12 event, the court shall hold the hearing on the first judicial
13 day possible. The court may extend the date of the hearing at
14 the request of the petitioner.

15 (4) An order issued under subsection (3) must state
16 the time and place of the hearing and advise the respondent
17 that at the hearing the court will order that the petitioner
18 may take immediate physical custody of the child and the
19 payment of fees, costs, and expenses under section 35, and may
20 schedule a hearing to determine whether further relief is
21 appropriate, unless the respondent appears and establishes
22 that:

23 (a) The child custody determination has not been
24 registered and confirmed under section 28 and that:

25 1. The issuing court did not have jurisdiction under
26 sections 14 through 23;

27 2. The child custody determination for which
28 enforcement is sought has been vacated, stayed, or modified by
29 a court of a state having jurisdiction to do so under sections
30 14 through 23; or

31 3. The respondent was entitled to notice, but notice

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1 was not given in accordance with the standards of section 9 in
2 the proceedings before the court that issued the order for
3 which enforcement is sought; or

4 (b) The child custody determination for which
5 enforcement is sought was registered and confirmed under
6 section 28, but has been vacated, stayed, or modified by a
7 court of a state having jurisdiction to do so under sections
8 14 through 23.

9 Section 35. Service of petition and order.--Except as
10 otherwise provided in section 34, the petition and order must
11 be served by any method authorized by the laws of this state
12 upon the respondent and any person who has physical custody of
13 the child.

14 Section 36. Hearing and order.--

15 (1) Unless the court enters a temporary emergency
16 order pursuant to section 17, upon a finding that a petitioner
17 is entitled to immediate physical custody of the child, the
18 court shall order that the petitioner may take immediate
19 physical custody of the child unless the respondent
20 establishes that:

21 (a) The child custody determination has not been
22 registered and confirmed under section 28 and that:

23 1. The issuing court did not have jurisdiction under
24 sections 14 through 23;

25 2. The child custody determination for which
26 enforcement is sought has been vacated, stayed, or modified by
27 a court of a state having jurisdiction to do so under sections
28 14 through 23; or

29 3. The respondent was entitled to notice, but notice
30 was not given in accordance with the standards of section 9 in
31 the proceedings before the court that issued the order for

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1 which enforcement is sought; or

2 (b) The child custody determination for which
3 enforcement is sought was registered and confirmed under
4 section 28, but has been vacated, stayed, or modified by a
5 court of a state having jurisdiction to do so under sections
6 14 through 23.

7 (2) The court shall award the fees, costs, and
8 expenses authorized under section 35 and may grant additional
9 relief, including a request for the assistance of law
10 enforcement officers, and set a further hearing to determine
11 whether additional relief is appropriate.

12 (3) If a party called to testify refuses to answer on
13 the ground that the testimony may be self-incriminating, the
14 court may draw an adverse inference from the refusal.

15 (4) A privilege against disclosure of communications
16 between spouses and a defense of immunity based on the
17 relationship of husband and wife or parent and child may not
18 be invoked in a proceeding under sections 24 through 40.

19 Section 37. Warrant to take physical custody of
20 child.--

21 (1) Upon the filing of a petition seeking enforcement
22 of a child custody determination, the petitioner may file a
23 verified application for the issuance of a warrant to take
24 physical custody of the child if the child is likely to
25 imminently suffer serious physical harm or removal from this
26 state.

27 (2) If the court, upon the testimony of the petitioner
28 or other witness, finds that the child is likely to imminently
29 suffer serious physical harm or removal from this state, it
30 may issue a warrant to take physical custody of the child. The
31 petition must be heard on the next judicial day after the

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1 warrant is executed unless that date is impossible. In that
2 event, the court shall hold the hearing on the first judicial
3 day possible. The application for the warrant must include the
4 statements required by section 31(2).

5 (3) A warrant to take physical custody of a child
6 must:

7 (a) Recite the facts upon which a conclusion of
8 imminent serious physical harm or removal from the
9 jurisdiction is based;

10 (b) Direct law enforcement officers to take physical
11 custody of the child immediately; and

12 (c) Provide for the placement of the child pending
13 final relief.

14 (4) The respondent must be served with the petition,
15 warrant, and order immediately after the child is taken into
16 physical custody.

17 (5) A warrant to take physical custody of a child is
18 enforceable throughout this state. If the court finds on the
19 basis of the testimony of the petitioner or other witness that
20 a less intrusive remedy is not effective, it may authorize law
21 enforcement officers to enter private property to take
22 physical custody of the child. If required by exigent
23 circumstances of the case, the court may authorize law
24 enforcement officers to make a forcible entry at any hour.

25 (6) The court may impose conditions upon placement of
26 a child to ensure the appearance of the child and the child's
27 custodian.

28 Section 38. Costs, fees, and expenses.--

29 (1) The court shall award the prevailing party,
30 including a state, necessary and reasonable expenses incurred
31 by or on behalf of the party, including costs, communication

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1 expenses, attorney's fees, investigative fees, expenses for
2 witnesses, travel expenses, and child care during the course
3 of the proceedings, unless the party from whom fees or
4 expenses are sought establishes that the award would be
5 clearly inappropriate.

6 (2) The court may not assess fees, costs, or expenses
7 against a state unless authorized by law other than this act.

8 Section 39. Recognition and enforcement.--A court of
9 this state shall accord full faith and credit to an order
10 issued by another state and consistent with this act which
11 enforces a child custody determination by a court of another
12 state unless the order has been vacated, stayed, or modified
13 by a court having jurisdiction to do so under sections 14
14 through 23.

15 Section 40. Appeals.--An appeal may be taken from a
16 final order in a proceeding under sections 24 through 40 in
17 accordance with expedited appellate procedures in other civil
18 cases. Unless the court enters a temporary emergency order
19 under section 17, the enforcing court may not stay an order
20 enforcing a child custody determination pending appeal.

21 Section 41. Role of state attorney.--

22 (1) In a case arising under this act or involving the
23 Hague Convention on the Civil Aspects of International Child
24 Abduction, the state attorney may take any lawful action,
25 including resort to a proceeding under sections 24 through 40
26 or any other available civil proceeding, to locate a child,
27 obtain the return of a child, or enforce a child custody
28 determination, if there is:

29 (a) An existing child custody determination;

30 (b) A request to do so from a court in a pending child
31 custody proceeding;

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1 (c) A reasonable belief that a criminal statute has
2 been violated; or

3 (d) A reasonable belief that the child has been
4 wrongfully removed or retained in violation of the Hague
5 Convention on the Civil Aspects of International Child
6 Abduction.

7 (2) A state attorney acting under this section acts on
8 behalf of the court and may not represent any party.

9 Section 42. Role of law enforcement officers.--At the
10 request of a state attorney acting under section 38, a law
11 enforcement officer may take any lawful action reasonably
12 necessary to locate a child or a party and assist a state
13 attorney with responsibilities under section 38.

14 Section 43. Costs and expenses.--If the respondent is
15 not the prevailing party, the court may assess against the
16 respondent all direct expenses and costs incurred by the state
17 attorney and law enforcement officers under section 38 or
18 section 39.

19 Section 44. Application and construction.--In applying
20 and construing this act, consideration must be given to the
21 need to promote uniformity of the law with respect to its
22 subject matter among states that enact it.

23 Section 45. Severability clause.--If any provision of
24 this act or its application to any person or circumstance is
25 held invalid, the invalidity does not affect other provisions
26 or applications of this act which can be given effect without
27 the invalid provision or application, and to this end the
28 provisions of this act are severable.

29 Section 46. Transitional provision.--A motion or other
30 request for relief made in a child custody proceeding or to
31 enforce a child custody determination which was commenced

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1 before the effective date of this act is governed by the law
2 in effect at the time the motion or other request was made.

3 Section 47. Paragraph (d) of subsection (3),
4 subsection (4), and paragraph (a) of subsection (7) of section
5 741.30, Florida Statutes, are amended to read:

6 741.30 Domestic violence; injunction; powers and
7 duties of court and clerk; petition; notice and hearing;
8 temporary injunction; issuance of injunction; statewide
9 verification system; enforcement.--

10 (3)

11 (d) If the sworn petition seeks to determine issues of
12 custody or visitation with regard to the minor child or
13 children of the parties, the sworn petition shall be
14 accompanied by or shall incorporate the allegations required
15 by section 22 s. 61.132 of the Uniform Child Custody
16 Jurisdiction and Enforcement Act.

17 (4) Upon the filing of the petition, the court shall
18 set a hearing to be held at the earliest possible time. The
19 respondent shall be personally served with a copy of the
20 petition, financial affidavit, uniform child custody
21 jurisdiction and enforcement act affidavit, if any, notice of
22 hearing, and temporary injunction, if any, prior to the
23 hearing.

24 (7)(a)1. The clerk of the court shall furnish a copy
25 of the petition, financial affidavit, uniform child custody
26 jurisdiction and enforcement act affidavit, if any, notice of
27 hearing, and temporary injunction, if any, to the sheriff or a
28 law enforcement agency of the county where the respondent
29 resides or can be found, who shall serve it upon the
30 respondent as soon thereafter as possible on any day of the
31 week and at any time of the day or night. The clerk of the

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1 court shall be responsible for furnishing to the sheriff such
2 information on the respondent's physical description and
3 location as is required by the department to comply with the
4 verification procedures set forth in this section.

5 Notwithstanding any other provision of law to the contrary,
6 the chief judge of each circuit, in consultation with the
7 appropriate sheriff, may authorize a law enforcement agency
8 within the jurisdiction to effect service. A law enforcement
9 agency serving injunctions pursuant to this section shall use
10 service and verification procedures consistent with those of
11 the sheriff.

12 2. When an injunction is issued, if the petitioner
13 requests the assistance of a law enforcement agency, the court
14 may order that an officer from the appropriate law enforcement
15 agency accompany the petitioner and assist in placing the
16 petitioner in possession of the dwelling or residence, or
17 otherwise assist in the execution or service of the
18 injunction. A law enforcement officer shall accept a copy of
19 an injunction for protection against domestic violence,
20 certified by the clerk of the court, from the petitioner and
21 immediately serve it upon a respondent who has been located
22 but not yet served.

23 3. All orders issued, changed, continued, extended, or
24 vacated subsequent to the original service of documents
25 enumerated under subparagraph 1., shall be certified by the
26 clerk of the court and delivered to the parties at the time of
27 the entry of the order. The parties may acknowledge receipt
28 of such order in writing on the face of the original order.
29 In the event a party fails or refuses to acknowledge the
30 receipt of a certified copy of an order, the clerk shall note
31 on the original order that service was effected. If delivery

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1 at the hearing is not possible, the clerk shall mail certified
2 copies of the order to the parties at the last known address
3 of each party. Service by mail is complete upon mailing.
4 When an order is served pursuant to this subsection, the clerk
5 shall prepare a written certification to be placed in the
6 court file specifying the time, date, and method of service
7 and shall notify the sheriff.

8
9 If the respondent has been served previously with the
10 temporary injunction and has failed to appear at the initial
11 hearing on the temporary injunction, any subsequent petition
12 for injunction seeking an extension of time may be served on
13 the respondent by the clerk of the court by certified mail in
14 lieu of personal service by a law enforcement officer.

15 Section 48. Sections 61.1302, 61.1304, 61.1306,
16 61.1308, 61.131, 61.1312, 61.1314, 61.1316, 61.1318, 61.132,
17 61.1322, 61.1324, 61.1326, 61.1328, 61.133, 61.1332, 61.1334,
18 61.1336, 61.1338, 61.134, 61.1342, 61.1344, 61.1346, and
19 61.1348, Florida Statutes, are repealed.

20 Section 49. This act shall take effect October 1,
21 2002.

22
23
24 ===== T I T L E A M E N D M E N T =====

25 And the title is amended as follows:

26 On page 1,
27 remove: entire title

28
29 and insert:

30 A bill to be entitled
31 An act relating to child custody jurisdiction

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1 and enforcement; creating the "Uniform Child
2 Custody Jurisdiction and Enforcement Act";
3 providing purposes of act; providing
4 definitions; specifying proceedings not
5 governed by the act; providing application to
6 Indian tribes; providing international
7 application of the act; providing the effect of
8 a child custody determination; providing
9 priority for questions of jurisdiction under
10 the act; providing for notice to persons
11 outside the state; providing for appearance at
12 proceedings and limited immunity; providing for
13 communication between courts of this state and
14 courts of other states; providing for taking
15 testimony in another state; providing for
16 cooperation between courts and the preservation
17 of records; providing for initial child custody
18 jurisdiction; providing for exclusive,
19 continuing jurisdiction; providing for
20 jurisdiction to modify a child custody
21 determination; providing for temporary
22 emergency jurisdiction; providing for notice,
23 opportunity to be heard, and joinder; providing
24 procedures with respect to simultaneous
25 proceedings; providing for determination of an
26 inconvenient forum; providing procedures for a
27 decline of jurisdiction by reason of conduct;
28 specifying information to be submitted to the
29 court; providing for the appearance of the
30 parties and the child at proceedings; providing
31 definitions relating to enforcement; providing

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1 for enforcement under the Hague Convention;
2 providing duty of the court to enforce child
3 custody determinations of a court of another
4 state; providing for temporary visitation;
5 providing for registration of out-of-state
6 child custody determinations; providing for
7 enforcement of registered determinations;
8 providing procedures with respect to
9 simultaneous proceedings; providing for
10 expedited enforcement of a child custody
11 determination; providing for service of
12 petition and order; providing for hearing and
13 order; providing for issuance of a warrant to
14 take physical custody of a child under certain
15 circumstances; providing for award of costs,
16 fees, and expenses to the prevailing party;
17 providing for recognition of enforcement orders
18 of a court of another state; providing for
19 appeals; providing for actions by the state
20 attorney; providing for actions by law
21 enforcement officers; providing for assessment
22 of costs and expenses incurred by the state
23 attorney and law enforcement officers;
24 providing for application and construction of
25 the act; providing severability; providing for
26 transition; amending s. 61.13, F.S.; providing
27 for the posting of a bond with respect to
28 certain orders of child custody or visitation;
29 providing criteria for the court to use in
30 assessing the need for a bond; providing for
31 forfeiture of the bond under certain

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1 circumstances; creating a new section;
2 providing for the posting of a bond with
3 respect to certain orders of child custody or
4 visitation; providing criteria for the court to
5 use in assessing the need for a bond; providing
6 for forfeiture of the bond under certain
7 circumstances; amending ss. 39.502, 61.13, and
8 741.30, F.S.; conforming references and
9 cross-references; repealing ss. 61.1302,
10 61.1304, 61.1306, 61.1308, 61.131, 61.1312,
11 61.1314, 61.1316, 61.1318, 61.132, 61.1322,
12 61.1324, 61.1326, 61.1328, 61.133, 61.1332,
13 61.1334, 61.1336, 61.1338, 61.134, 61.1342,
14 61.1344, 61.1346, and 61.1348, F.S., relating
15 to the "Uniform Child Custody Jurisdiction
16 Act"; providing an effective date.

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