

Bill No. SB 526

Barcode 473286

CHAMBER ACTION

Senate

House

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Comm: RCS  
02/09/2006 12:15 PM

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The Committee on Judiciary (Posey) recommended the following amendment:

**Senate Amendment (with title amendment)**

On page 3, lines 9 through 26, delete those lines

and insert:

985.203 Right to counsel.--

(1) A child shall be represented ~~is entitled to representation~~ by legal counsel at all stages of any delinquency court proceedings occurring after the child has been taken into custody under ss. 985.207 or 985.2075, unless the right to counsel is freely, knowingly, and intelligently waived by the child after he or she has been advised by counsel under this part. If the child and the parents or other legal guardian are indigent and unable to employ counsel for the child, the court shall appoint counsel pursuant to s. 27.52. Determination of indigence and costs of representation shall be as provided by ss. 27.52 and 938.29. ~~Legal Counsel representing a child who exercises the right to counsel shall be allowed to provide advice and counsel~~ to the child at any

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1 time after the child has been taken into custody under ss.  
2 985.207 or 985.2075 subsequent to the child's arrest,  
3 including prior to a detention hearing while in secure  
4 detention care. A child shall be represented by legal counsel  
5 at all stages of all court proceedings unless the right to  
6 counsel is freely, knowingly, and intelligently waived by the  
7 child. If the child appears without counsel, the court shall  
8 advise the child of his or her rights with respect to  
9 representation of court-appointed counsel.

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12 ===== T I T L E   A M E N D M E N T =====

13 And the title is amended as follows:

14           On page 1, lines 7 through 8, delete those lines

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16 and insert: F.S.; requiring that a child shall be represented  
17 at a specified point in delinquency court proceedings unless  
18 the right to counsel is waived after receiving advice of  
19 counsel; providing that counsel shall be permitted to advise a  
20 child after a specified point in delinquency court  
21 proceedings;

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