

1 supplement face-to-face contact between a parent and that
2 parent's minor child.

3 Section 2. Paragraphs (d) through (i) are added to
4 subsection (2) of section 61.13, Florida Statutes, to read:

5 61.13 Custody and support of children; visitation
6 rights; power of court in making orders.--

7 (2)

8 (d) There is established a rebuttable presumption that
9 it is in the best interests of the child that a parent and
10 child shall have reasonable telephone communication. Unless
11 this presumption is rebutted, the court shall order telephone
12 communication. Electronic communication may be used only to
13 supplement a parent's face-to-face contact with his or her
14 minor child. Electronic communication shall not be used as a
15 replacement or substitute for face-to-face contact with the
16 parent's minor child who is the subject of proceedings under
17 this chapter.

18 (e) In granting a parent electronic communication, the
19 court shall consider all of the following factors:

20 1. Whether electronic communication is in the child's
21 best interests.

22 2. Whether the communication equipment and technology
23 for providing electronic communication is reasonably
24 available, accessible, and affordable to both parents.

25 3. Whether there is a history of substance abuse or
26 domestic violence as defined in s. 741.28 or that meets the
27 criteria of s. 39.806(1)(d) by either parent, including a
28 consideration of the severity of such conduct and the failure
29 or success of any attempts at rehabilitation.

30 4. Any other factor that the court considers material.
31

1 (f) The party seeking electronic communication shall
2 not be required to prove a substantial change in
3 circumstances. Consistent with s. 61.13001(7), the court shall
4 not consider the availability of electronic communication as
5 solely determinative in considering relocation.

6 (g) If the court finds that either or both parents
7 will incur additional costs necessary to implement electronic
8 communication, it shall allocate such expenses arising solely
9 from the electronic communication by and between the parents
10 after consideration of their respective financial
11 circumstances.

12 (h) The court may implement safeguards or guidelines
13 for electronic communication.

14 (i) If the court enters an order granting electronic
15 communication, each parent shall furnish the other parent with
16 the access information necessary to facilitate electronic
17 communication. Each parent shall notify the other parent of
18 any change in the access information within 7 days of the
19 change.

20 Section 3. Subsection (4) is added to section 61.17,
21 Florida Statutes, to read:

22 61.17 Alimony and child support; additional method for
23 enforcing orders and judgments; costs, expenses.--

24 (4) The extent or amount of time that electronic
25 communication is ordered pursuant to s. 61.13 shall not be a
26 factor in the calculation of child support. The provisions of
27 this subsection shall not apply to any judgments or orders
28 entered prior to October 1, 2007. However, any party to a
29 judgment or order entered prior to October 1, 2007, may seek
30 to have the court effectuate electronic communication by
31

1 pleading and proof consistent with the requirements of this
2 subsection.

3 Section 4. This act shall take effect October 1, 2007,
4 and shall apply to all cases pending on or after that date.

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31