HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1075 Child Custody and Support
SPONSOR(S): Frishe
TIED BILLS: None **IDEN./SIM. BILLS:** SB 2532

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Committee on Healthy Families		Preston	Schoolfield
2) Healthcare Council			
3)			
4)			
5)			

SUMMARY ANALYSIS

The bill makes changes to a significant number of sections of the Florida Statues, related to custody, visitation, and child support, including, but not limited to the following:

● Redesignates chapter 61, Florida Statutes, as “Dissolution of Marriage; Support; Time-Sharing;
● Deletes definitions of the terms “custodial parent” or “primary residential parent” and “noncustodial parent” and creates a definition for the terms “parenting plan”, “parenting plan recommendation” and “time-sharing schedule;
● Amends all applicable sections of chapter 61, Florida Statutes, to delete the terms “custodial parent” and “noncustodial parent”; and replace references to either term with the term “parent” or “obligee” or “obligor”. It also replaces existing references to “custody order” or “visitation order” with “parenting plan” and/or “time-sharing plan”.
● Repeals s. 61.121, Florida Statutes, relating to rotating custody;
● Amends s. 61.30, Florida Statues, to conform references to the proposed changes in terminology, and make substantive changes to the child support guidelines; and
● Amends sections of chapters 409, 414, 445, 741, 742, 753, and 827, Florida Statutes, to conform to changes in terminology in chapter 61, Florida Statutes.

The bill is anticipated to have a fiscal impact of $161,160 on the Department of Revenue (DOR or department).

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Provide limited government – The bill requires DOR to change forms and will require systems programming to the FLORIDA system. In addition, the department may be required to modify all associated language to the new terminology which could result in conforming changes to administrative rules, additional forms and additional systems programming. The bill will have a workload impact on the Office of the State Courts Administrator (OSCA).

Empower families – By eliminating what is considered by many to be outdated and negative terminology related to divorcing parents and their children, the bill may reduce animosity in relationships between and among family members and thus improve family circumstances for children.

B. EFFECT OF PROPOSED CHANGES:

Child Custody and Visitation

The major child rearing decisions that must be made at the time of dissolution of marriage are commonly framed in terms of custody and visitation. Child custody decisions include determinations related to a child's primary residence, as well as which parent shall have primary parental authority. Visitation involves a secondary determination about how noncustodial parents will spend time with their children. The terms custody and visitation have been criticized as unnecessarily negative, the idea of "visiting" with one's child is particularly unappealing to many parents, and the creation of many new parenting arrangements has made the terms outdated.

Custody rules were not always as vague as they are today. For the greater part of Western history, tradition and common law automatically gave fathers custody of their children and that changed little throughout the Middle Ages. Later, English common law provided fathers with absolute powers, as well as the legal obligation to protect, support, and educate their children. Fathers continued to have the right to custody, regardless of circumstances, and mothers had very restricted access to their children after divorce until the mid-nineteenth century.[1]

A shift occurred with the enactment of the British Act of 1839, which directed the courts to award custody of children under the age of seven to mothers, and to award visiting rights to mothers for children seven years and older. This "tender years" doctrine, while originally intended to determine custody only until the children were old enough to be returned to the father's custody, became the first significant challenge to the paternal presumption.[2]

In the seventeenth and eighteenth centuries, the American legal system was patriarchal, and upon divorce the paternal preference was applied to divorce cases involving child custody. Several major historical trends began to weaken the paternal presumption in the late 1800s, including society's increasing concern for children's welfare and the impact of the industrial revolution. As fathers sought work outside the boundaries of the farm or village, mothers remained at home as primary caretakers of children. This resulting division of family responsibilities into wage earner and child nurturer influenced subsequent custody decisions. In addition, the movement toward a maternal preference was

[1] Roth, A. The tender years presumption in child custody disputes. Journal of Family Law 15: 423-461. !976.
[2] Kelly, J.B. The Determination of Custody. The Future of Children, Children and Divorce. Vol. 4, No. 1, Spring 1994.

accompanied by an increase in the legal status of women in the United States during the nineteenth and twentieth centuries.[3] The paternal preference was gradually replaced by a maternal preference, and by the 1920s, the maternal preference in custody determinations became as firmly fixed as the earlier paternal preference, both in statutes and in judicial decision making.[4,5]

The maternal presumption for custody remained the standard for many decades, challenged only after the divorce rate saw a dramatic increase in the 1960s. Fueled by claims of sex discrimination by fathers in custody decisions, constitutional concerns for equal protection,[6] the feminist movement, and the entry of large numbers of women into the work force, which weakened the concept of a primary maternal caretaker, most states abandoned the maternal presumption by the mid-1970s in favor of gender-neutral laws.[7] The Uniform Marriage and Divorce Act, approved in 1970, provided for a straight best interests standard, and was adopted in varying forms by the majority of states. For the first time in history, custody decisions were to be based on a consideration of the needs and interests of the child rather than on the gender or rights of the parent.

In attempting to define this newer but more vague standard of the child's best interests, the ground-breaking concept of the psychological (rather than biological) parent, the need for continuity in parenting, and the need for expedited decision making were proposed as important criteria. And, consistent with the best interests focus, children's own wishes with respect to custody were also considered if they were deemed to be of sufficient age to form an intelligent opinion.[8]

The historic shift to gender-neutral and best interests standards laid the groundwork for a new custody arrangement to emerge, that of joint custody. The concept of joint custody originated in the early 1970s from a small number of fathers, including mental health professionals, who desired continuity in their relationship with their children after divorce and raised objections over being disenfranchised of their parental rights simply because divorce had occurred. The growing interest in shared custody as a means of preserving parental status and responsibilities was enhanced by several parallel developments. First, after focusing almost exclusively on mothers and children for decades, the child development field began, in the early 1970s, to study the father's contributions to the development of the child. The expanding literature suggested that fathers' contributions to their children's development had been undervalued, as had the importance of children's attachment to their fathers. Second, gender roles within families began to shift, particularly in dual-career families. More mothers began to work outside the home in addition to carrying out domestic responsibilities and as a result, many mothers and fathers wanted fathers to play a greater role in their children's lives after divorce..[9] And third, as divorce engaged the attention of the nation, numerous studies documented the sense of loss and alienation experienced by noncustodial parents and children in traditional custody arrangements after divorce. These trends, heightened by the fact that more than one million children were involved in divorce each year, resulted in pressure to pass new laws permitting joint custody as a viable option for post divorce custodial status.

---

[3] Mason, M.A. From father's property to children's rights: The history of child custody in the United States. New York: Columbia University Press, 1994.

[4] Roth, A. The tender years presumption in child custody disputes. Journal of Family Law 15: 423-461. !976.

[5] The assumption that mothers were better suited to raise children received an intellectual underpinning in the 1940s from Freudian psychoanalytic theory, which emphasized the mother's role as "unique . . . the first and strongest love object . . . the prototype of all later love relations." The subsequent body of theory and research on the development of infant attachments to the mother was equally influential in supporting the maternal preference. Later research indicating infants formed meaningful attachments to both of their parents by the middle of the child's first year provided support to paternal claims for sole or joint custody.

[6] See Watts v. Watts, 350 N.Y. State 2d 285, 290-91 (Family Court 1973), Devine v. Devine 398 So. 2d 686 (Alabama 1981), which held that maternal preference laws were a form of sex discrimination and violated fathers' equal protection rights under the Fourteenth Amendment.

[7] Roth, A. The tender years presumption in child custody disputes. Journal of Family Law 15: 423-461. !976.

[8] Goldstein, J., Freud, A., and Solnit, A. Beyond the best interests of the child. New York: Free Press, 1973.

[9] Kelly, J.B. The Determination of Custody. The Future of Children, Children and Divorce. Vol. 4, No. 1, Spring 1994.

In 1979, the first joint custody statute was enacted in California, followed by Kansas, and Oregon.[10] By 1991, more than 40 states had statutes in which joint custody was either an option or a preference, and most other states had recognized the concept of joint custody in case law.[11] The effect of such legislation has been to promote increasingly positive attitudes toward greater paternal involvement after divorce among parents, lawyers, mental health professionals, and judges.[12] Frequency of visitation has increased between fathers and children, in part because of research documenting the psychological and economic impact for many children of infrequent contact with fathers and because of a societal trend toward somewhat more father involvement in child rearing during the marriage.

It has become increasingly evident that the adversarial legal system, pitting parent against parent, is unwieldy, expensive, unsatisfactory, and unnecessary for large numbers of divorcing parents wanting to reach good agreements about their children. The effort to ensure that children have post divorce parenting arrangements which promote good social and psychological adjustment is an ongoing one, involving dialogue and debate at all levels.[13]

The bill eliminates what is considered by many to be outdated and negative terminology related to divorcing parents and their children in order to reduce animosity in relationships between and among family members and thus improve family circumstances for children. It does this by:

- Redesignating chapter 61, Florida Statutes, as "Dissolution of Marriage; Support; Time-Sharing;
- Deleting the definitions of the terms "custodial parent" or "primary residential parent" and "noncustodial parent" and creating a definition for the terms "parenting plan", "parenting plan recommendation" and "time-sharing schedule;
- Amending all applicable sections of chapter 61, Florida Statutes, to delete the terms "custodial parent" and "noncustodial parent"; and replace references to either term with the term "parent" or "obligee" or "obligor". It also replaces existing references to "custody order" or "visitation order" with "parenting plan" and/or "time-sharing plan".
- Repealing s. 61.121, Florida Statutes, relating to rotating custody;
- Amending additional sections of the Florida Statutes, to conform to changes in terminology in chapter 61, Florida Statutes.

Child Support Guidelines

In 1984, Congress recognized the potential value in requiring states to implement guidelines to be used in the determination of the amount of the child support obligation. The federal Child Support Amendments of 1984 required states to establish non-binding child support guidelines either by law, or judicial or administrative action no later than October 1, 1987.[14] The Family Support Act of 1988 made state child support guidelines presumptive with four primary objectives:

- To enhance the adequacy of child support orders;
- To improve the equity of orders by assuring more comparable treatment for cases with similar circumstances;
- To increase compliance as a result of the perceived fairness of child support awards; and
- To improve the efficiency of adjudicating child support orders.

[10] Folberg, J. Custody overview. In Joint custody and shared parenting. Washington, DC: Bureau of National Affairs and Association of Family and Conciliation Courts, 1984, pp. 3-10.
[11] McKnight, M. Issues and trends in the law of joint custody. In Joint custody and shared parenting.2d ed. J. Folberg, ed. New York: Guilford Press, 1991, pp. 209-17.
[12] Maccoby, E.E., and Mnookin, R.H. Dividing the child: Social and legal dilemmas of custody. Cambridge, MA: Harvard University Press, 1992.
[13] Kelly, J.B. The Determination of Custody. The Future of Children, Children and Divorce. Vol. 4, No. 1, Spring 1994.
[14] Child Support Enforcement Amendments of 1984, 42 U.S.C. ss. 657-662 (1984).

The Family Support Act also required states to review their child support guidelines at least once every four years in order to ensure that their application results in child support award amounts that are appropriate. As a part of the review process, states must analyze case data related to the application of, and deviations from, the guidelines and they must also consider economic data related to the cost of raising children. With the exception of these two requirements, states have broad discretion and latitude in conducting guideline reviews.

The Florida House of Representatives has traditionally taken the lead in completing the reviews to meet the federal mandate. In spite of timely guideline reviews and some statutory changes, the Florida Legislature has not adjusted the guidelines schedule since 1993. Since the underlying data for the current schedule enacted in 1993 is the 1972-1973 Consumer Expenditure Survey, the schedule is considerably out of date. In addition, other provisions of the guidelines may no longer adequately reflect the needs and circumstances of Florida families.

In preparation for the current review, the Legislature allocated funds for an economic review of the state's child support guidelines.[15] In November 2007, the Legislature contracted with the Department of Economics at Florida State University (FSU). The contract requires FSU to, at a minimum, address the following:

- Update of Florida's existing schedule amounts based on the latest available economic data in anticipation of Florida continuing to use the income shares model to incorporate more recent data on family income shares allocated to children to the extent such data is publicly available.
- Update the existing schedule amounts to reflect the effects of inflation and evaluate the methodological validity of this approach.
- Within the context of the income shares model, determine how selected other states using the income shares model treat the apportionment of child support to accommodate visitation arrangements and cases of joint or shared custody.
- Within the context of the income shares model, evaluate the treatment of low income parents and suggest possible alternatives based on the experience in other states that mitigate or avoid the anomalies created by the "self-support reserve" in the income shares model.
- Evaluate the problems created by imputation of income and consider alternative methods of imputing income, including the possible consequences of not imputing income, based on experience in other states using the income shares model.
- Evaluate the methodological validity of adjusting the schedule of obligations to account for intrastate variations in the cost of living.
- Provide continuing consulting services through June 30, 2009.
- Itemize the tax benefits and burdens of child support in regard to the child care tax credit.

The final report is due to the Legislature in November 2008, and the FSU researchers will be available to legislative staff until June 30, 2009. In addition, OPPAGA is working with legislative staff to do the case data analysis component of the federal review and EDR is exploring the advantages of some statewide surveying related to the guidelines. It is anticipated that legislative staff to the substantive committees in both the House of Representatives and Senate will be working during the 2008 interim on a draft rewrite of s. 61.30, Florida Statutes, to be introduced during the 2009 session.

The bill makes some substantive changes to s. 61.30, Florida Statutes, relating to the child support guidelines. In light of the fact that FSU is only several months into a $175,000 contract to conduct the federally required review of the guidelines, these changes may be premature.

C. SECTION DIRECTORY:

Section 1. Redesignates chapter 61, Florida Statutes, as "Dissolution of Marriage; Support; Time-sharing."
Section 2. Amends s. 61.046, Florida Statutes, relating to definitions.

[15] See Chapter 2007-72, Laws of Florida.

Section 3. Amends s. 61.052, Florida Statutes, relating to dissolution of marriage.
Section 4. Amends s. 61.09, Florida Statutes, relating to alimony and child support unconnected with dissolution.
Section 5. Amends s. 61.10, Florida Statutes, relating to adjudication of obligation to support spouse or minor child unconnected with dissolution.

Section 6. Repeals s. 61.121, Florida Statutes, relating to rotating custody.
Section 7. Amends s. 61.122, Florida Statutes, relating to child custody evaluations; presumption of psychologist's good faith; prerequisite to parent's filing suit; award of fees, costs, reimbursement.
Section 8. Amends s. 61.13, Florida Statutes, relating to custody and support of children; visitation rights; power of court in making orders.
Section 9. Amends s. 61.13001, Florida Statutes, relating to parental relocation of a child.
Section 10. Amends s. 61.13022, Florida Statutes, relating to child custody modification.

Section 11. Amends s. 61.14, Florida Statutes, relating to enforcement and modification of support.
Section 12. Amends s. 61.181, Florida Statutes, relating to the depository for alimony transactions, support, maintenance, and support payments and fees.
Section 13. Amends s. 61.1827, Florida Statutes, relating to identifying information concerning applicants for and recipients of child support services.
Section 14. Amends s. 61.20, Florida Statutes, relating to social investigation and recommendations when child custody is an issue.
Section 15. Amends s. 61.21, Florida Statutes, relating to parenting course authorization, fees, required attendance, and contempt.

Section 16. Amends s. 61.30, Florida Statutes, relating to child support guidelines and retroactive child support.
Section 17. Amends s. 61.401, Florida Statutes, relating to appointment of a guardian ad litem.
Section 18. Amends s. 61.45, Florida Statutes, relating to court orders of visitation or custody, risk of violation and bond.
Section 19. Amends s. 409.2554, Florida Statutes, relating to definitions.
Section 20. Amends s. 409.2558, Florida Statutes, relating to distribution and disbursement of support.

Section 21. Amends s. 409.2563, Florida Statutes, relating to the administrative establishment of child support obligations.
Section 22. Amends s. 409.2564, Florida Statutes, relating to actions for support
Section 23. Amends s. 409.25657, Florida Statutes, relating to requirements for financial institutions.
Section 24. Amends s. 409.25659, Florida Statutes, relating to insurance claim data exchange.
Section 25. Amends s. 409.2577, Florida Statutes, relating to the parent locator service.

Section 26. Amends s. 409.2579, Florida Statutes, relating to safeguarding Title IV-D case file information.
Section 27. Amends s. 409.811, Florida Statutes, relating to definitions relating to the Florida Kidcare Act.
Section 28. Amends s. 414.0252, Florida Statutes, relating to definitions.
Section 29. Amends s. 414.065, Florida Statutes, relating to noncompliance with work requirements.
Section 30. Amends s. 414. 085, Florida Statutes, relating to income eligibility standards.

Section 31. Amends s. 414.095, Florida Statutes, relating to determining eligibility for temporary cash assistance.
Section 32. Amends s. 414.295, Florida Statutes, relating to temporary cash assistance programs and public records exemption….
Section 33. Amends s. 445.024, Florida Statutes, relating to work requirements.
Section 34. Amends s. 741.0306, Florida Statutes, relating to creation of the family law handbook.
Section 35. Amends s. 741.30, Florida Statutes, relating to domestic violence injunctions and enforcement.

Section 36. Amends s. 742.031, Florida Statutes, relating to hearings, court orders for support, hospital expenses, and attorney's fees.
Section 37. Amends s. 753.01, Florida Statutes, relating to definitions.
Section 38. Amends s. 827.06, Florida Statutes, relating to nonsupport of dependents.
Section 39. Amends s. 61.1825, Florida Statutes, relating to the state case registry.
Section 40. Provides for an effective date of October 1, 2008.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

   None.

2. Expenditures:

   ● The Department of Revenue estimates that it will cost the agency $161,160 for FY 08-09 to implement the provisions of the bill. The change in terminology for custodial and noncustodial parents in the bill will require changes to forms. In addition, the bill makes substantive changes to the administrative support procedure by opening certain rights to both parents which will require systems programming.

   The total implementation cost includes $45,000 for purchase of service and $116,160 for data processing. Of the total cost, $54,794 would be General Revenue and $106,366 would come from a Trust Fund.

   In addition, DOR may be required to modify all associated language to the new terminology. This could result in conforming changes to administrative rules, additional forms and additional systems programming. This cost is currently indeterminate but could be significant.

   ● While there is anticipated to be very little increase in workload for the judiciary, there will be an impact on the workload of the Office of the State Courts Administrator's (OSCA) Office of Court Improvement (OCI). OCI currently has a .5 FTE forms attorney who is assigned to maintain and update forms for the court. Staff will have to be redirected from another assignment in order to implement the provisions of this bill.

   OSCA/OCI staff will have to review each Supreme Court Approved Family Law Form and make recommendations to the Court as to how those forms need to be updated in response to changes in terminology in the bill. Some of these forms are updated by OSCA/OCI and the remaining forms are updated by the Family Law Rules Committee of the Florida Bar Association (the Bar). Updated forms from both OSCA and the Bar must then be approved formally by the Court. Once approved by the Court, all updated forms must be formatted and posted to the Court's website.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

   None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

● In addition to the responsibilities for updating forms referenced above, the Bar will also have to notify Thompson West Publisher of amendments to the forms so that they can update Thompson West, who will need to reprint the family law forms, within their Florida Rules of Court publication. As a result, Thompson West may have costs as a result of the bill.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not appear to require counties or municipalities to take an action requiring the expenditure of funds, reduce the authority that counties or municipalities have to raise revenue in the aggregate, nor reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

Drafting Issues

● On lines 128-157 of the bill, the newly created definition for the term “parenting plan” appears to create substantive law in a definition. A general rule of bill drafting is to limit definitions to what the term means. The substance of lines 132-157 of the bill is substantive law and would be more appropriately placed in s. 61.13, Florida Statutes, relating to custody, visitation, and support. Writing substantive law into a definition can result in a substantive statutory provision that is very difficult to locate.

● Lines 252-295 of the bill, amends s. 61.122, Florida Statutes, relating to child custody evaluations. There appears to be a conflict in this section (whether or not it is amended) with the newly created definition of “parenting plan recommendation” which refers to a “nonbinding recommendation made by a licensed mental health professional or any other individual designated by the court under s. 61.20” while s. 61.122, Florida Statutes, refers only to “a psychologist appointed by the court”. If the newly created definition accurately reflects intent , then some other questions/comments would be:

● It would appear that s. 61.122, Florida Statutes, should be amended to include all entities referenced in the definition of "parenting plan recommendation". Section 61.20, Florida Statutes, is correct in its reference to licensed mental health professionals in stating "a psychologist licensed pursuant to chapter 490; or a clinical social worker, marriage and family therapist, or mental health counselor licensed pursuant to chapter 491".
● Removing the reference to the American Psychological Association on line 265 of the bill, leaves only a "reasonable psychologist". It also eliminates any standards or quidelines for those custody evaluations or "parenting plan recommendations". It is unclear what benefit is derived from allowing "reasonable psychologists" to conduct evaluations or make parenting plan recommendations without being held to some standard.

● The bill appears to be removing any reference to the term "custody" in multiple sections of the Florida Statutes, so it is unclear why new language is created on line 304 using the term "custody".

● Lines 494-502 of the bill suggest that this bill requires every judgment to have a detailed parenting plan, and does not appear to allow for parents who don't need to be micro-managed. The benefit of this is unclear as it discourages the kind of flexibility that courts try to encourage, because as children mature and develop, their needs change and parents should adapt to those needs (without going back to court to have to formally modify the previous agreement or determination).

● On line 516 of the bill, the stricken word "of" should be restored.

● The benefit to a child of removing lines 634-636 of the bill is unclear. It also appears to conflict with lines 1064-1065 of the bill, relating to parental relocation with a child.

● On line 689 of the bill, the word "not" should be removed.

● Line 824 of the bill, still contains the word "custody".

● Line 905 of the bill still contains the word "visitation".

● While the catchline on line 1134 of the bill deletes the word "custody", it is used in newly created language on line 1138, and the terms "custodial parent" and "custody judgment" are used on lines 1140 and 1147 respectively.

● On lines 1136-1148 of the bill, the newly created language contains numerous references to "custody" and "temporary custodial parent".

● The substitution of the term "time-sharing" for the term "custody" on line 1187 of the bill may not be appropriate. Agencies do not time-share.

● On line 1380 of the bill, the column label has been changed from "combined monthly available income" to "combined monthly net income". However, on lines 1571 and 1576, the previous language, "combined monthly available income", is still used.

● On line 1588 of the bill, the 25% adjustment in child care expenses is deleted. This is a significant substantive change.

● Lines 1801-1803 of the bill change the circumstances under which a guardian ad litem may be appointed. There are a number of reasons for the appointment of a guardian ad litem under chapter 61, Florida Statutes, not just when the parents can't agree on a parenting plan. It appears this change would deny guardians ad litem to children who are currently eligible for such services.

● Section 21. of the bill (lines 2006-2390) amends s.409.2563, Florida Statutes, relating to administrative establishment of a child support obligation. DOR reports that removing the terms "noncustodial" and

"custodial" and not replacing them with something creates substantive changes to the administrative establishment provisions by creating new rights for custodial parents that do not exist under current law. This will require the department to make changes to forms, automated systems, and procedures, resulting in a fiscal impact.

● On lines 2694, and 2708-2709 of the bill, the term "noncustodial parent" is replaced with "a parent with an obligation to pay child support". The department reports that this changes the meaning and is more restrictive as there are noncustodial parents that do not yet have an obligation to pay child support.

● Lines 2765-2781 of the bill, are related to the creation of a family law handbook. This provision was enacted in 1998 and the original handbook was authored by the Family Law Section of the Florida Bar.[16] The purpose of the handbook was to explain those sections of Florida law pertaining to the rights and responsibilities under Florida law of marital partners to each other and to their children, both during a marriage and upon dissolution. The handbooks were to be made available from the clerk of the circuit court to applicants for a marriage license[17] and the information contained in the handbook was required to be reviewed and updated annually.

According to the Florida Association of Court Clerks, these handbooks have never been updated, resulting in information being provided to the general public that is inaccurate. This would be particularly true now that new terminology is proposed in this bill.

● It is unclear why s. 741.2902, Florida Statutes, relating to domestic violence is not being amended to maintain consistency with terminology changes in sections included in the bill.

D. STATEMENT OF THE SPONSOR

The bill eliminates what is considered by many to be outdated and negative terminology related to divorcing parents and their children. The bill reduces animosity in relationships between and among family members and thus improves family circumstances for children.

IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES

[16] See Chapter 1998-403, Laws of Florida.
[17] These handbooks are no longer furnished to applicants for a marriage license due to printing costs. Applicants must either access the handbook online or sit in the office of the clerk and read a laminated copy that may not be removed from the office.