



804892

CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: RCS	.	
3/26/2008	.	
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1 The Committee on Children, Families, and Elder Affairs (Baker)  
2 recommended the following **amendment**:

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4 **Senate Amendment (with title amendment)**

5 Between line(s) 116 and 117

6 insert:

7 Section 1. Paragraph (b) of subsection (1) of section  
8 120.57, Florida Statutes, is amended to read:

9 120.57 Additional procedures for particular cases.--

10 (1) ADDITIONAL PROCEDURES APPLICABLE TO HEARINGS INVOLVING  
11 DISPUTED ISSUES OF MATERIAL FACT.--

12 (b) All parties shall have an opportunity to respond, to  
13 present evidence and argument on all issues involved, to conduct  
14 cross-examination and submit rebuttal evidence, to submit  
15 proposed findings of facts and orders, to file exceptions to the  
16 presiding officer's recommended order, and to be represented by  
17 counsel or other qualified representative. In proceedings for the



804892

18 continued placement of inmates under s. 945.45, the  
19 administrative law judge may appoint a private pro bono attorney  
20 in the circuit in which the treatment facility is located to  
21 represent the inmate. When appropriate, the general public may be  
22 given an opportunity to present oral or written communications.  
23 If the agency proposes to consider such material, then all  
24 parties shall be given an opportunity to cross-examine or  
25 challenge or rebut the material.

26  
27 (Redesignate subsequent sections.)

28  
29 ===== T I T L E A M E N D M E N T =====

30 And the title is amended as follows:

31 On line 2, after the semicolon  
32 insert:

33 amending s. 120.57, F.S.; allowing administrative law  
34 judges to appoint private pro bono attorneys in the  
35 continued placement hearings of inmates;