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CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: RCS	.	
3/11/2008	.	
	.	
	.	

1 The Committee on Judiciary (Joyner) recommended the following
2 **amendment:**

3
4 **Senate Amendment (with title amendment)**

5
6 Delete everything after the enacting clause
7 and insert:

8
9 Section 1. Paragraph (o) is added to subsection (1) of
10 section 39.001, Florida Statutes, to read:

11 39.001 Purposes and intent; personnel standards and
12 screening.--

13 (1) PURPOSES OF CHAPTER.--The purposes of this chapter
14 are:



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15 (o) To provide all children and families with a fully
16 integrated, comprehensive approach to handling all cases that
17 involve children and families and a resolution of family
18 disputes in a fair, timely, efficient, and cost-effective
19 manner. It is the intent of the Legislature that the courts of
20 this state embrace methods of resolving disputes that do not
21 cause additional emotional harm to the children and families who
22 are required to interact with the judicial system. It is the
23 intent of the Legislature to support the development of a
24 unified family court and to support the state courts system's
25 efforts to improve the resolution of disputes involving children
26 and families through a fully integrated, comprehensive approach
27 that includes coordinated case management; the concept of "one
28 family, one judge"; collaboration with the community for
29 referral to needed services; and methods of alternative dispute
30 resolution. The Legislature supports the goal that the legal
31 system focus on the needs of children who are involved in the
32 litigation, refer families to resources that will make families'
33 relationships stronger, coordinate families' cases to provide
34 consistent results, and strive to leave families in better
35 condition than when the families entered the system.

36 Section 2. Subsection (2) of section 61.001, Florida
37 Statutes, is amended to read:

38 61.001 Purpose of chapter.--

39 (2) Its purposes are:

40 (a) To preserve the integrity of marriage and to safeguard
41 meaningful family relationships.†



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42 (b) To promote the amicable settlement of disputes that
43 arise between parties to a marriage. ~~and~~

44 (c) To mitigate the potential harm to the spouses and
45 their children caused by the process of legal dissolution of
46 marriage.

47 (d) To provide all children and families with a fully
48 integrated, comprehensive approach to handling all cases that
49 involve children and families and a resolution of family
50 disputes in a fair, timely, efficient, and cost-effective
51 manner. It is the intent of the Legislature that the courts of
52 this state embrace methods of resolving disputes that do not
53 cause additional emotional harm to the children and families who
54 are required to interact with the judicial system. It is the
55 intent of the Legislature to support the development of a
56 unified family court and to support the state courts system's
57 efforts to improve the resolution of disputes involving children
58 and families through a fully integrated, comprehensive approach
59 that includes coordinated case management; the concept of "one
60 family, one judge"; collaboration with the community for
61 referral to needed services; and methods of alternative dispute
62 resolution. The Legislature supports the goal that the legal
63 system focus on the needs of children who are involved in the
64 litigation, refer families to resources that will make families'
65 relationships stronger, coordinate families' cases to provide
66 consistent results, and strive to leave families in better
67 condition than when the families entered the system.

68 Section 3. Subsection (6) is added to section 63.022,
69 Florida Statutes, to read:



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70 63.022 Legislative intent.--

71 (6) It is the intent of the Legislature to provide all
72 children and families with a fully integrated, comprehensive
73 approach to handling all cases that involve children and
74 families and a resolution of family disputes in a fair, timely,
75 efficient, and cost-effective manner. It is the intent of the
76 Legislature that the courts of this state embrace methods of
77 resolving disputes that do not cause additional emotional harm
78 to the children and families who are required to interact with
79 the judicial system. It is the intent of the Legislature to
80 support the development of a unified family court and to support
81 the state courts system's efforts to improve the resolution of
82 disputes involving children and families through a fully
83 integrated, comprehensive approach that includes coordinated
84 case management; the concept of "one family, one judge";
85 collaboration with the community for referral to needed
86 services; and methods of alternative dispute resolution. The
87 Legislature supports the goal that the legal system focus on the
88 needs of children who are involved in the litigation, refer
89 families to resources that will make families' relationships
90 stronger, coordinate families' cases to provide consistent
91 results, and strive to leave families in better condition than
92 when the families entered the system.

93 Section 4. Subsection (9) is added to section 68.07,
94 Florida Statutes, to read:

95 68.07 Change of name.--

96 (9) It is the intent of the Legislature to provide all
97 children and families with a fully integrated, comprehensive



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98 approach to handling all cases that involve children and
99 families and a resolution of family disputes in a fair, timely,
100 efficient, and cost-effective manner. It is the intent of the
101 Legislature that the courts of this state embrace methods of
102 resolving disputes that do not cause additional emotional harm
103 to the children and families who are required to interact with
104 the judicial system. It is the intent of the Legislature to
105 support the development of a unified family court and to support
106 the state courts system's efforts to improve the resolution of
107 disputes involving children and families through a fully
108 integrated, comprehensive approach that includes coordinated
109 case management; the concept of "one family, one judge";
110 collaboration with the community for referral to needed
111 services; and methods of alternative dispute resolution. The
112 Legislature supports the goal that the legal system focus on the
113 needs of children who are involved in the litigation, refer
114 families to resources that will make families' relationships
115 stronger, coordinate families' cases to provide consistent
116 results, and strive to leave families in better condition than
117 when the families entered the system.

118 Section 5. Section 88.1041, Florida Statutes, is created
119 to read:

120 88.1041 Legislative intent.--It is the intent of the
121 Legislature to provide all children and families with a fully
122 integrated, comprehensive approach to handling all cases that
123 involve children and families and a resolution of family
124 disputes in a fair, timely, efficient, and cost-effective
125 manner. It is the intent of the Legislature that the courts of



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126 this state embrace methods of resolving disputes that do not
127 cause additional emotional harm to the children and families who
128 are required to interact with the judicial system. It is the
129 intent of the Legislature to support the development of a
130 unified family court and to support the state courts system's
131 efforts to improve the resolution of disputes involving children
132 and families through a fully integrated, comprehensive approach
133 that includes coordinated case management; the concept of "one
134 family, one judge"; collaboration with the community for
135 referral to needed services; and methods of alternative dispute
136 resolution. The Legislature supports the goal that the legal
137 system focus on the needs of children who are involved in the
138 litigation, refer families to resources that will make families'
139 relationships stronger, coordinate families' cases to provide
140 consistent results, and strive to leave families in better
141 condition than when the families entered the system.

142 Section 6. Subsection (3) is added to section 741.2902,
143 Florida Statutes, to read:

144 741.2902 Domestic violence; legislative intent with
145 respect to judiciary's role.--

146 (3) It is the intent of the Legislature to provide all
147 children and families with a fully integrated, comprehensive
148 approach to handling all cases that involve children and
149 families and a resolution of family disputes in a fair, timely,
150 efficient, and cost-effective manner. It is the intent of the
151 Legislature that the courts of this state embrace methods of
152 resolving disputes that do not cause additional emotional harm
153 to the children and families who are required to interact with



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154 the judicial system. It is the intent of the Legislature to
155 support the development of a unified family court and to support
156 the state courts system's efforts to improve the resolution of
157 disputes involving children and families through a fully
158 integrated, comprehensive approach that includes coordinated
159 case management; the concept of "one family, one judge";
160 collaboration with the community for referral to needed
161 services; and methods of alternative dispute resolution. The
162 Legislature supports the goal that the legal system focus on the
163 needs of children who are involved in the litigation, refer
164 families to resources that will make families' relationships
165 stronger, coordinate families' cases to provide consistent
166 results, and strive to leave families in better condition than
167 when the families entered the system.

168 Section 7. Section 742.016, Florida Statutes, is created
169 to read:

170 742.016 Legislative intent.--It is the intent of the
171 Legislature to provide all children and families with a fully
172 integrated, comprehensive approach to handling all cases that
173 involve children and families and a resolution of family
174 disputes in a fair, timely, efficient, and cost-effective
175 manner. It is the intent of the Legislature that the courts of
176 this state embrace methods of resolving disputes that do not
177 cause additional emotional harm to the children and families who
178 are required to interact with the judicial system. It is the
179 intent of the Legislature to support the development of a
180 unified family court and to support the state courts system's
181 efforts to improve the resolution of disputes involving children



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182 and families through a fully integrated, comprehensive approach
183 that includes coordinated case management; the concept of "one
184 family, one judge"; collaboration with the community for
185 referral to needed services; and methods of alternative dispute
186 resolution. The Legislature supports the goal that the legal
187 system focus on the needs of children who are involved in the
188 litigation, refer families to resources that will make families'
189 relationships stronger, coordinate families' cases to provide
190 consistent results, and strive to leave families in better
191 condition than when the families entered the system.

192 Section 8. Section 743.001, Florida Statutes, is created
193 to read:

194 743.001 Legislative intent.--It is the intent of the
195 Legislature to provide all children and families with a fully
196 integrated, comprehensive approach to handling all cases that
197 involve children and families and a resolution of family
198 disputes in a fair, timely, efficient, and cost-effective
199 manner. It is the intent of the Legislature that the courts of
200 this state embrace methods of resolving disputes that do not
201 cause additional emotional harm to the children and families who
202 are required to interact with the judicial system. It is the
203 intent of the Legislature to support the development of a
204 unified family court and to support the state courts system's
205 efforts to improve the resolution of disputes involving children
206 and families through a fully integrated, comprehensive approach
207 that includes coordinated case management; the concept of "one
208 family, one judge"; collaboration with the community for
209 referral to needed services; and methods of alternative dispute



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210 resolution. The Legislature supports the goal that the legal
211 system focus on the needs of children who are involved in the
212 litigation, refer families to resources that will make families'
213 relationships stronger, coordinate families' cases to provide
214 consistent results, and strive to leave families in better
215 condition than when the families entered the system.

216 Section 9. Paragraph (g) is added to subsection (1) of
217 section 984.01, Florida Statutes, to read:

218 984.01 Purposes and intent; personnel standards and
219 screening.--

220 (1) The purposes of this chapter are:

221 (g) To provide all children and families with a fully
222 integrated, comprehensive approach to handling all cases that
223 involve children and families and a resolution of family
224 disputes in a fair, timely, efficient, and cost-effective
225 manner. It is the intent of the Legislature that the courts of
226 this state embrace methods of resolving disputes that do not
227 cause additional emotional harm to the children and families who
228 are required to interact with the judicial system. It is the
229 intent of the Legislature to support the development of a
230 unified family court and to support the state courts system's
231 efforts to improve the resolution of disputes involving children
232 and families through a fully integrated, comprehensive approach
233 that includes coordinated case management; the concept of "one
234 family, one judge"; collaboration with the community for
235 referral to needed services; and methods of alternative dispute
236 resolution. The Legislature supports the goal that the legal
237 system focus on the needs of children who are involved in the



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238 litigation, refer families to resources that will make families'
239 relationships stronger, coordinate families' cases to provide
240 consistent results, and strive to leave families in better
241 condition than when the families entered the system.

242 Section 10. Paragraph (j) is added to subsection (1) of
243 section 985.02, Florida Statutes, to read:

244 985.02 Legislative intent for the juvenile justice
245 system.--

246 (1) GENERAL PROTECTIONS FOR CHILDREN.--It is a purpose of
247 the Legislature that the children of this state be provided with
248 the following protections:

249 (j) A fully integrated, comprehensive approach to handling
250 all cases that involve children and families and a resolution of
251 family disputes in a fair, timely, efficient, and cost-effective
252 manner. It is the intent of the Legislature that the courts of
253 this state embrace methods of resolving disputes that do not
254 cause additional emotional harm to the children and families who
255 are required to interact with the judicial system. It is the
256 intent of the Legislature to support the development of a
257 unified family court and to support the state courts system's
258 efforts to improve the resolution of disputes involving children
259 and families through a fully integrated, comprehensive approach
260 that includes coordinated case management; the concept of "one
261 family, one judge"; collaboration with the community for
262 referral to needed services; and methods of alternative dispute
263 resolution. The Legislature supports the goal that the legal
264 system focus on the needs of children who are involved in the
265 litigation, refer families to resources that will make families'



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266 relationships stronger, coordinate families' cases to provide
267 consistent results, and strive to leave families in better
268 condition than when the families entered the system.

269 Section 11. Section 1003.201, Florida Statutes, is created
270 to read:

271 1003.201 Legislative intent.--It is the intent of the
272 Legislature to provide all children and families with a fully
273 integrated, comprehensive approach to handling all cases that
274 involve children and families and a resolution of family
275 disputes in a fair, timely, efficient, and cost-effective
276 manner. It is the intent of the Legislature that the courts of
277 this state embrace methods of resolving disputes that do not
278 cause additional emotional harm to the children and families who
279 are required to interact with the judicial system. It is the
280 intent of the Legislature to support the development of a
281 unified family court and to support the state courts system's
282 efforts to improve the resolution of disputes involving children
283 and families through a fully integrated, comprehensive approach
284 that includes coordinated case management; the concept of "one
285 family, one judge"; collaboration with the community for
286 referral to needed services; and methods of alternative dispute
287 resolution. The Legislature supports the goal that the legal
288 system focus on the needs of children who are involved in the
289 litigation, refer families to resources that will make families'
290 relationships stronger, coordinate families' cases to provide
291 consistent results, and strive to leave families in better
292 condition than when the families entered the system.



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293 Section 12. Section 61.402, Florida Statutes, is amended
294 to read:

295 61.402 Qualifications of guardians ad litem.--A guardian
296 ad litem must be either a citizen certified by the Guardian Ad
297 Litem Program to act in family law cases, a citizen certified by
298 a not-for-profit legal aid organization as defined in s. 68.096,
299 or an attorney who is a member in good standing of The Florida
300 Bar. Prior to certifying a guardian ad litem to be appointed
301 under this chapter, the Guardian Ad Litem Program must conduct a
302 security background investigation as provided in s. 39.821.
303 Certification by a not-for-profit legal aid organization shall
304 qualify a guardian ad litem to serve only in actions described
305 in s. 61.401 other than actions in which the court has
306 determined that there are well-founded allegations of child
307 abuse, abandonment, or neglect as defined in s. 39.01. Prior to
308 certifying a guardian ad litem, a not-for-profit legal aid
309 organization must conduct a security background investigation
310 that conforms to the requirements of s. 39.821.

311 Section 13. This act shall take effect upon becoming a
312 law.

313
314 ===== T I T L E A M E N D M E N T =====

315 And the title is amended as follows:

316
317 Delete everything before the enacting clause
318 and insert:

319
320 A bill to be entitled



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321 An act relating to court actions involving families;
322 amending ss. 39.001, 61.001, 63.022, 68.07, 741.2902,
323 984.01, and 985.02, F.S., and creating ss. 88.1041,
324 742.016, 743.001, and 1003.201, F.S.; providing additional
325 purposes relating to implementing a unified family court
326 program in the circuit courts; providing legislative
327 intent; amending s. 61.402, F.S.; expanding eligibility
328 criteria for guardians ad litem; providing requirements
329 for and limitations on certification of guardians ad litem
330 by not-for-profit legal aid organizations; providing an
331 effective date.