

By the Committee on Children, Families, and Elder Affairs; and
Senators Rich, Margolis and Lynn

586-04236-08

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1 A bill to be entitled

2 An act relating to court actions involving families;
3 amending ss. 39.001, 61.001, 63.022, 68.07, 741.2902,
4 984.01, and 985.02, F.S., and creating ss. 88.1041,
5 742.016, 743.001, and 1003.269, F.S.; providing
6 legislative intent with respect to implementing a unified
7 family court program; amending s. 61.402, F.S.; revising
8 qualifications for guardians ad litem; providing an
9 effective date.

10
11 Be It Enacted by the Legislature of the State of Florida:

12
13 Section 1. Paragraph (o) is added to subsection (1) of
14 section 39.001, Florida Statutes, to read:

15 39.001 Purposes and intent; personnel standards and
16 screening.--

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

18 (o) To provide a comprehensive and integrated approach to
19 handling all cases involving children and families which come
20 under the jurisdiction of the court and to resolve family
21 disputes in a fair, timely, efficient, and cost-effective manner.
22 The Legislature finds that it is in the best interests of this
23 state that our courts embrace methods of resolving disputes which
24 do not result in additional emotional harm to the children and
25 families who are required to interact with the judicial system.
26 The Legislature finds that the legal system should focus on the
27 needs of children, refer families to resources that will make
28 family relationships stronger, coordinate family cases in order
29 to provide consistent results, and strive to leave families more

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30 stable than when they entered the system. It is therefore the
31 intent of the Legislature to support the development of a unified
32 family court and to support the efforts of the state court system
33 to improve the resolution of disputes involving children and
34 families through a comprehensive and integrated approach that
35 includes coordinated case management, the concept of "one family,
36 one judge," collaboration with the community for referral to
37 needed services, and the use of alternative dispute resolution.

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

40 61.001 Purpose of chapter.--

41 (2) Its purposes are:

42 (a) To preserve the integrity of marriage and to safeguard
43 meaningful family relationships;

44 (b) To promote the amicable settlement of disputes that
45 arise between parties to a marriage; ~~and~~

46 (c) To mitigate the potential harm to the spouses and their
47 children caused by the process of legal dissolution of marriage;
48 ~~and-~~

49 (d) To provide a comprehensive and integrated approach to
50 handling all cases involving spouses and their children which
51 come under the jurisdiction of the court and to resolve family
52 disputes in a fair, timely, efficient, and cost-effective manner.
53 The Legislature finds that it is in the best interests of this
54 state that our courts embrace methods of resolving disputes which
55 do not result in additional emotional harm to the children and
56 families who are required to interact with the judicial system.
57 The Legislature finds that the legal system should focus on the
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60 to provide consistent results, and strive to leave families more
61 stable than when they entered the system. It is therefore the
62 intent of the Legislature to support the development of a unified
63 family court and to support the efforts of the state court system
64 to improve the resolution of disputes involving children and
65 families through a comprehensive and integrated approach that
66 includes coordinated case management, the concept of "one family,
67 one judge," collaboration with the community for referral to
68 needed services, and the use of alternative dispute resolution.

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

71 63.022 Legislative intent.--

72 (6) It is the intent of the Legislature to provide a
73 comprehensive and integrated approach to handling all cases
74 involving children and families which come under the jurisdiction
75 of the court and to resolve family disputes in a fair, timely,
76 efficient, and cost-effective manner. The Legislature finds that
77 it is in the best interests of this state that our courts embrace
78 methods of resolving disputes which do not result in additional
79 emotional harm to the children and families who are required to
80 interact with the judicial system. The Legislature finds that the
81 legal system should focus on the needs of children, refer
82 families to resources that will make family relationships
83 stronger, coordinate family cases in order to provide consistent
84 results, and strive to leave families more stable than when they
85 entered the system. It is therefore the intent of the Legislature
86 to support the development of a unified family court and to
87 support the efforts of the state court system to improve the

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88 resolution of disputes involving children and families through a
89 comprehensive and integrated approach that includes coordinated
90 case management, the concept of "one family, one judge,"
91 collaboration with the community for referral to needed services,
92 and the use of alternative dispute resolution.

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 a
97 comprehensive and integrated approach to handling all cases
98 involving children and families which come under the jurisdiction
99 of the court and to resolve family disputes in a fair, timely,
100 efficient, and cost-effective manner. The Legislature finds that
101 it is in the best interests of this state that our courts embrace
102 methods of resolving disputes which do not result in additional
103 emotional harm to the children and families who are required to
104 interact with the judicial system. The Legislature finds that the
105 legal system should focus on the needs of children, refer
106 families to resources that will make family relationships
107 stronger, coordinate family cases in order to provide consistent
108 results, and strive to leave families more stable than when they
109 entered the system. It is therefore the intent of the Legislature
110 to support the development of a unified family court and to
111 support the efforts of the state court system to improve the
112 resolution of disputes involving children and families through a
113 comprehensive and integrated approach that includes coordinated
114 case management, the concept of "one family, one judge,"
115 collaboration with the community for referral to needed services,
116 and the use of alternative dispute resolution.

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

119 88.1041 Legislative intent with respect to tribunal's
120 role.--It is the intent of the Legislature to provide a
121 comprehensive and integrated approach to handling all cases
122 involving children and families which come under the jurisdiction
123 of the court and to resolve family disputes in a fair, timely,
124 efficient, and cost-effective manner. The Legislature finds that
125 it is in the best interests of this state that our courts embrace
126 methods of resolving disputes which do not result in additional
127 emotional harm to the children and families who are required to
128 interact with the judicial system. The Legislature finds that the
129 legal system should focus on the needs of children, refer
130 families to resources that will make family relationships
131 stronger, coordinate family cases in order to provide consistent
132 results, and strive to leave families more stable than when they
133 entered the system. It is therefore the intent of the Legislature
134 to support the development of a unified family court and to
135 support the efforts of the state court system to improve the
136 resolution of disputes involving children and families through a
137 comprehensive and integrated approach that includes coordinated
138 case management, the concept of "one family, one judge,"
139 collaboration with the community for referral to needed services,
140 and the use of alternative dispute resolution.

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

143 741.2902 Domestic violence; legislative intent with respect
144 to judiciary's role.--

145 (3) It is the intent of the Legislature to provide a

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146 comprehensive and integrated approach to handling all cases
147 involving children and families which come under the jurisdiction
148 of the court and to resolve family disputes in a fair, timely,
149 efficient, and cost-effective manner. The Legislature finds that
150 it is in the best interests of this state that our courts embrace
151 methods of resolving disputes which do not result in additional
152 emotional harm to the children and families who are required to
153 interact with the judicial system. The Legislature finds that the
154 legal system should focus on the needs of children, refer
155 families to resources that will make family relationships
156 stronger, coordinate family cases in order to provide consistent
157 results, and strive to leave families more stable than when they
158 entered the system. It is therefore the intent of the Legislature
159 to support the development of a unified family court and to
160 support the efforts of the state court system to improve the
161 resolution of disputes involving children and families through a
162 comprehensive and integrated approach that includes coordinated
163 case management, the concept of "one family, one judge,"
164 collaboration with the community for referral to needed services,
165 and the use of alternative dispute resolution.

166 Section 7. Section 742.016, Florida Statutes, is created to
167 read:

168 742.016 Legislative intent with respect to the judiciary's
169 role.--It is the intent of the Legislature to provide a
170 comprehensive and integrated approach to handling all cases
171 involving children and families which come under the jurisdiction
172 of the court and to resolve family disputes in a fair, timely,
173 efficient, and cost-effective manner. The Legislature finds that
174 it is in the best interests of this state that our courts embrace

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175 methods of resolving disputes which do not result in additional
176 emotional harm to the children and families who are required to
177 interact with the judicial system. The Legislature finds that the
178 legal system should focus on the needs of children, refer
179 families to resources that will make family relationships
180 stronger, coordinate family cases in order to provide consistent
181 results, and strive to leave families more stable than when they
182 entered the system. It is therefore the intent of the Legislature
183 to support the development of a unified family court and to
184 support the efforts of the state court system to improve the
185 resolution of disputes involving children and families through a
186 comprehensive and integrated approach that includes coordinated
187 case management, the concept of "one family, one judge,"
188 collaboration with the community for referral to needed services,
189 and the use of alternative dispute resolution.

190 Section 8. Section 743.001, Florida Statutes, is created to
191 read:

192 743.001 Legislative intent with respect to the judiciary's
193 role.--It is the intent of the Legislature to provide a
194 comprehensive and integrated approach to handling all cases
195 involving children and families which come under the jurisdiction
196 of the court and to resolve family disputes in a fair, timely,
197 efficient, and cost-effective manner. The Legislature finds that
198 it is in the best interests of this state that our courts embrace
199 methods of resolving disputes which do not result in additional
200 emotional harm to the children and families who are required to
201 interact with the judicial system. The Legislature finds that the
202 legal system should focus on the needs of children, refer
203 families to resources that will make family relationships

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204 stronger, coordinate family cases in order to provide consistent
205 results, and strive to leave families more stable than when they
206 entered the system. It is therefore the intent of the Legislature
207 to support the development of a unified family court and to
208 support the efforts of the state court system to improve the
209 resolution of disputes involving children and families through a
210 comprehensive and integrated approach that includes coordinated
211 case management, the concept of "one family, one judge,"
212 collaboration with the community for referral to needed services,
213 and the use of alternative dispute resolution.

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

216 984.01 Purposes and intent; personnel standards and
217 screening.--

218 (1) The purposes of this chapter are:

219 (g) To provide a comprehensive and integrated approach to
220 handling all cases involving children and families which come
221 under the jurisdiction of the court and to resolve family
222 disputes in a fair, timely, efficient, and cost-effective manner.
223 The Legislature finds that it is in the best interests of this
224 state that our courts embrace methods of resolving disputes which
225 do not result in additional emotional harm to the children and
226 families who are required to interact with the judicial system.
227 The Legislature finds that the legal system should focus on the
228 needs of children, refer families to resources that will make
229 family relationships stronger, coordinate family cases in order
230 to provide consistent results, and strive to leave families more
231 stable than when they entered the system. It is therefore the
232 intent of the Legislature to support the development of a unified

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233 family court and to support the efforts of the state court system
234 to improve the resolution of disputes involving children and
235 families through a comprehensive and integrated approach that
236 includes coordinated case management, the concept of "one family,
237 one judge," collaboration with the community for referral to
238 needed services, and the use of alternative dispute resolution.

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

241 985.02 Legislative intent for the juvenile justice
242 system.--

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

246 (j) A comprehensive and integrated approach to handling all
247 cases involving children and families which come under the
248 jurisdiction of the court and to resolve family disputes in a
249 fair, timely, efficient, and cost-effective manner. The
250 Legislature finds that it is in the best interests of this state
251 that our courts embrace methods of resolving disputes which do
252 not result in additional emotional harm to the children and
253 families who are required to interact with the judicial system.
254 The Legislature finds that the legal system should focus on the
255 needs of children, refer families to resources that will make
256 family relationships stronger, coordinate family cases in order
257 to provide consistent results, and strive to leave families more
258 stable than when they entered the system. It is therefore the
259 intent of the Legislature to support the development of a unified
260 family court and to support the efforts of the state court system
261 to improve the resolution of disputes involving children and

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262 families through a comprehensive and integrated approach that
263 includes coordinated case management, the concept of "one family,
264 one judge," collaboration with the community for referral to
265 needed services, and the use of alternative dispute resolution.

266 Section 11. Section 1003.269, Florida Statutes, is created
267 to read:

268 1003.269 Legislative intent with respect to the judiciary's
269 role.--It is the intent of the Legislature to provide a
270 comprehensive and integrated approach to handling all cases
271 involving students and families which come under the jurisdiction
272 of the court and to resolve family disputes in a fair, timely,
273 efficient, and cost-effective manner. The Legislature finds that
274 it is in the best interests of this state that our courts embrace
275 methods of resolving disputes which do not result in additional
276 emotional harm to the children and families who are required to
277 interact with the judicial system. The Legislature finds that the
278 legal system should focus on the needs of children, refer
279 families to resources that will make family relationships
280 stronger, coordinate family cases in order to provide consistent
281 results, and strive to leave families more stable than when they
282 entered the system. It is therefore the intent of the Legislature
283 to support the development of a unified family court and to
284 support the efforts of the state court system to improve the
285 resolution of disputes involving children and families through a
286 comprehensive and integrated approach that includes coordinated
287 case management, the concept of "one family, one judge,"
288 collaboration with the community for referral to needed services,
289 and the use of alternative dispute resolution.

290 Section 12. Section 61.402, Florida Statutes, is amended to

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291 read:

292 61.402 Qualifications of guardians ad litem.--A guardian ad
293 litem must be either a citizen certified by the Guardian Ad Litem
294 Program to act in family law cases, a citizen certified by a not-
295 for-profit legal aid organization as defined in s. 68.096(4), if
296 there are no allegations of child abuse, neglect, or abandonment,
297 or an attorney who is a member in good standing of The Florida
298 Bar. Prior to certifying a guardian ad litem to be appointed
299 under this chapter, the Guardian Ad Litem Program must conduct a
300 security background investigation as provided in s. 39.821. Prior
301 to certifying a guardian ad litem to be appointed under this
302 chapter, a legal aid organization must conduct a security
303 background investigation as provided in s. 39.821 and may
304 participate in the Volunteer and Employee Criminal History System
305 as authorized by the National Child Protection Act of 1993 and s.
306 943.0542.

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