

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

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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 1003.201, F.S.; providing additional
6 purposes relating to implementing a unified family court
7 program in the circuit courts; providing legislative
8 intent; amending s. 61.402, F.S.; expanding eligibility
9 criteria for guardians ad litem; providing requirements
10 for and limitations on certification of guardians ad litem
11 by not-for-profit legal aid organizations; providing an
12 effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

15
16 Section 1. Paragraph (o) is added to subsection (1) of
17 section 39.001, Florida Statutes, to read:

18 39.001 Purposes and intent; personnel standards and
19 screening.--

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

21 (o) To provide all children and families with a fully
22 integrated, comprehensive approach to handling all cases that
23 involve children and families and a resolution of family disputes
24 in a fair, timely, efficient, and cost-effective manner. It is
25 the intent of the Legislature that the courts of this state
26 embrace methods of resolving disputes that do not cause
27 additional emotional harm to the children and families who are
28 required to interact with the judicial system. It is the intent
29 of the Legislature to support the development of a unified family

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30 court and to support the state courts system's efforts to improve
31 the resolution of disputes involving children and families
32 through a fully integrated, comprehensive approach that includes
33 coordinated case management; the concept of "one family, one
34 judge"; collaboration with the community for referral to needed
35 services; and methods of alternative dispute resolution. The
36 Legislature supports the goal that the legal system focus on the
37 needs of children who are involved in the litigation, refer
38 families to resources that will make families' relationships
39 stronger, coordinate families' cases to provide consistent
40 results, and strive to leave families in better condition than
41 when the families entered the system.

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

44 61.001 Purpose of chapter.--

45 (2) Its purposes are:

46 (a) To preserve the integrity of marriage and to safeguard
47 meaningful family relationships.~~†~~

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

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

52 (d) To provide all children and families with a fully
53 integrated, comprehensive approach to handling all cases that
54 involve children and families and a resolution of family disputes
55 in a fair, timely, efficient, and cost-effective manner. It is
56 the intent of the Legislature that the courts of this state
57 embrace methods of resolving disputes that do not cause
58 additional emotional harm to the children and families who are

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59 required to interact with the judicial system. It is the intent
60 of the Legislature to support the development of a unified family
61 court and to support the state courts system's efforts to improve
62 the resolution of disputes involving children and families
63 through a fully integrated, comprehensive approach that includes
64 coordinated case management; the concept of "one family, one
65 judge"; collaboration with the community for referral to needed
66 services; and methods of alternative dispute resolution. The
67 Legislature supports the goal that the legal system focus on the
68 needs of children who are involved in the litigation, refer
69 families to resources that will make families' relationships
70 stronger, coordinate families' cases to provide consistent
71 results, and strive to leave families in better condition than
72 when the families entered the system.

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

75 63.022 Legislative intent.--

76 (6) It is the intent of the Legislature to provide all
77 children and families with a fully integrated, comprehensive
78 approach to handling all cases that involve children and families
79 and a resolution of family disputes in a fair, timely, efficient,
80 and cost-effective manner. It is the intent of the Legislature
81 that the courts of this state embrace methods of resolving
82 disputes that do not cause additional emotional harm to the
83 children and families who are required to interact with the
84 judicial system. It is the intent of the Legislature to support
85 the development of a unified family court and to support the
86 state courts system's efforts to improve the resolution of
87 disputes involving children and families through a fully

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88 integrated, comprehensive approach that includes coordinated case
89 management; the concept of "one family, one judge"; collaboration
90 with the community for referral to needed services; and methods
91 of alternative dispute resolution. The Legislature supports the
92 goal that the legal system focus on the needs of children who are
93 involved in the litigation, refer families to resources that will
94 make families' relationships stronger, coordinate families' cases
95 to provide consistent results, and strive to leave families in
96 better condition than when the families entered the system.

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

99 68.07 Change of name.--

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

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117 involved in the litigation, refer families to resources that will
118 make families' relationships stronger, coordinate families' cases
119 to provide consistent results, and strive to leave families in
120 better condition than when the families entered the system.

121 Section 5. Section 88.1041, Florida Statutes, is created to
122 read:

123 88.1041 Legislative intent.--It is the intent of the
124 Legislature to provide all children and families with a fully
125 integrated, comprehensive approach to handling all cases that
126 involve children and families and a resolution of family disputes
127 in a fair, timely, efficient, and cost-effective manner. It is
128 the intent of the Legislature that the courts of this state
129 embrace methods of resolving disputes that do not cause
130 additional emotional harm to the children and families who are
131 required to interact with the judicial system. It is the intent
132 of the Legislature to support the development of a unified family
133 court and to support the state courts system's efforts to improve
134 the resolution of disputes involving children and families
135 through a fully integrated, comprehensive approach that includes
136 coordinated case management; the concept of "one family, one
137 judge"; collaboration with the community for referral to needed
138 services; and methods of alternative dispute resolution. The
139 Legislature supports the goal that the legal system focus on the
140 needs of children who are involved in the litigation, refer
141 families to resources that will make families' relationships
142 stronger, coordinate families' cases to provide consistent
143 results, and strive to leave families in better condition than
144 when the families entered the system.

145 Section 6. Subsection (3) is added to section 741.2902,

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146 Florida Statutes, to read:

147 741.2902 Domestic violence; legislative intent with respect
148 to judiciary's role.--

149 (3) It is the intent of the Legislature to provide all
150 children and families with a fully integrated, comprehensive
151 approach to handling all cases that involve children and families
152 and a resolution of family disputes in a fair, timely, efficient,
153 and cost-effective manner. It is the intent of the Legislature
154 that the courts of this state embrace methods of resolving
155 disputes that do not cause additional emotional harm to the
156 children and families who are required to interact with the
157 judicial system. It is the intent of the Legislature to support
158 the development of a unified family court and to support the
159 state courts system's efforts to improve the resolution of
160 disputes involving children and families through a fully
161 integrated, comprehensive approach that includes coordinated case
162 management; the concept of "one family, one judge"; collaboration
163 with the community for referral to needed services; and methods
164 of alternative dispute resolution. The Legislature supports the
165 goal that the legal system focus on the needs of children who are
166 involved in the litigation, refer families to resources that will
167 make families' relationships stronger, coordinate families' cases
168 to provide consistent results, and strive to leave families in
169 better condition than when the families entered the system.

170 Section 7. Section 742.016, Florida Statutes, is created to
171 read:

172 742.016 Legislative intent.--It is the intent of the
173 Legislature to provide all children and families with a fully
174 integrated, comprehensive approach to handling all cases that

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175 involve children and families and a resolution of family disputes
176 in a fair, timely, efficient, and cost-effective manner. It is
177 the intent of the Legislature that the courts of this state
178 embrace methods of resolving disputes that do not cause
179 additional emotional harm to the children and families who are
180 required to interact with the judicial system. It is the intent
181 of the Legislature to support the development of a unified family
182 court and to support the state courts system's efforts to improve
183 the resolution of disputes involving children and families
184 through a fully integrated, comprehensive approach that includes
185 coordinated case management; the concept of "one family, one
186 judge"; collaboration with the community for referral to needed
187 services; and methods of alternative dispute resolution. The
188 Legislature supports the goal that the legal system focus on the
189 needs of children who are involved in the litigation, refer
190 families to resources that will make families' relationships
191 stronger, coordinate families' cases to provide consistent
192 results, and strive to leave families in better condition than
193 when the families entered the system.

194 Section 8. Section 743.001, Florida Statutes, is created to
195 read:

196 743.001 Legislative intent.--It is the intent of the
197 Legislature to provide all children and families with a fully
198 integrated, comprehensive approach to handling all cases that
199 involve children and families and a resolution of family disputes
200 in a fair, timely, efficient, and cost-effective manner. It is
201 the intent of the Legislature that the courts of this state
202 embrace methods of resolving disputes that do not cause
203 additional emotional harm to the children and families who are

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204 required to interact with the judicial system. It is the intent
205 of the Legislature to support the development of a unified family
206 court and to support the state courts system's efforts to improve
207 the resolution of disputes involving children and families
208 through a fully integrated, comprehensive approach that includes
209 coordinated case management; the concept of "one family, one
210 judge"; collaboration with the community for referral to needed
211 services; and methods of alternative dispute resolution. The
212 Legislature supports the goal that the legal system focus on the
213 needs of children who are involved in the litigation, refer
214 families to resources that will make families' relationships
215 stronger, coordinate families' cases to provide consistent
216 results, and strive to leave families in better condition than
217 when the families entered the system.

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

220 984.01 Purposes and intent; personnel standards and
221 screening.--

222 (1) The purposes of this chapter are:

223 (g) To provide all children and families with a fully
224 integrated, comprehensive approach to handling all cases that
225 involve children and families and a resolution of family disputes
226 in a fair, timely, efficient, and cost-effective manner. It is
227 the intent of the Legislature that the courts of this state
228 embrace methods of resolving disputes that do not cause
229 additional emotional harm to the children and families who are
230 required to interact with the judicial system. It is the intent
231 of the Legislature to support the development of a unified family
232 court and to support the state courts system's efforts to improve

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233 the resolution of disputes involving children and families
234 through a fully integrated, comprehensive approach that includes
235 coordinated case management; the concept of "one family, one
236 judge"; collaboration with the community for referral to needed
237 services; and methods of alternative dispute resolution. The
238 Legislature supports the goal that the legal system focus on the
239 needs of children who are involved in the litigation, refer
240 families to resources that will make families' relationships
241 stronger, coordinate families' cases to provide consistent
242 results, and strive to leave families in better condition than
243 when the families entered the system.

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

246 985.02 Legislative intent for the juvenile justice
247 system.--

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

251 (j) A fully integrated, comprehensive approach to handling
252 all cases that involve children and families and a resolution of
253 family disputes in a fair, timely, efficient, and cost-effective
254 manner. It is the intent of the Legislature that the courts of
255 this state embrace methods of resolving disputes that do not
256 cause additional emotional harm to the children and families who
257 are required to interact with the judicial system. It is the
258 intent of the Legislature to support the development of a unified
259 family court and to support the state courts system's efforts to
260 improve the resolution of disputes involving children and
261 families through a fully integrated, comprehensive approach that

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262 includes coordinated case management; the concept of "one family,
263 one judge"; collaboration with the community for referral to
264 needed services; and methods of alternative dispute resolution.
265 The Legislature supports the goal that the legal system focus on
266 the needs of children who are involved in the litigation, refer
267 families to resources that will make families' relationships
268 stronger, coordinate families' cases to provide consistent
269 results, and strive to leave families in better condition than
270 when the families entered the system.

271 Section 11. Section 1003.201, Florida Statutes, is created
272 to read:

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

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291 families to resources that will make families' relationships
292 stronger, coordinate families' cases to provide consistent
293 results, and strive to leave families in better condition than
294 when the families entered the system.

295 Section 12. Section 61.402, Florida Statutes, is amended to
296 read:

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

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