

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; providing an effective date.

9
 10 Be It Enacted by the Legislature of the State of Florida:

11
 12 Section 1. Paragraph (o) is added to subsection (1) of
 13 section 39.001, Florida Statutes, to read:

14 39.001 Purposes and intent; personnel standards and
 15 screening.--

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

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

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

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

41 61.001 Purpose of chapter.--

42 (2) Its purposes are:

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

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

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

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

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

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

73 63.022 Legislative intent.--

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

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

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

98 68.07 Change of name.--

99 (9) It is the intent of the Legislature to provide all
100 children and families with a fully integrated, comprehensive
101 approach to handling all cases that involve children and
102 families and a resolution of family disputes in a fair, timely,
103 efficient, and cost-effective manner. It is the intent of the
104 Legislature that the courts of this state embrace methods of
105 resolving disputes that do not cause additional emotional harm
106 to the children and families who are required to interact with
107 the judicial system. It is the intent of the Legislature to
108 support the development of a unified family court and to support
109 the efforts of the state courts system to improve the resolution
110 of disputes involving children and families through a fully
111 integrated, comprehensive approach that includes coordinated
112 case management; the concept of "one family, one judge";

113 collaboration with the community for referral to needed
 114 services; and methods of alternative dispute resolution. The
 115 Legislature supports the goal that the legal system focus on the
 116 needs of children who are involved in the litigation, refer
 117 families to resources that will make families' relationships
 118 stronger, coordinate families' cases to provide consistent
 119 results, and strive to leave families in better condition than
 120 when the families entered the system.

121 Section 5. Section 88.1041, Florida Statutes, is created
 122 to 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
 127 disputes in a fair, timely, efficient, and cost-effective
 128 manner. It is the intent of the Legislature that the courts of
 129 this state embrace methods of resolving disputes that do not
 130 cause additional emotional harm to the children and families who
 131 are required to interact with the judicial system. It is the
 132 intent of the Legislature to support the development of a
 133 unified family court and to support the efforts of the state
 134 courts system to improve the resolution of disputes involving
 135 children and families through a fully integrated, comprehensive
 136 approach that includes coordinated case management; the concept
 137 of "one family, one judge"; collaboration with the community for
 138 referral to needed services; and methods of alternative dispute
 139 resolution. The Legislature supports the goal that the legal
 140 system focus on the needs of children who are involved in the

141 litigation, refer families to resources that will make families'
142 relationships stronger, coordinate families' cases to provide
143 consistent results, and strive to leave families in better
144 condition than when the families entered the system.

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

147 741.2902 Domestic violence; legislative intent with
148 respect 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
152 families and a resolution of family disputes in a fair, timely,
153 efficient, and cost-effective manner. It is the intent of the
154 Legislature that the courts of this state embrace methods of
155 resolving disputes that do not cause additional emotional harm
156 to the children and families who are required to interact with
157 the judicial system as long as such methods do not conflict with
158 the legislative intent expressed in subsections (1) and (2). It
159 is the intent of the Legislature to support the development of a
160 unified family court and to support the efforts of the state
161 courts system to improve the resolution of disputes involving
162 children and families through a fully integrated, comprehensive
163 approach that includes coordinated case management; the concept
164 of "one family, one judge"; collaboration with the community for
165 referral to needed services; and methods of alternative dispute
166 resolution. Case management or alternative dispute resolution
167 processes must comply with existing laws and court rules
168 governing the use of mediation, case management, and alternative

169 dispute resolution in cases involving injunctions for protection
 170 brought under this chapter. The Legislature supports the goal
 171 that the legal system focus on the needs of children who are
 172 involved in the litigation, refer families to resources that
 173 will make families' relationships stronger, coordinate families'
 174 cases to provide consistent results, and strive to leave
 175 families in better condition than when the families entered the
 176 system.

177 Section 7. Section 742.016, Florida Statutes, is created
 178 to read:

179 742.016 Legislative intent.--It is the intent of the
 180 Legislature to provide all children and families with a fully
 181 integrated, comprehensive approach to handling all cases that
 182 involve children and families and a resolution of family
 183 disputes in a fair, timely, efficient, and cost-effective
 184 manner. It is the intent of the Legislature that the courts of
 185 this state embrace methods of resolving disputes that do not
 186 cause additional emotional harm to the children and families who
 187 are required to interact with the judicial system. It is the
 188 intent of the Legislature to support the development of a
 189 unified family court and to support the efforts of the state
 190 courts system to improve the resolution of disputes involving
 191 children and families through a fully integrated, comprehensive
 192 approach that includes coordinated case management; the concept
 193 of "one family, one judge"; collaboration with the community for
 194 referral to needed services; and methods of alternative dispute
 195 resolution. The Legislature supports the goal that the legal
 196 system focus on the needs of children who are involved in the

197 litigation, refer families to resources that will make families'
198 relationships stronger, coordinate families' cases to provide
199 consistent results, and strive to leave families in better
200 condition than when the families entered the system.

201 Section 8. Section 743.001, Florida Statutes, is created
202 to read:

203 743.001 Legislative intent.--It is the intent of the
204 Legislature to provide all children and families with a fully
205 integrated, comprehensive approach to handling all cases that
206 involve children and families and a resolution of family
207 disputes in a fair, timely, efficient, and cost-effective
208 manner. It is the intent of the Legislature that the courts of
209 this state embrace methods of resolving disputes that do not
210 cause additional emotional harm to the children and families who
211 are required to interact with the judicial system. It is the
212 intent of the Legislature to support the development of a
213 unified family court and to support the efforts of the state
214 courts system to improve the resolution of disputes involving
215 children and families through a fully integrated, comprehensive
216 approach that includes coordinated case management; the concept
217 of "one family, one judge"; collaboration with the community for
218 referral to needed services; and methods of alternative dispute
219 resolution. The Legislature supports the goal that the legal
220 system focus on the needs of children who are involved in the
221 litigation, refer families to resources that will make families'
222 relationships stronger, coordinate families' cases to provide
223 consistent results, and strive to leave families in better
224 condition than when the families entered the system.

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

227 984.01 Purposes and intent; personnel standards and
 228 screening.--

229 (1) The purposes of this chapter are:

230 (g) To provide all children and families with a fully
 231 integrated, comprehensive approach to handling all cases that
 232 involve children and families and a resolution of family
 233 disputes in a fair, timely, efficient, and cost-effective
 234 manner. It is the intent of the Legislature that the courts of
 235 this state embrace methods of resolving disputes that do not
 236 cause additional emotional harm to the children and families who
 237 are required to interact with the judicial system. It is the
 238 intent of the Legislature to support the development of a
 239 unified family court and to support the efforts of the state
 240 courts system to improve the resolution of disputes involving
 241 children and families through a fully integrated, comprehensive
 242 approach that includes coordinated case management; the concept
 243 of "one family, one judge"; collaboration with the community for
 244 referral to needed services; and methods of alternative dispute
 245 resolution. The Legislature supports the goal that the legal
 246 system focus on the needs of children who are involved in the
 247 litigation, refer families to resources that will make families'
 248 relationships stronger, coordinate families' cases to provide
 249 consistent results, and strive to leave families in better
 250 condition than when the families entered the system.

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

253 985.02 Legislative intent for the juvenile justice
 254 system.--

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

258 (j) A fully integrated, comprehensive approach to handling
 259 all cases that involve children and families and a resolution of
 260 family disputes in a fair, timely, efficient, and cost-effective
 261 manner. It is the intent of the Legislature that the courts of
 262 this state embrace methods of resolving disputes that do not
 263 cause additional emotional harm to the children and families who
 264 are required to interact with the judicial system. It is the
 265 intent of the Legislature to support the development of a
 266 unified family court and to support the efforts of the state
 267 courts system to improve the resolution of disputes involving
 268 children and families through a fully integrated, comprehensive
 269 approach that includes coordinated case management; the concept
 270 of "one family, one judge"; collaboration with the community for
 271 referral to needed services; and methods of alternative dispute
 272 resolution. The Legislature supports the goal that the legal
 273 system focus on the needs of children who are involved in the
 274 litigation, refer families to resources that will make families'
 275 relationships stronger, coordinate families' cases to provide
 276 consistent results, and strive to leave families in better
 277 condition than when the families entered the system. This
 278 section may not be construed to contravene legislative intent
 279 provided in this chapter relating to protecting the public from
 280 acts of delinquency, ensuring that juveniles found to have

281 committed a delinquent act understand the consequences and
282 serious nature of such behavior, and transferring juveniles from
283 the juvenile justice system to the adult system as provided in
284 this chapter.

285 Section 11. Section 1003.201, Florida Statutes, is created
286 to read:

287 1003.201 Legislative intent.--It is the intent of the
288 Legislature to provide all children and families with a fully
289 integrated, comprehensive approach to handling all cases that
290 involve children and families and a resolution of family
291 disputes in a fair, timely, efficient, and cost-effective
292 manner. It is the intent of the Legislature that the courts of
293 this state embrace methods of resolving disputes that do not
294 cause additional emotional harm to the children and families who
295 are required to interact with the judicial system. It is the
296 intent of the Legislature to support the development of a
297 unified family court and to support the efforts of the state
298 courts system to improve the resolution of disputes involving
299 children and families through a fully integrated, comprehensive
300 approach that includes coordinated case management; the concept
301 of "one family, one judge"; collaboration with the community for
302 referral to needed services; and methods of alternative dispute
303 resolution. The Legislature supports the goal that the legal
304 system focus on the needs of children who are involved in the
305 litigation, refer families to resources that will make families'
306 relationships stronger, coordinate families' cases to provide
307 consistent results, and strive to leave families in better
308 condition than when the families entered the system.

CS/CS/HB 523, Engrossed 1

2009

309 | Section 12. This act shall take effect upon becoming a
310 | law.