

By Senator Rich

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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  
6 additional purposes relating to implementing a unified  
7 family court program in the circuit courts; providing  
8 legislative intent; amending s. 61.402, F.S.;

9 expanding eligibility criteria for guardians ad litem;  
10 providing requirements for and limitations on  
11 certification of guardians ad litem by not-for-profit  
12 legal aid organizations; providing an 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  
24 disputes in a fair, timely, efficient, and cost-effective  
25 manner. It is the intent of the Legislature that the courts of  
26 this state embrace methods of resolving disputes which do not  
27 cause additional emotional harm to the children and families who  
28 are required to interact with the judicial system. It is the  
29 intent of the Legislature to support the development of a

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

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

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

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

76 63.022 Legislative intent.—

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

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

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

101 68.07 Change of name.—

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

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117 services; and methods of alternative dispute resolution. The  
118 Legislature supports the goal that the legal system focus on the  
119 needs of children who are involved in the litigation, refer  
120 families to resources that will make family relationships  
121 stronger, coordinate families' cases to provide consistent  
122 results, and strive to leave families in better condition than  
123 when the families entered the system.

124 Section 5. Section 88.1041, Florida Statutes, is created to  
125 read:

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

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146 consistent results, and strive to leave families in better  
147 condition than when the families entered the system.

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

150 741.2902 Domestic violence; legislative intent with respect  
151 to judiciary's role.—

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

174 Section 7. Section 742.016, Florida Statutes, is created to

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175 read:

176 742.016 Legislative intent.—It is the intent of the  
177 Legislature to provide all children and families with a fully  
178 integrated, comprehensive approach to handling all cases that  
179 involve children and families and a resolution of family  
180 disputes in a fair, timely, efficient, and cost-effective  
181 manner. It is the intent of the Legislature that the courts of  
182 this state embrace methods of resolving disputes which do not  
183 cause additional emotional harm to the children and families who  
184 are required to interact with the judicial system. It is the  
185 intent of the Legislature to support the development of a  
186 unified family court and to support the state court system's  
187 efforts to improve the resolution of disputes involving children  
188 and families through a fully integrated, comprehensive approach  
189 that includes coordinated case management; the concept of "one  
190 family, one judge"; collaboration with the community for  
191 referral to needed services; and methods of alternative dispute  
192 resolution. The Legislature supports the goal that the legal  
193 system focus on the needs of children who are involved in the  
194 litigation, refer families to resources that will make family  
195 relationships stronger, coordinate families' cases to provide  
196 consistent results, and strive to leave families in better  
197 condition than when the families entered the system.

198 Section 8. Section 743.001, Florida Statutes, is created to  
199 read:

200 743.001 Legislative intent.—It is the intent of the  
201 Legislature to provide all children and families with a fully  
202 integrated, comprehensive approach to handling all cases that  
203 involve children and families and a resolution of family

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

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

224 984.01 Purposes and intent; personnel standards and  
225 screening.—

226 (1) The purposes of this chapter are:

227 (g) To provide all children and families with a fully  
228 integrated, comprehensive approach to handling all cases that  
229 involve children and families and a resolution of family  
230 disputes in a fair, timely, efficient, and cost-effective  
231 manner. It is the intent of the Legislature that the courts of  
232 this state embrace methods of resolving disputes which do not



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233 cause additional emotional harm to the children and families who  
234 are required to interact with the judicial system. It is the  
235 intent of the Legislature to support the development of a  
236 unified family court and to support the state court system's  
237 efforts to improve the resolution of disputes involving children  
238 and families through a fully integrated, comprehensive approach  
239 that includes coordinated case management; the concept of "one  
240 family, one judge"; collaboration with the community for  
241 referral to needed services; and methods of alternative dispute  
242 resolution. The Legislature supports the goal that the legal  
243 system focus on the needs of children who are involved in the  
244 litigation, refer families to resources that will make family  
245 relationships stronger, coordinate families' cases to provide  
246 consistent results, and strive to leave families in better  
247 condition than when the families entered the system.

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

250 985.02 Legislative intent for the juvenile justice system.-

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

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

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

274 Section 11. Section 1003.201, Florida Statutes, is created  
275 to read:

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

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291 referral to needed services; and methods of alternative dispute  
292 resolution. The Legislature supports the goal that the legal  
293 system focus on the needs of children who are involved in the  
294 litigation, refer families to resources that will make family  
295 relationships stronger, coordinate families' cases to provide  
296 consistent results, and strive to leave families in better  
297 condition than when the families entered the system.

298 Section 12. Section 61.402, Florida Statutes, is amended to  
299 read:

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

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