

1 A bill to be entitled
2 An act relating to the Florida Court Educational
3 Council; amending s. 25.384, F.S.; specifying that the
4 Court Education Trust Fund shall be administered by
5 the Florida Court Educational Council; deleting a
6 provision requiring the council to provide an annual
7 report; amending s. 25.385, F.S.; specifying the
8 membership, voting procedures, and duties of the
9 council; specifying the location of the council
10 headquarters; requiring the council to submit an
11 annual report; providing for nonseverability;
12 providing an effective date.

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

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16 Section 1. Subsections (1), (2), and (4) of section
17 25.384, Florida Statutes, are amended to read:

18 25.384 Court Education Trust Fund.—

19 (1) There is created a Court Education Trust Fund to be
20 administered by ~~the Supreme Court through~~ the Florida Court
21 Educational Council as set forth in s. 25.385.

22 (2) (a) The Florida Court Educational Council shall adopt a
23 comprehensive plan for the operation of the Court Education
24 Trust Fund and the expenditure of the moneys deposited in the
25 trust fund.

26 (b) The plan shall provide for travel, per diem, tuition,
27 educational materials, and other related costs incurred for in-
28 state and out-of-state education and training programs for
29 judges and other court personnel to benefit the judiciary of the
30 state. Such ~~The trust fund moneys shall be used to provide~~
31 education and training programs shall be ~~for judges and other~~
32 ~~court personnel as defined and determined by the Florida Court~~
33 ~~Educational council as set forth in s. 25.385.~~

34 ~~(b) The Supreme Court, through its Florida Court~~
35 ~~Educational Council, shall adopt a comprehensive plan for the~~
36 ~~operation of the trust fund and the expenditure of the moneys~~
37 ~~deposited in the trust fund. The plan shall provide for travel,~~
38 ~~per diem, tuition, educational materials, and other related~~
39 ~~costs incurred for educational programs, in and out of state,~~
40 ~~which will be of benefit to the judiciary of the state.~~

41 ~~(4) The Supreme Court, through the Florida Court~~
42 ~~Educational Council, shall submit a report each year, on October~~
43 ~~1, to the President of the Senate and the Speaker of the House~~
44 ~~of Representatives, which report shall include the total number~~
45 ~~of judges and other court personnel attending each training or~~
46 ~~educational program, the educational program attended and the~~
47 ~~location of the program, and the costs incurred. In addition,~~
48 ~~the report shall identify the judges and other court personnel~~
49 ~~attending out-of-state programs and the costs associated with~~
50 ~~such programs. The report shall also show the total dollars~~

51 ~~deposited in the fund for the fiscal year and the balance at the~~
52 ~~end of the fiscal year.~~

53 Section 2. Section 25.385, Florida Statutes, is amended to
54 read:

55 25.385 Florida Court Educational Council; composition;
56 duties; reports ~~standards for instruction of circuit and county~~
57 ~~court judges in handling domestic violence cases.-~~

58 (1) (a) The Florida Court Educational Council shall consist
59 of the chief judge of each district court of appeal and the
60 chief judge of each judicial circuit. The council shall elect a
61 chair from its membership for a 1-year term to preside at all
62 council meetings. The council shall also elect other officers
63 from its membership as it deems necessary.

64 (b) A majority of the council members shall constitute a
65 quorum, and the affirmative vote of a majority of the members
66 present shall be necessary for any action to be taken by the
67 council.

68 (c) The administrative duties of the council include:

69 1. Adopting guidelines on permissible administrative
70 expenses, which may not exceed 15 percent of the funds deposited
71 into the previous fiscal year's Court Education Trust Fund.

72 2. Adopting policies and guidelines related to the
73 selection of education and training programs, approval of
74 courses for such programs, and selection of participants. The
75 council shall also develop and fund appropriate education and

76 training programs for new trial judges, appellate judges, child
 77 support hearing officers, and magistrates.

78 3. Adopting reporting formats.

79 4. Supervising council employees. However, the council may
 80 not employ more than three full-time employees.

81 (d) The council and its employees shall be headquartered
 82 in the ninth circuit.

83 (2) (a) ~~(1)~~ The Florida Court Educational council shall
 84 establish standards for instruction of circuit and county court
 85 judges who have responsibility for domestic violence cases, and
 86 the council shall provide such instruction on a periodic and
 87 timely basis.

88 (b) ~~(2)~~ As used in this subsection, ~~section:~~

89 ~~(a)~~ the term "domestic violence" has the meaning set forth
 90 in s. 741.28.

91 ~~(b)~~ "Family or household member" has the meaning set forth
 92 in s. 741.28.

93 (3) The council shall submit a report each year, on
 94 October 1, to the President of the Senate and the Speaker of the
 95 House of Representatives that includes the total number of
 96 judges and other court personnel attending each in-state
 97 training or educational program, the training or educational
 98 program attended and the location of the program, and the costs
 99 incurred. The report shall also identify the judges and other
 100 court personnel attending out-of-state training or educational

101 programs and the costs associated with such programs. The report
102 shall identify the total dollars deposited into the trust fund
103 for the fiscal year and the balance in the trust fund at the end
104 of the fiscal year.

105 Section 3. If any provision contained in sections 1 or 2
106 of this act is declared invalid for any reason, then sections 1
107 and 2 of this act shall be declared invalid, the fees that would
108 be directed to the Court Education Trust Fund may not be
109 assessed pursuant to ss. 28.2401(3), 28.241(1)(a)1.c.,
110 28.241(1)(a)2.e., and 34.041(1)(b), the remaining unencumbered
111 funds in the Court Education Trust Fund shall revert to the
112 General Revenue Fund, and the trust fund shall be terminated.

113 Section 4. This act shall take effect July 1, 2017.