

By Senator Steube

23-00978-17

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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; providing
 6 requirements for a certain comprehensive plan that
 7 provides for related education costs for judicial
 8 training programs; deleting a provision requiring the
 9 council to provide an annual report; amending s.
 10 25.385, F.S.; specifying the membership, voting
 11 procedures, and duties of the council; specifying the
 12 location of the council headquarters; requiring the
 13 council to submit an annual report; providing for
 14 nonseverability; providing an effective date.

15
 16 Be It Enacted by the Legislature of the State of Florida:

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

20 25.384 Court Education Trust Fund.—

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

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

28 (b) The plan shall provide for travel, per diem, tuition,
 29 educational materials, and other related costs incurred for in-
 30 state and out-of-state education and training programs for
 31 judges and other court personnel to benefit the judiciary of the
 32 state. Such ~~The trust fund moneys shall be used to provide~~

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33 education and training programs shall be ~~for judges and other~~
34 ~~court personnel as defined and determined by the Florida Court~~
35 ~~Educational council as set forth in s. 25.385.~~

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

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

55 Section 2. Section 25.385, Florida Statutes, is amended to
56 read:

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

60 (1) (a) The Florida Court Educational Council shall consist
61 of the chief judge of each district court of appeal and the

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62 chief judge of each judicial circuit. The council shall elect a
63 chair from its membership for a 1-year term to preside at all
64 council meetings. The council shall also elect other officers
65 from its membership as it deems necessary.

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

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

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

74 2. Adopting policies and guidelines related to the
75 selection of education and training programs, approval of
76 courses for such programs, and selection of participants. The
77 council shall also develop and fund appropriate education and
78 training programs for new trial judges, appellate judges, child
79 support hearing officers, and magistrates.

80 3. Adopting reporting formats.

81 4. Supervising council employs. However, the council may
82 not employ more than three full-time employees.

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

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

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

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

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

95 (3) The council shall submit a report each year, on October
96 1, to the President of the Senate and the Speaker of the House
97 of Representatives that includes the total number of judges and
98 other court personnel attending each in-state training or
99 educational program, the training or educational program
100 attended and the location of the program, and the costs
101 incurred. The report shall also identify the judges and other
102 court personnel attending out-of-state training or educational
103 programs and the costs associated with such programs. The report
104 shall identify the total dollars deposited into the trust fund
105 for the fiscal year and the balance in the trust fund at the end
106 of the fiscal year.

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

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