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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/08/2021	.	
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Appropriations Subcommittee on Criminal and Civil Justice (Book)  
recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 104 - 570

and insert:

Representation to provide direct representation, any private  
court-appointed counsel who is compensated pursuant to s.  
27.5305, any privately retained counsel or pro bono counsel, or  
any other attorney who is appointed to represent the child under  
this chapter.

(11)~~(10)~~ "Caregiver" means the parent, legal custodian,



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11 permanent guardian, adult household member, or other person  
12 responsible for a child's welfare as defined in subsection (55)  
13 ~~(54)~~.

14 (38)~~(37)~~ "Institutional child abuse or neglect" means  
15 situations of known or suspected child abuse or neglect in which  
16 the person allegedly perpetrating the child abuse or neglect is  
17 an employee of a public or private school, public or private day  
18 care center, residential home, institution, facility, or agency  
19 or any other person at such institution responsible for the  
20 child's welfare as defined in subsection (55) ~~(54)~~.

21 Section 2. Subsection (13) is added to section 39.013,  
22 Florida Statutes, to read:

23 39.013 Procedures and jurisdiction; right to counsel.-

24 (13) The court shall appoint an attorney for the child  
25 pursuant to s. 39.831.

26 Section 3. Subsections (4) and (5) of section 39.01305,  
27 Florida Statutes, are amended to read:

28 39.01305 Appointment of an attorney for a dependent child  
29 with certain special needs.-

30 (4)(a) An attorney for the child appointed under this  
31 section shall be made in accordance with s. 39.831 ~~Before a~~  
32 ~~court may appoint an attorney, who may be compensated pursuant~~  
33 ~~to this section, the court must request a recommendation from~~  
34 ~~the Statewide Guardian Ad Litem Office for an attorney who is~~  
35 ~~willing to represent a child without additional compensation. If~~  
36 ~~such an attorney is available within 15 days after the court's~~  
37 ~~request, the court must appoint that attorney. However, the~~  
38 ~~court may appoint a compensated attorney within the 15-day~~  
39 ~~period if the Statewide Guardian Ad Litem Office informs the~~



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40 ~~court that it will not be able to recommend an attorney within~~  
41 ~~that time period.~~

42 ~~(b) After an attorney is appointed, the appointment~~  
43 ~~continues in effect until the attorney is allowed to withdraw or~~  
44 ~~is discharged by the court or until the case is dismissed. An~~  
45 ~~attorney who is appointed under this section to represent the~~  
46 ~~child shall provide the complete range of legal services, from~~  
47 ~~the removal from home or from the initial appointment through~~  
48 ~~all available appellate proceedings. With the permission of the~~  
49 ~~court, the attorney for the dependent child may arrange for~~  
50 ~~supplemental or separate counsel to represent the child in~~  
51 ~~appellate proceedings. A court order appointing an attorney~~  
52 ~~under this section must be in writing.~~

53 ~~(5) Unless the attorney has agreed to provide pro bono~~  
54 ~~services, an appointed attorney or organization must be~~  
55 ~~adequately compensated. All appointed attorneys and~~  
56 ~~organizations, including pro bono attorneys, must be provided~~  
57 ~~with access to funding for expert witnesses, depositions, and~~  
58 ~~other due process costs of litigation. Payment of attorney fees~~  
59 ~~and case-related due process costs are subject to appropriations~~  
60 ~~and review by the Justice Administrative Commission for~~  
61 ~~reasonableness. The Justice Administrative Commission shall~~  
62 ~~contract with attorneys appointed by the court. Attorney fees~~  
63 ~~may not exceed \$1,000 per child per year.~~

64 Section 4. Part XI of chapter 39, Florida Statutes,  
65 entitled "GUARDIANS AD LITEM AND GUARDIAN ADVOCATES," is renamed  
66 "GUARDIANS AD LITEM, GUARDIAN ADVOCATES, AND ATTORNEY FOR THE  
67 CHILD."

68 Section 5. Section 39.822, Florida Statutes, is amended to



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69 read:

70 39.822 Appointment of guardian ad litem for abused,  
71 abandoned, or neglected child.—

72 (1) (a) Before July 1, 2022, a guardian ad litem must ~~shall~~  
73 be appointed by the court at the earliest possible time to  
74 represent a ~~the~~ child in any child abuse, abandonment, or  
75 neglect judicial proceeding, whether civil or criminal.

76 (b) On or after July 1, 2022, a guardian ad litem:

77 1. Must be appointed by the court at the earliest possible  
78 time to represent a child under the following circumstances:

79 a. The child remains in his or her home or nonlicensed  
80 placement under the protective supervision of the department;

81 b. The child is the subject of a dependency proceeding  
82 under this chapter and the subject of a criminal proceeding;

83 c. The child is the subject of a termination of parental  
84 rights proceeding under part X of this chapter; or

85 d. The child is a dependent child as described in s.  
86 39.01305(3).

87 2. May be appointed at the court's discretion upon a  
88 finding that circumstances exist which require the appointment.

89 (2) If a child who is appointed a guardian ad litem when  
90 placed under the protective supervision of the department as  
91 required under subparagraph (1)(b) is subsequently appointed an  
92 attorney for the child pursuant to s. 39.831, the court has the  
93 discretion to maintain the appointment of the guardian ad litem  
94 notwithstanding the appointment of an attorney for the child.

95 (3) Upon request by a child who is the subject of a  
96 dependency proceeding under this chapter and who has a guardian  
97 ad litem assigned, or upon any party presenting evidence that



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98 there is reasonable cause to suspect the assigned guardian ad  
99 litem has a conflict of interest as defined in s.

100 39.8296(2)(b)9., the court may:

101 (a) Order that a new guardian ad litem be assigned; or

102 (b) Unless otherwise provided by law, discharge the child's  
103 current guardian ad litem and appoint an attorney for the child  
104 if one is not appointed.

105 (4) Any person participating in a civil or criminal  
106 judicial proceeding resulting from such appointment shall be  
107 presumed prima facie to be acting in good faith and in so doing  
108 shall be immune from any liability, civil or criminal, that  
109 otherwise might be incurred or imposed.

110 (5)~~(2)~~ In those cases in which the parents are financially  
111 able, the parent or parents of the child shall reimburse the  
112 court, in part or in whole, for the cost of provision of  
113 guardian ad litem services. Reimbursement to the individual  
114 providing guardian ad litem services may ~~shall~~ not be contingent  
115 upon successful collection by the court from the parent or  
116 parents.

117 (6)~~(3)~~ Upon presentation by a guardian ad litem of a court  
118 order appointing the guardian ad litem:

119 (a) An agency, as defined in chapter 119, shall allow the  
120 guardian ad litem to inspect and copy records related to the  
121 best interests of the child who is the subject of the  
122 appointment, including, but not limited to, records made  
123 confidential or exempt from s. 119.07(1) or s. 24(a), Art. I of  
124 the State Constitution. The guardian ad litem shall maintain the  
125 confidential or exempt status of any records shared by an agency  
126 under this paragraph.



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127 (b) A person or organization, other than an agency under  
128 paragraph (a), shall allow the guardian ad litem to inspect and  
129 copy any records related to the best interests of the child who  
130 is the subject of the appointment, including, but not limited  
131 to, confidential records.

132  
133 For the purposes of this subsection, the term "records related  
134 to the best interests of the child" includes, but is not limited  
135 to, medical, mental health, substance abuse, child care,  
136 education, law enforcement, court, social services, and  
137 financial records.

138 ~~(7)(4)~~ The guardian ad litem or the program representative  
139 shall review all disposition recommendations and changes in  
140 placements, and must be present at all critical stages of the  
141 dependency proceeding or submit a written report of  
142 recommendations to the court. Written reports must be filed with  
143 the court and served on all parties whose whereabouts are known  
144 at least 72 hours before ~~prior to~~ the hearing.

145 Section 6. Subsection (2) of section 39.8296, Florida  
146 Statutes, is amended to read:

147 39.8296 Statewide Guardian Ad Litem Office; legislative  
148 findings and intent; creation; appointment of executive  
149 director; duties of office.—

150 (2) STATEWIDE GUARDIAN AD LITEM OFFICE.—There is created a  
151 Statewide Guardian Ad Litem Office within the Justice  
152 Administrative Commission. The Justice Administrative Commission  
153 shall provide administrative support and service to the office  
154 to the extent requested by the executive director within the  
155 available resources of the commission. The Statewide Guardian Ad



156 Litem Office is not subject to control, supervision, or  
157 direction by the Justice Administrative Commission in the  
158 performance of its duties, but the employees of the office are  
159 governed by the classification plan and salary and benefits plan  
160 approved by the Justice Administrative Commission.

161 (a) The head of the Statewide Guardian Ad Litem Office is  
162 the executive director, who shall be appointed by the Governor  
163 from a list of a minimum of three eligible applicants submitted  
164 by the Child Well-Being a Guardian Ad Litem Qualifications  
165 Committee. The Child Well-Being Guardian Ad Litem Qualifications  
166 Committee shall be composed of five persons, two persons  
167 appointed by the Governor, two persons appointed by the Chief  
168 Justice of the Supreme Court, and one person appointed by the  
169 Statewide Guardian Ad Litem Association. The committee shall  
170 provide for statewide advertisement and the receiving of  
171 applications for the position of executive director. The  
172 Governor shall appoint an executive director from among the  
173 recommendations, or the Governor may reject the nominations and  
174 request the submission of new nominees. The executive director  
175 must have knowledge in dependency law and knowledge of social  
176 service delivery systems available to meet the needs of children  
177 who are abused, neglected, or abandoned. The executive director  
178 shall serve on a full-time basis and shall personally, or  
179 through representatives of the office, carry out the purposes  
180 and functions of the Statewide Guardian Ad Litem Office in  
181 accordance with state and federal law. The executive director  
182 shall report to the Governor. The executive director shall serve  
183 a 3-year term, subject to removal for cause by the Governor. Any  
184 person appointed to serve as the executive director may be



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185 reappointed ~~permitted~~ to serve more than one term in accordance  
186 with the process provided for in this paragraph. Every second or  
187 subsequent appointment shall be for a term of 3 years.

188 (b) The Statewide Guardian Ad Litem Office shall, within  
189 available resources, have oversight responsibilities for and  
190 provide technical assistance to all guardian ad litem and  
191 attorney ad litem programs located within the judicial circuits.

192 1. The office shall identify the resources required to  
193 implement methods of collecting, reporting, and tracking  
194 reliable and consistent case data.

195 2. The office shall review the current guardian ad litem  
196 programs in Florida and other states.

197 3. The office, in consultation with local guardian ad litem  
198 offices, shall develop statewide performance measures and  
199 standards.

200 4. The office shall develop a guardian ad litem training  
201 program, which shall include, but is not limited to, training on  
202 the recognition of and responses to head trauma and brain injury  
203 in a child under 6 years of age. The office shall establish a  
204 curriculum committee to develop the training program specified  
205 in this subparagraph. The curriculum committee shall include,  
206 but not be limited to, dependency judges, directors of circuit  
207 guardian ad litem programs, active certified guardians ad litem,  
208 a mental health professional who specializes in the treatment of  
209 children, a member of a child advocacy group, a representative  
210 of a domestic violence advocacy group, an individual with a  
211 degree in social work, and a social worker experienced in  
212 working with victims and perpetrators of child abuse.

213 5. The office shall review the various methods of funding





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214 guardian ad litem programs, maximize the use of those funding  
215 sources to the extent possible, and review the kinds of services  
216 being provided by circuit guardian ad litem programs.

217 6. The office shall determine the feasibility or  
218 desirability of new concepts of organization, administration,  
219 financing, or service delivery designed to preserve the civil  
220 and constitutional rights and fulfill other needs of dependent  
221 children.

222 7. In an effort to promote normalcy and establish trust  
223 between a court-appointed volunteer guardian ad litem and a  
224 child alleged to be abused, abandoned, or neglected under this  
225 chapter, a guardian ad litem may transport a child. However, a  
226 guardian ad litem volunteer may not be required or directed by  
227 the program or a court to transport a child.

228 8. The office shall submit to the Governor, the President  
229 of the Senate, the Speaker of the House of Representatives, and  
230 the Chief Justice of the Supreme Court an interim report  
231 describing the progress of the office in meeting the goals as  
232 described in this section. The office shall submit to the  
233 Governor, the President of the Senate, the Speaker of the House  
234 of Representatives, and the Chief Justice of the Supreme Court a  
235 proposed plan including alternatives for meeting the state's  
236 guardian ad litem and attorney ad litem needs. This plan may  
237 include recommendations for less than the entire state, may  
238 include a phase-in system, and shall include estimates of the  
239 cost of each of the alternatives. Each year the office shall  
240 provide a status report and provide further recommendations to  
241 address the need for guardian ad litem services and related  
242 issues.



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243           9. The office shall develop guidelines to identify any  
244 possible conflicts of interest of a guardian ad litem when he or  
245 she is being considered for assignment to a child's case. The  
246 office may not assign a guardian ad litem for whom a conflict of  
247 interest has been identified to a child's case. For purposes of  
248 this subparagraph, the term "conflicts of interest" means the  
249 guardian ad litem:

250           a. Has a personal relationship that could influence a  
251 recommendation regarding a child whom he or she is serving as a  
252 guardian ad litem;

253           b. Is in a position to derive a personal benefit from his  
254 or her role as a guardian ad litem; or

255           c. Has a particular factor or circumstance, including  
256 personal bias or prejudice against a protected class of the  
257 child or the child's family, that prevents or substantially  
258 impairs his or her ability to fairly and fully discharge the  
259 duties of the guardian ad litem.

260           (c) The Statewide Guardian Ad Litem Office shall identify  
261 any guardian ad litem who is experiencing an issue with his or  
262 her physical or mental health and who appears to present a  
263 danger to any child to whom the guardian ad litem is assigned.  
264 As soon as possible after identification, the office must remove  
265 such guardian ad litem from all assigned cases, terminate his or  
266 her direct child contact volunteer services with the Guardian Ad  
267 Litem Program, and disclose such action to the appropriate  
268 circuit court. The Statewide Guardian Ad Litem Program may  
269 permit a guardian ad litem with physical or mental health issues  
270 identified in accordance with this paragraph to work in the  
271 office without direct child contact provided such issues do not



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272 negatively affect his or her ability to perform any required  
273 work duties or pose a risk of harm to any children represented  
274 by the program. A guardian ad litem who has caused harm to any  
275 child during the course of his or her appointment shall not be  
276 employed or permitted to volunteer for the program.

277 Section 7. Section 39.83, Florida Statutes, is created to  
278 read:

279 39.83 Statewide Office of Child Representation;  
280 qualifications, appointment, and duties of executive director  
281 and attorney for the child.-

282 (1) STATEWIDE OFFICE OF CHILD REPRESENTATION.-

283 (a) There is created a Statewide Office of Child  
284 Representation within the Justice Administrative Commission. The  
285 Justice Administrative Commission shall provide administrative  
286 support and services to the statewide office as directed by the  
287 executive director within the available resources of the  
288 commission. The statewide office is not subject to control,  
289 supervision, or direction by the Justice Administrative  
290 Commission in the performance of its duties, but the employees  
291 of the office are governed by the classification plan and salary  
292 and benefits plan approved by the Justice Administrative  
293 Commission.

294 (b) The head of the Statewide Office of Child  
295 Representation is the executive director who must be a member of  
296 The Florida Bar in good standing for at least 5 years and have  
297 knowledge of dependency law and the social service delivery  
298 systems available to meet the needs of children who are abused,  
299 neglected, or abandoned. The executive director shall be  
300 appointed in accordance with the process, and serve in



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301 accordance with the terms and requirements, provided in s.  
302 39.8296(2) (a) for the head of the Statewide Guardian Ad Litem  
303 Office. The appointment for the initial executive director must  
304 be completed by January 1, 2022.

305 (c) The Statewide Office of Child Representation, within  
306 available resources of the Justice Administrative Commission, is  
307 responsible for oversight of, and for providing technical  
308 assistance to, all offices of child representation in this  
309 state. The statewide office:

310 1. Shall identify the resources required to implement  
311 methods of collecting, reporting, and tracking reliable and  
312 consistent case data;

313 2. Shall review and collect information relating to offices  
314 of child representation and other models of attorney  
315 representation of children in other states;

316 3. In consultation with the regional offices of child  
317 representation established under subsection (2), shall develop  
318 statewide performance measures and standards;

319 4. Shall develop a training program for each attorney for  
320 the child. To that end, the statewide office shall establish a  
321 curriculum committee composed of members including, but not  
322 limited to, a dependency judge, a director of circuit guardian  
323 ad litem programs, an active certified guardian ad litem, a  
324 mental health professional who specializes in the treatment of  
325 children, a member of a child advocacy group, a representative  
326 of a domestic violence advocacy group, an individual with at  
327 least a Master of Social Work degree, and a social worker  
328 experienced in working with victims and perpetrators of child  
329 abuse;



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330       5. Shall develop protocols that must be implemented to  
331 assist children who are represented by the Statewide Office of  
332 Child Representation, regional offices, or its contracted local  
333 agencies in meeting eligibility requirements to receive all  
334 available federal funding. This subparagraph may not be  
335 construed to mean that the protocols may interfere with zealous  
336 and effective representation of the children;

337       6. Shall review the various methods of funding the regional  
338 offices, maximize the use of those funding sources to the extent  
339 possible, and review the kinds of services being provided by the  
340 regional offices;

341       7. Shall determine the feasibility or desirability of new  
342 concepts of organization, administration, financing, or service  
343 delivery designed to preserve the civil and constitutional  
344 rights of, and fulfill other needs of, dependent children;

345       8. Shall establish standards and protocols for  
346 representation of children with diminished capacity;

347       9. Shall submit to the Governor, the President of the  
348 Senate, the Speaker of the House of Representatives, and the  
349 Chief Justice of the Supreme Court:

350       a. An interim report describing the progress of the  
351 statewide office in meeting the responsibilities described in  
352 this paragraph.

353       b. A proposed plan that includes alternatives for meeting  
354 the representation needs of children in this state. The plan may  
355 include recommendations for implementation in only a portion of  
356 this state or phased-in statewide implementation and must  
357 include an estimate of the cost of each such alternative.

358       c. An annual status report that includes any additional



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359 recommendations for addressing the representation needs of  
360 children in this state and related issues.

361 (d) The department or community-based care lead agency  
362 shall take any steps necessary to obtain all available federal  
363 funding and maintain compliance with eligibility requirements.

364 (e) The office may contract with a local nonprofit agency  
365 to provide direct attorney representation to a child, including  
366 but not limited to representation in the dependency proceeding  
367 as provided for in s. 39.831, if the office determines that the  
368 contract is the most efficient method to satisfy its statutory  
369 duties and if federal funding has been approved for this purpose  
370 or the local agency is required in the contract to seek such  
371 approval. The office must ensure that reimbursement of any Title  
372 IV-E funds is properly documented.

373 (2) REGIONAL OFFICES OF CHILD REPRESENTATION.—

374 (a) An office of child representation is created within the  
375 area served by each of the five district courts of appeal. The  
376 offices shall commence fulfilling their statutory purpose and  
377 duties on July 1, 2022.

378 (b) Each regional office of child representation is  
379 assigned to the Justice Administrative Commission for  
380 administrative purposes. The commission shall provide  
381 administrative support and service to the offices within the  
382 available resources of the commission. The offices are not  
383 subject to control, supervision, or direction by the commission  
384 in the performance of their duties, but the employees of the  
385 offices are governed by the classification plan and the salary  
386 and benefits plan approved by the commission.

387 (3) CHILD REPRESENTATION COUNSEL; DUTIES.—The child



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388 representation counsel shall serve on a full-time basis and may  
389 not engage in the private practice of law while holding office.  
390 Each assistant child representation counsel shall give priority  
391 and preference to his or her duties as assistant child  
392 representation counsel and may not otherwise engage in the  
393 practice of dependency law. However, a part-time child  
394 representation counsel may practice dependency law for private  
395 payment so long as the representation does not result in a legal  
396 or ethical conflict of interest with a case in which the office  
397 of child representation is providing representation.

398 Section 8. Section 39.831, Florida Statutes, is created to  
399 read:

400 39.831 Attorney for the child.-

401 (1) APPOINTMENT.-

402 (a) An attorney for the child:

403 1. Shall be appointed by the court as provided in s.

404 39.01305(3);

405 2. Shall be appointed by the court for any child who is  
406 placed in out-of-home licensed care on or after July 1, 2022,  
407 and who is the subject of a dependency proceeding under this  
408 chapter; or

409 3. May be appointed at the court's discretion to represent  
410 a child who is the subject of a dependency proceeding upon a  
411 finding that circumstances exist which require the appointment.

412 (b) The court shall appoint the Statewide Office of Child  
413 Representation unless the child is otherwise represented by  
414 counsel.

415 (c) An attorney for the child appointed pursuant to this  
416 section shall represent the child only in the dependency



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417 proceeding, which may include representation in fair hearings  
418 and appellate proceedings that are directly related to matters  
419 needing resolution for the child to achieve permanency. The  
420 Statewide Office of Child Representation or local nonprofit  
421 agency appointed to represent a child in the dependency  
422 proceeding shall provide representation in fair hearings within  
423 the resources allotted for representation in the dependency  
424 proceeding. Trained staff of the office of child representation  
425 or local nonprofit agency may attend the fair hearings rather  
426 than the appointed attorney when appropriate. Trained staff for  
427 purposes of this paragraph may include, but is not limited to,  
428 social workers, case managers, education advocates, or health  
429 care advocates.

430 (d) Notwithstanding the basis on which an attorney for the  
431 child is appointed under paragraph (a), the appointment of the  
432 attorney for the child continues in effect until the attorney  
433 for the child is allowed to withdraw or is discharged by the  
434 court or until the case is dismissed. An attorney for the child  
435 who is appointed under this section to represent a child shall  
436 provide all required legal services in the dependency proceeding  
437 or fair hearings provided for in this section from the time of  
438 the child's removal from home or of the attorney for the child's  
439 initial appointment through all appellate proceedings. With the  
440 permission of the court, the appointed attorney for the child  
441 may arrange for supplemental or separate counsel to represent  
442 the child in appellate proceedings. A court order appointing an  
443 attorney for the child under this section must be in writing.

444 (e) If, at any time during the representation of two or  
445 more children in a dependency proceeding, a child representation





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446 counsel determines that the interests of those clients are so  
447 adverse or hostile that they cannot all be counseled by child  
448 representation counsel or his or her staff because of a conflict  
449 of interest, the child representation counsel shall file a  
450 motion to withdraw and move the court to appoint other counsel.  
451 Child representation counsel shall not automatically determine  
452 the appointment to represent siblings is a conflict of interest.  
453 If requested by the Justice Administrative Commission, the child  
454 representation counsel shall submit a copy of the motion to the  
455 Justice Administrative Commission at the time it is filed with  
456 the court. The court shall review and may inquire or conduct a  
457 hearing into the adequacy of the child representation counsel's  
458 submissions regarding a conflict of interest without requiring  
459 the disclosure of any confidential communications. The court  
460 shall deny the motion to withdraw if the court finds the grounds  
461 for withdrawal are insufficient or the asserted conflict is not  
462 prejudicial to the client. If the court grants the motion to  
463 withdraw, the court shall appoint one or more private attorneys  
464 to represent the person in accordance with the requirements and  
465 process provided for in s. 27.40. The clerk of court shall  
466 inform the child representation counsel and the commission when  
467 the court appoints private counsel.

468 (f) Unless the attorney has agreed to provide pro bono  
469 services, an appointed attorney or organization must be  
470 adequately compensated as provided in s. 27.5305. All appointed  
471 attorneys and organizations, including pro bono attorneys, must  
472 be provided with access to funding for expert witnesses,  
473 depositions, and other due process costs of litigation. Payment  
474 of attorney fees and case-related due process costs are subject



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475 to appropriations and review by the Justice Administrative  
476 Commission for reasonableness. The Justice Administrative  
477 Commission shall contract with attorneys appointed by the court.  
478 Attorney fees may not exceed \$1,000 per child per year.

479 (g) In cases in which one or both parents are financially  
480 able, the parent or parents, as applicable, of the child shall  
481 reimburse the court, in whole or in part, for the cost of  
482 services provided under this section; however, reimbursement for  
483 services provided by the attorney for the child may not be  
484 contingent upon successful collection by the court of  
485 reimbursement from the parent or parents.

486  
487 ===== T I T L E A M E N D M E N T =====

488 And the title is amended as follows:

489 Delete lines 7 - 74

490 and insert:

491 advocates, and attorney for the child"; amending s.  
492 39.822, F.S.; conforming provisions to changes made by  
493 the act; specifying circumstances under which a court  
494 is authorized or required, on or after a specified  
495 date, to appoint a guardian ad litem; permitting the  
496 court to maintain the appointment of a guardian ad  
497 litem in specified circumstances; authorizing the  
498 court to order that a new guardian ad litem be  
499 assigned for a child or discharge a guardian ad litem  
500 and appoint an attorney for the child under specified  
501 circumstances; amending s. 39.8296, F.S.; renaming the  
502 Guardian Ad Litem Qualifications Committee as the  
503 Child Well-Being Qualifications Committee; specifying



504 that the executive director of the Statewide Guardian  
505 Ad Litem Office may be reappointed; clarifying that  
506 second and subsequent appointments made for the  
507 executive director of the office are for 3 years;  
508 requiring the office to develop guidelines to identify  
509 conflicts of interest of guardians ad litem;  
510 prohibiting the office from assigning such guardians;  
511 defining the term "conflicts of interest"; requiring  
512 the office to identify guardians ad litem who are  
513 experiencing health issues and who present a danger to  
514 the child to whom the guardian ad litem is assigned;  
515 requiring the office to remove such guardians from  
516 assigned cases, terminate their volunteer services in  
517 specified circumstances, and disclose such actions to  
518 the circuit court; creating s. 39.83, F.S.; creating  
519 the Statewide Office of Child Representation within  
520 the Justice Administration Commission; requiring the  
521 commission to provide administrative support and  
522 services to the statewide office; providing that the  
523 statewide office is not subject to control,  
524 supervision, or direction by the commission; providing  
525 that employees of the statewide office are governed by  
526 the classification plan and salary and benefits plan  
527 approved by the commission; providing that the head of  
528 the statewide office is the executive director;  
529 providing the process for appointment; requiring that  
530 the initial executive director be appointed by a  
531 specified date; providing responsibilities of the  
532 office; authorizing the office to contract with local



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533 nonprofit agencies under certain conditions; creating  
534 a regional office of child representation within the  
535 boundaries of each of the five district courts of  
536 appeal; requiring such offices to commence fulfilling  
537 their purpose and duties on a specified date;  
538 requiring the commission to provide administrative  
539 support to the regional offices; providing that the  
540 offices are not subject to control, supervision, or  
541 direction by the commission; providing that employees  
542 of the offices are governed by the classification plan  
543 and salary and benefits plan for the commission;  
544 prescribing qualifications for an attorney for the  
545 child; providing certain prohibitions; creating s.  
546 39.831, F.S.; specifying when the court is authorized  
547 or required to appoint an attorney for the child;  
548 requiring the court to appoint the Statewide Office of  
549 Child Representation; providing for the scope of  
550 representation for court-appointed counsel; limiting  
551 resources to be allocated; providing staff may attend  
552 fair hearings; providing for the duration of attorney  
553 representation; permitting attorney for the child to  
554 arrange for supplemental or substitute counsel in  
555 specified circumstances; providing for the appointment  
556 of private counsel when the office has a conflict of  
557 interest; requiring an attorney for the child to be  
558 compensated and have access to funding for expenses  
559 with specified conditions; providing conditions under  
560 which a parent is required to reimburse the court for  
561 the cost of the attorney; requiring