



719860

LEGISLATIVE ACTION

Senate

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House

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Floor: WD

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03/07/2022 08:58 AM

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Senator Bradley moved the following:

1 **Senate Substitute for Amendment (821682) (with title**
2 **amendment)**

3
4 Delete lines 71 - 160

5 and insert:

6 accessible only by members of the judiciary, their direct staff,
7 and court personnel and clerks of court personnel authorized by
8 a judge to assist with guardianship matters. The database must
9 restrict access to that information needed to perform an
10 individual court personnel's duties, but in no way restrict
11 access by judges and magistrates.



719860

12 (2) On or after July 1, 2023, the Florida Clerks of Court
13 Operations Corporation shall also establish a publicly
14 accessible webpage to facilitate improving transparency of
15 guardianship cases to the public.

16 (a) The Florida Clerks of Court Operations Corporation must
17 generate monthly reports of statewide, circuit-level, and
18 county-level statistical data to provide assistance to the
19 courts and the Department of Elderly Affairs, and transparency
20 to the public and policymakers, regarding the state's
21 guardianship system. Such data reports must include only
22 aggregated and deidentified data and must be published on the
23 webpage established under this subsection.

24 (b) The webpage established under this subsection must
25 include a database that is accessible to and searchable by the
26 public. The database must be searchable by the name of a
27 professional guardian to view current data regarding the number
28 of wards served by that guardian, the counties of residence of
29 such wards, and whether the wards are under limited or plenary
30 guardianships. Such search may not allow access to personal
31 identifying information of wards.

32 (3) The Office of Public and Professional Guardians is
33 directed to share professional guardian registration and
34 disciplinary action data for the purposes of this section.

35 (4) In addition to the reports required under paragraph
36 (2) (a), the Florida Clerks of Court Operations Corporation must
37 also generate reports using information in the databases
38 established under subsection (1) or subsection (2) at the
39 request of the Legislature, the judiciary, or the Department of
40 Elderly Affairs.



719860

41 (5) (a) Beginning July 1, 2024, and annually thereafter
42 through July 1, 2027, the Florida Clerks of Court Operations
43 Corporation shall compile data maintained in the databases
44 established under paragraphs (1) (a) and (2) (b) which has been
45 collected from the clerks of court and the Department of Elderly
46 Affairs and submit such data to the Office of Program Policy
47 Analysis and Government Accountability (OPPAGA).

48 (b) OPPAGA shall analyze the consolidated data compiled in
49 accordance with paragraph (a) to evaluate trends in the use of
50 guardianships in this state and conduct a comparative analysis
51 of guardianship laws in other states. In conducting the
52 analysis, OPPAGA shall consult with the Office of State Courts
53 Administrator, the Clerks of Court Operations Corporation, the
54 clerks of the court, and the Department of Elderly Affairs.
55 OPPAGA shall submit a report containing findings and
56 recommendations to the Governor, the President of the Senate,
57 and the Speaker of the House of Representatives by October 15,
58 2024, and annually thereafter through October 15, 2027.

59 (c) The data compiled and reported under paragraphs (a) and
60 (b) must be produced in a statewide, circuit-level, and county-
61 level statistical format. Such reports must include only
62 aggregated and deidentified data. Further, the reports provided
63 under paragraphs (a) and (b) may not contain personal
64 identifying information of wards.

65 Section 2. Subsection (7) is added to section 744.2001,
66 Florida Statutes, to read:

67 744.2001 Office of Public and Professional Guardians.—There
68 is created the Office of Public and Professional Guardians
69 within the Department of Elderly Affairs.



719860

70 (7) On or after July 1, 2023, the Office of Public and
71 Professional Guardians shall

72
73 ===== T I T L E A M E N D M E N T =====

74 And the title is amended as follows:

75 Delete lines 16 - 29

76 and insert:

77 at the request of certain entities; requiring the
78 corporation to annually compile and submit certain
79 data to the Office of Program Policy Analysis and
80 Government Accountability (OPPAGA); requiring OPPAGA
81 to conduct a certain analysis and submit annual
82 reports to the Governor and the Legislature;
83 specifying requirements for certain data and reports;
84 amending s. 744.2001, F.S.; requiring the Office of
85 Public and Professional Guardians to publish profiles
86 of registered professional guardians on its website on
87 or after a specified date;