

By Senator Berman

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1 A bill to be entitled
2 An act relating to court recordings; amending s.
3 61.13, F.S.; requiring that certain family law court
4 proceedings be electronically or stenographically
5 recorded in their entirety; requiring that the
6 recordings or transcripts of a proceeding be made
7 available to the parties for purchase; providing
8 exceptions; requiring the court to provide an indigent
9 party with a recording or transcript of the proceeding
10 at no cost, upon request; amending ss. 61.1827 and
11 409.2579, F.S.; conforming cross-references; providing
12 an effective date.

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

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16 Section 1. Present subsections (7), (8), and (9) of section
17 61.13, Florida Statutes, are redesignated as subsections (8),
18 (9), and (10), respectively, and a new subsection (7) is added
19 to that section, to read:

20 61.13 Support of children; parenting and time-sharing;
21 powers of court.—

22 (7) (a) Any court proceeding in which issues of parental
23 responsibility or time-sharing are noticed must be
24 electronically or stenographically recorded to establish a
25 complete record, and the recordings or transcripts of the
26 proceeding must be made available to the parties for purchase.
27 The electronic or stenographic recording may not omit any part
28 of the proceeding unless all of the parties agree, upon the
29 request of one party for good cause shown, or upon the request

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30 of the guardian ad litem based upon the safety, well-being, or
31 best interests of a child. The court must approve the agreement
32 or request.

33 (b) Upon request, the court must provide an electronic
34 recording of the proceeding, at no cost, to a party determined
35 indigent by the court or by the clerk of the court pursuant to
36 s. 27.52. Upon entry of a court order or if an indigent party
37 files an appeal, the court must provide transcripts of the
38 proceeding which are prepared by an approved court reporter or
39 transcriptionist at no cost to the indigent party.

40 Section 2. Subsection (1) of section 61.1827, Florida
41 Statutes, is amended to read:

42 61.1827 Identifying information concerning applicants for
43 and recipients of child support services.—

44 (1) Any information that reveals the identity of applicants
45 for or recipients of child support services, including the name,
46 address, and telephone number of such persons, held by a non-
47 Title IV-D county child support enforcement agency is
48 confidential and exempt from s. 119.07(1) and s. 24(a) of Art. I
49 of the State Constitution. The use or disclosure of such
50 information by the non-Title IV-D county child support
51 enforcement agency is limited to the purposes directly connected
52 with:

53 (a) Any investigation, prosecution, or criminal or civil
54 proceeding connected with the administration of any non-Title
55 IV-D county child support enforcement program;

56 (b) Mandatory disclosure of identifying and location
57 information as provided in s. 61.13(8) ~~s. 61.13(7)~~ by the non-
58 Title IV-D county child support enforcement agency when

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59 providing non-Title IV-D services;

60 (c) Mandatory disclosure of information as required by ss.
61 409.2577, 61.181, 61.1825, and 61.1826 and Title IV-D of the
62 Social Security Act; or

63 (d) Disclosure to an authorized person, as defined in 45
64 C.F.R. s. 303.15, for purposes of enforcing any state or federal
65 law with respect to the unlawful taking or restraint of a child
66 or making or enforcing a parenting plan. As used in this
67 paragraph, the term "authorized person" includes a parent with
68 whom the child does not currently reside, unless a court has
69 entered an order under s. 741.30, s. 741.31, or s. 784.046.

70 Section 3. Subsection (1) of section 409.2579, Florida
71 Statutes, is amended to read:

72 409.2579 Safeguarding Title IV-D case file information.—

73 (1) Information concerning applicants for or recipients of
74 Title IV-D child support services is confidential and exempt
75 from the provisions of s. 119.07(1). The use or disclosure of
76 such information by the IV-D program is limited to purposes
77 directly connected with:

78 (a) The administration of the plan or program approved
79 under part A, part B, part D, part E, or part F of Title IV;
80 under Title II, Title X, Title XIV, Title XVI, Title XIX, or
81 Title XX; or under the supplemental security income program
82 established under Title XVI of the Social Security Act;

83 (b) Any investigation, prosecution, or criminal or civil
84 proceeding connected with the administration of any such plan or
85 program;

86 (c) The administration of any other federal or federally
87 assisted program which provides service or assistance, in cash

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88 or in kind, directly to individuals on the basis of need;

89 (d) Reporting to an appropriate agency or official,
90 information on known or suspected instances of physical or
91 mental injury, child abuse, sexual abuse or exploitation, or
92 negligent treatment or maltreatment of a child who is the
93 subject of a support enforcement activity under circumstances
94 which indicate that the child's health or welfare is threatened
95 thereby; and

96 (e) Mandatory disclosure of identifying and location
97 information as provided in s. 61.13(8) ~~s. 61.13(7)~~ by the IV-D
98 program when providing Title IV-D services.

99 Section 4. This act shall take effect July 1, 2024.