

Amendment No.1

COMMITTEE/SUBCOMMITTEE ACTION

|                       |               |       |
|-----------------------|---------------|-------|
| ADOPTED               | <u>    </u>   | (Y/N) |
| ADOPTED AS AMENDED    | <u>    </u>   | (Y/N) |
| ADOPTED W/O OBJECTION | <u>    </u>   | (Y/N) |
| FAILED TO ADOPT       | <u>    </u>   | (Y/N) |
| WITHDRAWN             | <u>    </u>   | (Y/N) |
| OTHER                 | <u>      </u> |       |

---

1 Committee/Subcommittee hearing bill: Judiciary Committee  
 2 Representative Burton offered the following:

**Amendment (with title amendment)**

Remove lines 54-71 and insert:

6 next of kin of a homicide victim, upon request, to be informed,  
 7 to be present, and to be heard ~~when relevant~~, at all ~~crucial~~  
 8 stages of a criminal or juvenile proceeding, ~~to the extent that~~  
 9 ~~this right does not interfere with constitutional rights of the~~  
 10 ~~accused~~, as provided by s. 16(b), Art. I of the State  
 11 Constitution;

12 6. In the case of incarcerated victims, the right, upon  
 13 request, to be informed and to submit written statements at all  
 14 ~~crucial~~ stages of the criminal proceedings, parole proceedings,  
 15 or juvenile proceedings; ~~and~~

16 7. The right of a victim to a prompt and timely

Amendment No.1

17 disposition of the case in order to minimize the period during  
18 which the victim must endure the responsibilities and stress  
19 involved ~~to the extent that this right does not interfere with~~  
20 ~~the constitutional rights of the accused;~~ and

21 8. The right of a victim to employ private counsel. The  
22 Florida Bar is encouraged to develop a registry of attorneys who  
23 are willing to serve on a pro bono basis as advocates for crime  
24 victims.

25 Section 2. Paragraph (a) of subsection (2) of section  
26 960.0021, Florida Statutes, is amended to read:

27 960.0021 Legislative intent; advisement to victims.—

28 (2) The courts may fulfill their obligation to advise  
29 crime victims by:

30 (a) Making the following announcement at any arraignment,  
31 sentencing, or case-management proceeding:

32 "If you are the victim of a crime with a case pending before  
33 this court, you are advised that you have the right, upon  
34 request:

- 35 1. To be informed.
- 36 2. To be present.
- 37 3. To be heard, ~~when relevant,~~ at all ~~crucial~~ stages of  
38 criminal proceedings ~~to the extent that these rights do not~~  
39 ~~interfere with the constitutional rights of the accused.~~

Amendment No.1

40 4. To receive advance notification, when possible, of  
41 judicial proceedings and notification of scheduling  
42 changes, pursuant to section 960.001, Florida Statutes.

43 5. To seek crimes compensation and restitution.

44 6. To consult with the state attorney's office in certain  
45 felony cases regarding the disposition of the case.

46 7. To make an oral or written victim impact statement at  
47 the time of sentencing of a defendant.

48 For further information regarding additional rights afforded to  
49 victims of crime, you may contact the state attorney's office or  
50 obtain a listing of your rights from the Clerk of Court."

51 ; or

52 Section 3. Paragraph (d) of subsection (1) of section  
53 985.036, Florida Statutes, is amended to read:

54 985.036 Rights of victims; juvenile proceedings.—

55 (1) Nothing in this chapter prohibits:

56 (d) The next of kin if the victim is a homicide victim,

57  
58 from the right, upon request, to be informed of, to be present  
59 during, and to be heard ~~when relevant at,~~ all ~~crucial~~ stages of  
60 the proceedings involving the juvenile offender, ~~to the extent~~  
61 ~~that such rights do not interfere with the constitutional rights~~  
62 ~~of the juvenile offender.~~ A person enumerated in this section  
63 may not reveal to any outside party any confidential information

Amendment No.1

64 | obtained under this subsection regarding a case involving a  
65 | juvenile offense, except as is reasonably necessary to pursue  
66 | legal remedies.

67 |

68 | -----

69 |

**T I T L E   A M E N D M E N T**

70 |

Remove lines 3-8 and insert:

71 |

960.001, F.S.; providing, upon request, specified

72 |

rights to crime victims at all stages of a criminal or

73 |

juvenile proceeding; requiring law enforcement

74 |

personnel to ensure that victims are given information

75 |

about their right to employ private counsel;

76 |

encouraging The Florida Bar to develop a registry of

77 |

attorneys willing to serve as crime victim advocates

78 |

on a pro bono basis; amending s. 960.0021, F.S.;

79 |

making conforming changes; amending s. 985.036, F.S.;

80 |

making conforming changes; providing an effective

81 |

date.