

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Trabulsy offered the following:

**Amendment (with title amendment)**

Between lines 13 and 14, insert:

Section 1. Paragraph (j) of subsection (1) and paragraph (a) of subsection (10) of section 39.001, Florida Statutes, are amended to read:

39.001 Purposes and intent; personnel standards and screening.-

(1) PURPOSES OF CHAPTER.—The purposes of this chapter are:

(j) To ensure that, when reunification or adoption is not possible, the child will be prepared for alternative permanency goals or placements, to include, but not be limited to, long-

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14 term foster care, independent living, custody to a relative on a  
15 permanent basis with or without legal guardianship, or custody  
16 to a foster parent or legal custodian on a permanent basis with  
17 or without legal guardianship. Permanency for a child who is  
18 transitioning from foster care to independent living includes  
19 naturally occurring, lifelong, kin-like connections between the  
20 child and a supportive adult.

21 (10) PLAN FOR COMPREHENSIVE APPROACH.—

22 (a) The office shall develop a state plan for the  
23 promotion of adoption, support of adoptive families, and  
24 prevention of abuse, abandonment, and neglect of children. The  
25 Department of Children and Families, the Department of  
26 Corrections, the Department of Education, the Department of  
27 Health, the Department of Juvenile Justice, the Department of  
28 Law Enforcement, the Statewide Guardian ad Litem Office, and the  
29 Agency for Persons with Disabilities shall participate and fully  
30 cooperate in the development of the state plan at both the state  
31 and local levels. Furthermore, appropriate local agencies and  
32 organizations shall be provided an opportunity to participate in  
33 the development of the state plan at the local level.  
34 Appropriate local groups and organizations shall include, but  
35 not be limited to, community mental health centers; circuit  
36 guardian ad litem offices ~~programs for children under the~~  
37 ~~circuit court~~; the school boards of the local school districts;  
38 the Florida local advocacy councils; community-based care lead

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39 agencies; private or public organizations or programs with  
40 recognized expertise in working with child abuse prevention  
41 programs for children and families; private or public  
42 organizations or programs with recognized expertise in working  
43 with children who are sexually abused, physically abused,  
44 emotionally abused, abandoned, or neglected and with expertise  
45 in working with the families of such children; private or public  
46 programs or organizations with expertise in maternal and infant  
47 health care; multidisciplinary Child Protection Teams; child day  
48 care centers; law enforcement agencies; and the circuit courts,  
49 ~~when guardian ad litem programs are not available in the local~~  
50 ~~area.~~ The state plan to be provided to the Legislature and the  
51 Governor shall include, as a minimum, the information required  
52 of the various groups in paragraph (b).

53 Section 2. Subsection (2) of section 39.00145, Florida  
54 Statutes, is amended to read:

55 39.00145 Records concerning children.—

56 (2) Notwithstanding any other provision of this chapter,  
57 all records in a child's case record must be made available for  
58 inspection, upon request, to the child who is the subject of the  
59 case record and to the child's caregiver, guardian ad litem, or  
60 attorney ad litem, if one is appointed.

61 (a) A complete and accurate copy of any record in a  
62 child's case record must be provided, upon request and at no  
63 cost, to the child who is the subject of the case record and to

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64 the child's caregiver, guardian ad litem, or attorney ad litem,  
65 if one is appointed.

66 (b) The department shall release the information in a  
67 manner and setting that are appropriate to the age and maturity  
68 of the child and the nature of the information being released,  
69 which may include the release of information in a therapeutic  
70 setting, if appropriate. This paragraph does not deny the child  
71 access to his or her records.

72 (c) If a child or the child's caregiver, guardian ad  
73 litem, or attorney ad litem, if one is appointed, requests  
74 access to the child's case record, any person or entity that  
75 fails to provide any record in the case record under assertion  
76 of a claim of exemption from the public records requirements of  
77 chapter 119, or fails to provide access within a reasonable  
78 time, is subject to sanctions and penalties under s. 119.10.

79 (d) For the purposes of this subsection, the term  
80 "caregiver" is limited to parents, legal custodians, permanent  
81 guardians, or foster parents; employees of a residential home,  
82 institution, facility, or agency at which the child resides; and  
83 other individuals legally responsible for a child's welfare in a  
84 residential setting.

85 Section 3. Paragraph (a) of subsection (2) of section  
86 39.00146, Florida Statutes, is amended to read:

87 39.00146 Case record face sheet.—

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88 (2) The case record of every child under the supervision  
89 or in the custody of the department or the department's  
90 authorized agents, including community-based care lead agencies  
91 and their subcontracted providers, must include a face sheet  
92 containing relevant information about the child and his or her  
93 case, including at least all of the following:

94 (a) General case information, including, but not limited  
95 to, all of the following:

96 1. The child's name and date of birth.~~†~~

97 2. The current county of residence and the county of  
98 residence at the time of the referral.~~†~~

99 3. The reason for the referral and any family safety  
100 concerns.~~†~~

101 4. The personal identifying information of the parents or  
102 legal custodians who had custody of the child at the time of the  
103 referral, including name, date of birth, and county of  
104 residence.~~†~~

105 5. The date of removal from the home.~~† and~~

106 6. The name and contact information of the attorney or  
107 attorneys assigned to the case in all capacities, including the  
108 attorney or attorneys that represent the department and the  
109 parents, and the guardian ad litem, ~~if one has been appointed.~~

110 Section 4. Paragraph (b) of subsection (2) of section  
111 39.0016, Florida Statutes, is amended to read:

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112 39.0016 Education of abused, neglected, and abandoned  
113 children; agency agreements; children having or suspected of  
114 having a disability.—

115 (2) AGENCY AGREEMENTS.—

116 (b) The department shall enter into agreements with  
117 district school boards or other local educational entities  
118 regarding education and related services for children known to  
119 the department who are of school age and children known to the  
120 department who are younger than school age but who would  
121 otherwise qualify for services from the district school board.  
122 Such agreements must ~~shall~~ include, but are not limited to:

123 1. A requirement that the department shall:

124 a. Ensure that children known to the department are  
125 enrolled in school or in the best educational setting that meets  
126 the needs of the child. The agreement must ~~shall~~ provide for  
127 continuing the enrollment of a child known to the department at  
128 the school of origin when possible if it is in the best interest  
129 of the child, with the goal of minimal disruption of education.

130 b. Notify the school and school district in which a child  
131 known to the department is enrolled of the name and phone number  
132 of the child known to the department caregiver and caseworker  
133 for child safety purposes.

134 c. Establish a protocol for the department to share  
135 information about a child known to the department with the  
136 school district, consistent with the Family Educational Rights

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137 and Privacy Act, since the sharing of information will assist  
138 each agency in obtaining education and related services for the  
139 benefit of the child. The protocol must require the district  
140 school boards or other local educational entities to access the  
141 department's Florida Safe Families Network to obtain information  
142 about children known to the department, consistent with the  
143 Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. s.  
144 1232g.

145 d. Notify the school district of the department's case  
146 planning for a child known to the department, both at the time  
147 of plan development and plan review. Within the plan development  
148 or review process, the school district may provide information  
149 regarding the child known to the department if the school  
150 district deems it desirable and appropriate.

151 e. Show no prejudice against a caregiver who desires to  
152 educate at home a child placed in his or her home through the  
153 child welfare system.

154 2. A requirement that the district school board shall:

155 a. Provide the department with a general listing of the  
156 services and information available from the district school  
157 board to facilitate educational access for a child known to the  
158 department.

159 b. Identify all educational and other services provided by  
160 the school and school district which the school district

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161 believes are reasonably necessary to meet the educational needs  
162 of a child known to the department.

163 c. Determine whether transportation is available for a  
164 child known to the department when such transportation will  
165 avoid a change in school assignment due to a change in  
166 residential placement. Recognizing that continued enrollment in  
167 the same school throughout the time the child known to the  
168 department is in out-of-home care is preferable unless  
169 enrollment in the same school would be unsafe or otherwise  
170 impractical, the department, the district school board, and the  
171 Department of Education shall assess the availability of  
172 federal, charitable, or grant funding for such transportation.

173 d. Provide individualized student intervention or an  
174 individual educational plan when a determination has been made  
175 through legally appropriate criteria that intervention services  
176 are required. The intervention or individual educational plan  
177 must include strategies to enable the child known to the  
178 department to maximize the attainment of educational goals.

179 3. A requirement that the department and the district  
180 school board shall cooperate in accessing the services and  
181 supports needed for a child known to the department who has or  
182 is suspected of having a disability to receive an appropriate  
183 education consistent with the Individuals with Disabilities  
184 Education Act and state implementing laws, rules, and  
185 assurances. Coordination of services for a child known to the

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186 department who has or is suspected of having a disability may  
187 include:

188 a. Referral for screening.

189 b. Sharing of evaluations between the school district and  
190 the department where appropriate.

191 c. Provision of education and related services appropriate  
192 for the needs and abilities of the child known to the  
193 department.

194 d. Coordination of services and plans between the school  
195 and the residential setting to avoid duplication or conflicting  
196 service plans.

197 e. Appointment of a surrogate parent, consistent with the  
198 Individuals with Disabilities Education Act and pursuant to  
199 subsection (3), for educational purposes for a child known to  
200 the department who qualifies.

201 f. For each child known to the department 14 years of age  
202 and older, transition planning by the department and all  
203 providers, including the department's independent living program  
204 staff and the guardian ad litem of the child, to meet the  
205 requirements of the local school district for educational  
206 purposes.

207 Section 5. Subsections (8) through (30) and (31) through  
208 (87) of section 39.01, Florida Statutes, are renumbered as  
209 subsections (9) through (31) and (34) through (90),  
210 respectively, present subsections (9), (36), and (58) are

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211 amended, and new subsections (8), (32), and (33) are added to  
212 that section, to read:

213 39.01 Definitions.—When used in this chapter, unless the  
214 context otherwise requires:

215 (8) "Attorney ad litem" means an attorney appointed by the  
216 court to represent a child in a dependency case who has an  
217 attorney-client relationship with the child under the rules  
218 regulating The Florida Bar.

219 ~~(10)(9)~~ "Caregiver" means the parent, legal custodian,  
220 permanent guardian, adult household member, or other person  
221 responsible for a child's welfare as defined in subsection  
222 ~~(57)(54)~~.

223 (32) "Guardian ad litem" means a person or entity that is  
224 a fiduciary appointed by the court to represent a child in any  
225 civil, criminal, or administrative proceeding to which the child  
226 is a party, including, but not limited to, under this chapter,  
227 which uses a best interest standard for decisionmaking and  
228 advocacy. For purposes of this chapter, the term includes, but  
229 is not limited to, the Statewide Guardian ad Litem Office, which  
230 includes all circuit guardian ad litem offices and the duly  
231 certified volunteers, staff, and attorneys assigned by the  
232 Statewide Guardian ad Litem Office to represent children; a  
233 court-appointed attorney; or a responsible adult who is  
234 appointed by the court. A guardian ad litem is a party to the  
235 judicial proceeding as a representative of the child and serves

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236 until the jurisdiction of the court over the child terminates or  
237 until excused by the court.

238 (33) "Guardian advocate" means a person appointed by the  
239 court to act on behalf of a drug-dependent newborn under part XI  
240 of this chapter.

241 (39)-(36) "Institutional child abuse or neglect" means  
242 situations of known or suspected child abuse or neglect in which  
243 the person allegedly perpetrating the child abuse or neglect is  
244 an employee of a public or private school, public or private day  
245 care center, residential home, institution, facility, or agency  
246 or any other person at such institution responsible for the  
247 child's welfare as defined in subsection (57)-(54).

248 (61)-(58) "Party" means the parent or parents of the child,  
249 the petitioner, the department, the guardian ad litem ~~or the~~  
250 ~~representative of the guardian ad litem program when the program~~  
251 ~~has been appointed~~, and the child. The presence of the child may  
252 be excused by order of the court when presence would not be in  
253 the child's best interest. Notice to the child may be excused by  
254 order of the court when the age, capacity, or other condition of  
255 the child is such that the notice would be meaningless or  
256 detrimental to the child.

257 Section 6. Subsection (11) of section 39.013, Florida  
258 Statutes, is amended and subsection (13) is added to that  
259 section, to read:

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260 39.013 Procedures and jurisdiction; right to counsel;  
261 guardian ad litem and attorney ad litem.—

262 (11) The court shall appoint a guardian ad litem at the  
263 earliest possible time to represent a child throughout the  
264 proceedings, including any appeals. The guardian ad litem may  
265 represent the child in proceedings outside of the dependency  
266 case to secure the services and benefits that provide for the  
267 care, safety, and protection of the child ~~encourage the~~  
268 ~~Statewide Guardian Ad Litem Office to provide greater~~  
269 ~~representation to those children who are within 1 year of~~  
270 ~~transferring out of foster care.~~

271 (13) The court may appoint an attorney ad litem for a  
272 child if the court believes the child is in need of such  
273 representation and determines that the child has a rational and  
274 factual understanding of the proceedings and sufficient present  
275 ability to consult with an attorney with a reasonable degree of  
276 rational understanding. The attorney ad litem may represent the  
277 child in proceedings outside of the dependency case to secure  
278 services and benefits that provide for the care, safety, and  
279 protection of the child.

280 Section 7. Section 39.01305, Florida Statutes, is amended  
281 to read:

282 39.01305 Appointment of an attorney ad litem for a  
283 dependent child ~~with certain special needs.~~—

284 (1)~~(a)~~ The Legislature finds that:

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285 ~~1.~~ all children in proceedings under this chapter have  
286 important interests at stake, such as health, safety, and well-  
287 being and the need to obtain permanency. While such children are  
288 represented by the Statewide Guardian ad Litem Office using a  
289 best interest standard of decisionmaking and advocacy, some  
290 children may also need representation by an attorney ad litem in  
291 proceedings under this chapter.

292 (2) The court may appoint an attorney ad litem for a child  
293 if the court believes the child is in need of such  
294 representation and determines that the child has a rational and  
295 factual understanding of the proceedings and sufficient present  
296 ability to consult with an attorney with a reasonable degree of  
297 rational understanding.

298 ~~2.~~ A dependent child who has certain special needs has a  
299 particular need for an attorney to represent the dependent child  
300 in proceedings under this chapter, as well as in fair hearings  
301 and appellate proceedings, so that the attorney may address the  
302 child's medical and related needs and the services and supports  
303 necessary for the child to live successfully in the community.

304 ~~(b) The Legislature recognizes the existence of~~  
305 ~~organizations that provide attorney representation to children~~  
306 ~~in certain jurisdictions throughout the state. Further, the~~  
307 ~~statewide Guardian Ad Litem Program provides best interest~~  
308 ~~representation for dependent children in every jurisdiction in~~  
309 ~~accordance with state and federal law. The Legislature,~~

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310 ~~therefore, does not intend that funding provided for~~  
311 ~~representation under this section supplant proven and existing~~  
312 ~~organizations representing children. Instead, the Legislature~~  
313 ~~intends that funding provided for representation under this~~  
314 ~~section be an additional resource for the representation of more~~  
315 ~~children in these jurisdictions, to the extent necessary to meet~~  
316 ~~the requirements of this chapter, with the cooperation of~~  
317 ~~existing local organizations or through the expansion of those~~  
318 ~~organizations. The Legislature encourages the expansion of pro~~  
319 ~~bono representation for children. This section is not intended~~  
320 ~~to limit the ability of a pro bono attorney to appear on behalf~~  
321 ~~of a child.~~

322 ~~(2) As used in this section, the term "dependent child"~~  
323 ~~means a child who is subject to any proceeding under this~~  
324 ~~chapter. The term does not require that a child be adjudicated~~  
325 ~~dependent for purposes of this section.~~

326 ~~(3) An attorney shall be appointed for a dependent child~~  
327 ~~who:~~

328 ~~(a) Resides in a skilled nursing facility or is being~~  
329 ~~considered for placement in a skilled nursing home;~~

330 ~~(b) Is prescribed a psychotropic medication but declines~~  
331 ~~assent to the psychotropic medication;~~

332 ~~(c) Has a diagnosis of a developmental disability as~~  
333 ~~defined in s. 393.063;~~

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334 ~~(d) Is being placed in a residential treatment center or~~  
335 ~~being considered for placement in a residential treatment~~  
336 ~~center; or~~

337 ~~(e) Is a victim of human trafficking as defined in s.~~  
338 ~~787.06(2) (d).~~

339 ~~(3) (a) (4) (a)~~ Before a court may appoint an attorney ad  
340 litem, who may be compensated pursuant to this section, the  
341 court must request a recommendation from the Statewide Guardian  
342 ad Litem Office for an attorney who is willing to represent a  
343 child without additional compensation. If such an attorney is  
344 available within 15 days after the court's request, the court  
345 must appoint that attorney. However, the court may appoint a  
346 compensated attorney within the 15-day period if the Statewide  
347 Guardian ad Litem Office informs the court that the office is  
348 unable ~~it will not be able~~ to recommend an attorney within that  
349 time period.

350 (b) A court order appointing ~~After~~ an attorney ad litem  
351 under this section must be in writing. ~~is appointed, the~~  
352 ~~appointment continues in effect until the attorney is allowed to~~  
353 ~~withdraw or is discharged by~~ The court must discharge ~~or until~~  
354 ~~the case is dismissed.~~ an attorney ad litem who is appointed  
355 under this section if the need for such representation is  
356 resolved. The attorney ad litem may represent the child in  
357 proceedings outside of the dependency case to secure services  
358 and benefits that provide for the care, safety, and protection

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359 ~~of the child to represent the child shall provide the complete~~  
360 ~~range of legal services, from the removal from home or from the~~  
361 ~~initial appointment through all available appellate proceedings.~~  
362 With the permission of the court, the attorney ad litem ~~for the~~  
363 ~~dependent child~~ may arrange for supplemental or separate counsel  
364 to represent the child in appellate proceedings. ~~A court order~~  
365 ~~appointing an attorney under this section must be in writing.~~

366 ~~(4)~~<sup>(5)</sup> Unless the attorney ad litem has agreed to provide  
367 pro bono services, an appointed attorney ad litem or  
368 organization must be adequately compensated. All appointed  
369 attorneys ad litem and organizations, including pro bono  
370 attorneys, must be provided with access to funding for expert  
371 witnesses, depositions, and other due process costs of  
372 litigation. Payment of attorney fees and case-related due  
373 process costs are subject to appropriations and review by the  
374 Justice Administrative Commission for reasonableness. The  
375 Justice Administrative Commission shall contract with attorneys  
376 ad litem appointed by the court. Attorney fees may not exceed  
377 \$1,000 per child per year.

378 ~~(6) The department shall develop procedures to identify a~~  
379 ~~dependent child who has a special need specified under~~  
380 ~~subsection (3) and to request that a court appoint an attorney~~  
381 ~~for the child.~~

382 ~~(7) The department may adopt rules to administer this~~  
383 ~~section.~~

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384 ~~(8) This section does not limit the authority of the court~~  
385 ~~to appoint an attorney for a dependent child in a proceeding~~  
386 ~~under this chapter.~~

387 ~~(5)(9)~~ Implementation of this section is subject to  
388 appropriations expressly made for that purpose.

389 Section 8. The amendments made by this act to s. 39.01305,  
390 Florida Statutes, apply only to attorney ad litem appointments  
391 made on or after July 1, 2023.

392 Section 9. Subsection (3) of section 39.0132, Florida  
393 Statutes, is amended to read:

394 39.0132 Oaths, records, and confidential information.—

395 (3) The clerk shall keep all court records required by  
396 this chapter separate from other records of the circuit court.  
397 All court records required by this chapter may shall not be open  
398 to inspection by the public. All records may shall be inspected  
399 only upon order of the court by persons deemed by the court to  
400 have a proper interest therein, except that, subject to ~~the~~  
401 ~~provisions of s. 63.162, a child, and the parents of the child~~  
402 ~~and their attorneys, the guardian ad litem, criminal conflict~~  
403 ~~and civil regional counsels, law enforcement agencies, and the~~  
404 ~~department and its designees, and the attorney ad litem, if one~~  
405 is appointed, shall always have the right to inspect and copy  
406 any official record pertaining to the child. The Justice  
407 Administrative Commission may inspect court dockets required by  
408 this chapter as necessary to audit compensation of court-

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409 appointed attorneys ad litem. If the docket is insufficient for  
410 purposes of the audit, the commission may petition the court for  
411 additional documentation as necessary and appropriate. The court  
412 may permit authorized representatives of recognized  
413 organizations compiling statistics for proper purposes to  
414 inspect and make abstracts from official records, under whatever  
415 conditions upon their use and disposition the court may deem  
416 proper, and may punish by contempt proceedings any violation of  
417 those conditions.

418 Section 10. Paragraph (a) of subsection (3) of section  
419 39.0136, Florida Statutes, is amended to read:

420 39.0136 Time limitations; continuances.—

421 (3) The time limitations in this chapter do not include:

422 (a) Periods of delay resulting from a continuance granted  
423 at the request of the child's counsel, ~~or the child's guardian~~  
424 ~~ad litem, or attorney ad litem, if one is appointed, if the~~  
425 ~~child is of sufficient capacity to express reasonable consent,~~  
426 ~~at the request or with the consent of the child.~~ The court must  
427 consider the best interests of the child when determining  
428 periods of delay under this section.

429 Section 11. Paragraphs (a) and (b) of subsection (4) of  
430 section 39.0139, Florida Statutes, are amended to read:

431 39.0139 Visitation or other contact; restrictions.—

432 (4) HEARINGS.—A person who meets any of the criteria set  
433 forth in paragraph (3) (a) who seeks to begin or resume contact

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434 with the child victim shall have the right to an evidentiary  
435 hearing to determine whether contact is appropriate.

436 (a) Before ~~Prior to~~ the hearing, the court shall appoint  
437 ~~an attorney ad litem or~~ a guardian ad litem for the child if one  
438 has not already been appointed. The guardian ad litem and Any  
439 attorney ad litem, if one is or guardian ad litem appointed,  
440 must shall have special training in the dynamics of child sexual  
441 abuse.

442 (b) At the hearing, the court may receive and rely upon  
443 any relevant and material evidence submitted to the extent of  
444 its probative value, including written and oral reports or  
445 recommendations from the Child Protection Team, the child's  
446 therapist, the child's guardian ad litem, or the child's  
447 attorney ad litem, if one is appointed, even if these reports,  
448 recommendations, and evidence may not be admissible under the  
449 rules of evidence.

450 Section 12. Paragraphs (d) and (t) of subsection (2) of  
451 section 39.202, Florida Statutes, are amended to read:

452 39.202 Confidentiality of reports and records in cases of  
453 child abuse or neglect; exception.—

454 (2) Except as provided in subsection (4), access to such  
455 records, excluding the name of, or other identifying information  
456 with respect to, the reporter which may only shall be released  
457 only as provided in subsection (5), may only shall be granted  
458 only to the following persons, officials, and agencies:

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459 (d) The parent or legal custodian of any child who is  
460 alleged to have been abused, abandoned, or neglected; the child;  
461 the guardian ad litem; the attorney ad litem, if one is  
462 appointed; or, ~~and the child, and their attorneys, including any~~  
463 attorney representing a child in civil or criminal proceedings.  
464 This access must ~~shall~~ be made available no later than 60 days  
465 after the department receives the initial report of abuse,  
466 neglect, or abandonment. However, any information otherwise made  
467 confidential or exempt by law may ~~shall~~ not be released pursuant  
468 to this paragraph.

469 (t) Persons with whom the department is seeking to place  
470 the child or to whom placement has been granted, including  
471 foster parents for whom an approved home study has been  
472 conducted, the designee of a licensed child-caring agency as  
473 defined in s. 39.01 ~~s. 39.01(41)~~, an approved relative or  
474 nonrelative with whom a child is placed pursuant to s. 39.402,  
475 preadoptive parents for whom a favorable preliminary adoptive  
476 home study has been conducted, adoptive parents, or an adoption  
477 entity acting on behalf of preadoptive or adoptive parents.

478 Section 13. Paragraphs (b) and (c) of subsection (11) and  
479 paragraph (a) of subsection (14) of section 39.402, Florida  
480 Statutes, are amended to read:

481 39.402 Placement in a shelter.—

482 (11)

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483 (b) The court shall request that the parents consent to  
484 provide access to the child's medical records and provide  
485 information to the court, the department or its contract  
486 agencies, and the any guardian ad litem and ~~or~~ attorney ad  
487 litem, if one is appointed, for the child. If a parent is  
488 unavailable or unable to consent or withholds consent and the  
489 court determines access to the records and information is  
490 necessary to provide services to the child, the court shall  
491 issue an order granting access. The court may also order the  
492 parents to provide all known medical information to the  
493 department and to any others granted access under this  
494 subsection.

495 (c) The court shall request that the parents consent to  
496 provide access to the child's child care records, early  
497 education program records, or other educational records and  
498 provide information to the court, the department or its contract  
499 agencies, and the any guardian ad litem and ~~or~~ attorney ad  
500 litem, if one is appointed, for the child. If a parent is  
501 unavailable or unable to consent or withholds consent and the  
502 court determines access to the records and information is  
503 necessary to provide services to the child, the court shall  
504 issue an order granting access.

505 (14) The time limitations in this section do not include:

506 (a) Periods of delay resulting from a continuance granted  
507 at the request or with the consent of the child's ~~counsel or the~~

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508 ~~child's guardian ad litem or attorney ad litem, if one is has~~  
509 ~~been appointed by the court, or, if the child is of sufficient~~  
510 ~~capacity to express reasonable consent, at the request or with~~  
511 ~~the consent of the child's attorney or the child's guardian ad~~  
512 ~~litem, if one has been appointed by the court, and the child.~~

513 Section 14. Paragraphs (a) and (b) of subsection (4) of  
514 section 39.4022, Florida Statutes, are amended to read:

515 39.4022 Multidisciplinary teams; staffings; assessments;  
516 report.—

517 (4) PARTICIPANTS.—

518 (a) Collaboration among diverse individuals who are part  
519 of the child's network is necessary to make the most informed  
520 decisions possible for the child. A diverse team is preferable  
521 to ensure that the necessary combination of technical skills,  
522 cultural knowledge, community resources, and personal  
523 relationships is developed and maintained for the child and  
524 family. The participants necessary to achieve an appropriately  
525 diverse team for a child may vary by child and may include  
526 extended family, friends, neighbors, coaches, clergy, coworkers,  
527 or others the family identifies as potential sources of support.

528 1. Each multidisciplinary team staffing must invite the  
529 following members:

530 a. The child, unless he or she is not of an age or  
531 capacity to participate in the team, and the child's guardian ad  
532 litem;

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533           b. The child's family members and other individuals  
534 identified by the family as being important to the child,  
535 provided that a parent who has a no contact order or injunction,  
536 is alleged to have sexually abused the child, or is subject to a  
537 termination of parental rights may not participate;

538           c. The current caregiver, provided the caregiver is not a  
539 parent who meets the criteria of one of the exceptions under  
540 sub-subparagraph b.;

541           d. A representative from the department other than the  
542 Children's Legal Services attorney, when the department is  
543 directly involved in the goal identified by the staffing;

544           e. A representative from the community-based care lead  
545 agency, when the lead agency is directly involved in the goal  
546 identified by the staffing;

547           f. The case manager for the child, or his or her case  
548 manager supervisor; and

549           g. A representative from the Department of Juvenile  
550 Justice, if the child is dually involved with both the  
551 department and the Department of Juvenile Justice.

552           2. The multidisciplinary team must make reasonable efforts  
553 to have all mandatory invitees attend. However, the  
554 multidisciplinary team staffing may not be delayed if the  
555 invitees in subparagraph 1. fail to attend after being provided  
556 reasonable opportunities.

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557 (b) Based on the particular goal the multidisciplinary  
558 team staffing identifies as the purpose of convening the  
559 staffing as provided under subsection (5), the department or  
560 lead agency may also invite to the meeting other professionals,  
561 including, but not limited to:

562 1. A representative from Children's Medical Services;

563 ~~2. A guardian ad litem, if one is appointed;~~

564 ~~2.3.~~ A school personnel representative who has direct  
565 contact with the child;

566 ~~3.4.~~ A therapist or other behavioral health professional,  
567 if applicable;

568 ~~4.5.~~ A mental health professional with expertise in  
569 sibling bonding, if the department or lead agency deems such  
570 expert is necessary; or

571 ~~5.6.~~ Other community providers of services to the child or  
572 stakeholders, when applicable.

573 Section 15. Paragraph (d) of subsection (3) and paragraph  
574 (c) of subsection (4) of section 39.4023, Florida Statutes, are  
575 amended to read:

576 39.4023 Placement and education transitions; transition  
577 plans.—

578 (3) PLACEMENT TRANSITIONS.—

579 (d) Transition planning.—

580 1. If the supportive services provided pursuant to  
581 paragraph (c) have not been successful to make the maintenance

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582 of the placement suitable or if there are other circumstances  
583 that require the child to be moved, the department or the  
584 community-based care lead agency must convene a  
585 multidisciplinary team staffing as required under s. 39.4022  
586 before the child's placement is changed, or within 72 hours of  
587 moving the child in an emergency situation, for the purpose of  
588 developing an appropriate transition plan.

589 2. A placement change may occur immediately in an  
590 emergency situation without convening a multidisciplinary team  
591 staffing. However, a multidisciplinary team staffing must be  
592 held within 72 hours after the emergency situation arises.

593 3. The department or the community-based care lead agency  
594 must provide written notice of the planned move at least 14 days  
595 before the move or within 72 hours after an emergency situation,  
596 to the greatest extent possible and consistent with the child's  
597 needs and preferences. The notice must include the reason a  
598 placement change is necessary. A copy of the notice must be  
599 filed with the court and be provided to all of the following:

600 a. The child, unless he or she, due to age or capacity, is  
601 unable to comprehend the written notice, which will necessitate  
602 the department or lead agency to provide notice in an age-  
603 appropriate and capacity-appropriate alternative manner. ~~†~~

604 b. The child's parents, unless prohibited by court order. ~~†~~

605 c. The child's out-of-home caregiver. ~~†~~

606 d. The guardian ad litem. ~~† if one is appointed.†~~

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607 e. The attorney ad litem for the child, if one is  
608 appointed. ~~and~~

609 f. The attorney for the department.

610 4. The transition plan must be developed through  
611 cooperation among the persons included in subparagraph 3., and  
612 such persons must share any relevant information necessary for  
613 its development. Subject to the child's needs and preferences,  
614 the transition plan must meet the requirements of s.

615 409.1415(2)(b)8. and exclude any placement changes that occur  
616 between 7 p.m. and 8 a.m.

617 5. The department or the community-based care lead agency  
618 shall file the transition plan with the court within 48 hours  
619 after the creation of such plan and provide a copy of the plan  
620 to the persons included in subparagraph 3.

621 (4) EDUCATION TRANSITIONS.—

622 (c) Minimizing school changes.—

623 1. Every effort must be made to keep a child in the school  
624 of origin if it is in the child's best interest. Any placement  
625 decision must include thoughtful consideration of which school a  
626 child will attend if a school change is necessary.

627 2. Members of a multidisciplinary team staffing convened  
628 for a purpose other than a school change must determine the  
629 child's best interest regarding remaining in the school or  
630 program of origin if the child's educational options are

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631 affected by any other decision being made by the  
632 multidisciplinary team.

633 3. The determination of whether it is in the child's best  
634 interest to remain in the school of origin, and if not, of which  
635 school the child will attend in the future, must be made in  
636 consultation with the following individuals, including, but not  
637 limited to, the child; the parents; the caregiver; the child  
638 welfare professional; the guardian ad litem, ~~if appointed~~; the  
639 educational surrogate, if appointed; child care and educational  
640 staff, including teachers and guidance counselors; and the  
641 school district representative or foster care liaison. A  
642 multidisciplinary team member may contact any of these  
643 individuals in advance of a multidisciplinary team staffing to  
644 obtain his or her recommendation. An individual may remotely  
645 attend the multidisciplinary team staffing if one of the  
646 identified goals is related to determining an educational  
647 placement. The multidisciplinary team may rely on a report from  
648 the child's current school or program district and, if  
649 applicable, any other school district being considered for the  
650 educational placement if the required school personnel are not  
651 available to attend the multidisciplinary team staffing in  
652 person or remotely.

653 4. The multidisciplinary team and the individuals listed  
654 in subparagraph 3. must consider, at a minimum, all of the  
655 following factors when determining whether remaining in the

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656 school or program of origin is in the child's best interest or,  
657 if not, when selecting a new school or program:

658 a. The child's desire to remain in the school or program  
659 of origin.

660 b. The preference of the child's parents or legal  
661 guardians.

662 c. Whether the child has siblings, close friends, or  
663 mentors at the school or program of origin.

664 d. The child's cultural and community connections in the  
665 school or program of origin.

666 e. Whether the child is suspected of having a disability  
667 under the Individuals with Disabilities Education Act (IDEA) or  
668 s. 504 of the Rehabilitation Act of 1973, or has begun receiving  
669 interventions under this state's multitiered system of supports.

670 f. Whether the child has an evaluation pending for special  
671 education and related services under IDEA or s. 504 of the  
672 Rehabilitation Act of 1973.

673 g. Whether the child is a student with a disability under  
674 IDEA who is receiving special education and related services or  
675 a student with a disability under s. 504 of the Rehabilitation  
676 Act of 1973 who is receiving accommodations and services and, if  
677 so, whether those required services are available in a school or  
678 program other than the school or program of origin.

679 h. Whether the child is an English Language Learner  
680 student and is receiving language services and, if so, whether

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681 those required services are available in a school or program  
682 other than the school or program of origin.

683 i. The impact a change to the school or program of origin  
684 would have on academic credits and progress toward promotion.

685 j. The availability of extracurricular activities  
686 important to the child.

687 k. The child's known individualized educational plan or  
688 other medical and behavioral health needs and whether such plan  
689 or needs are able to be met at a school or program other than  
690 the school or program of origin.

691 l. The child's permanency goal and timeframe for achieving  
692 permanency.

693 m. The child's history of school transfers and how such  
694 transfers have impacted the child academically, emotionally, and  
695 behaviorally.

696 n. The length of the commute to the school or program from  
697 the child's home or placement and how such commute would impact  
698 the child.

699 o. The length of time the child has attended the school or  
700 program of origin.

701 5. The cost of transportation cannot be a factor in making  
702 a best interest determination.

703 Section 16. Paragraph (f) of subsection (3) of section  
704 39.407, Florida Statutes, is amended to read:

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705 39.407 Medical, psychiatric, and psychological examination  
706 and treatment of child; physical, mental, or substance abuse  
707 examination of person with or requesting child custody.—

708 (3)

709 (f)1. The department shall fully inform the court of the  
710 child's medical and behavioral status as part of the social  
711 services report prepared for each judicial review hearing held  
712 for a child for whom psychotropic medication has been prescribed  
713 or provided under this subsection. As a part of the information  
714 provided to the court, the department shall furnish copies of  
715 all pertinent medical records concerning the child which have  
716 been generated since the previous hearing. On its own motion or  
717 on good cause shown by any party, including the ~~any~~ guardian ad  
718 litem, ~~attorney,~~ or attorney ad litem, if one is ~~who has been~~  
719 ~~appointed to represent the child or the child's interests,~~ the  
720 court may review the status more frequently than required in  
721 this subsection.

722 2. The court may, in the best interests of the child,  
723 order the department to obtain a medical opinion addressing  
724 whether the continued use of the medication under the  
725 circumstances is safe and medically appropriate.

726 Section 17. Paragraphs (m), (t), and (u) of subsection (1)  
727 of section 39.4085, Florida Statutes, are amended to read:

728 39.4085 Goals for dependent children; responsibilities;  
729 education.—

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730 (1) The Legislature finds that the design and delivery of  
731 child welfare services should be directed by the principle that  
732 the health and safety of children, including the freedom from  
733 abuse, abandonment, or neglect, is of paramount concern and,  
734 therefore, establishes the following goals for children in  
735 shelter or foster care:

736 (m) To receive meaningful case management and planning  
737 that will quickly return the child to his or her family or move  
738 the child on to other forms of permanency. For a child who is  
739 transitioning from foster care to independent living, permanency  
740 includes establishing naturally occurring, lifelong, kin-like  
741 connections between the child and a supportive adult.

742 (t) To have a guardian ad litem appointed ~~to represent,~~  
743 ~~within reason, their best interests~~ and, if appropriate, an  
744 attorney ad litem ~~appointed to represent their legal interests;~~  
745 the guardian ad litem and attorney ad litem, if one is  
746 appointed, shall have immediate and unlimited access to the  
747 children they represent.

748 (u) To have all their records available for review by  
749 their guardian ad litem and attorney ad litem, if one is  
750 appointed, if they deem such review necessary.

751  
752 This subsection establishes goals and not rights. This  
753 subsection does not require the delivery of any particular  
754 service or level of service in excess of existing

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755 appropriations. A person does not have a cause of action against  
756 the state or any of its subdivisions, agencies, contractors,  
757 subcontractors, or agents, based upon the adoption of or failure  
758 to provide adequate funding for the achievement of these goals  
759 by the Legislature. This subsection does not require the  
760 expenditure of funds to meet the goals established in this  
761 subsection except those funds specifically appropriated for such  
762 purpose.

763 Section 18. Paragraph (c) of subsection (3) of section  
764 39.522, Florida Statutes, is amended to read:

765 39.522 Postdisposition change of custody.—

766 (3)

767 (c)1. The department or community-based care lead agency  
768 must notify a current caregiver who has been in the physical  
769 custody placement for at least 9 consecutive months and who  
770 meets all the established criteria in paragraph (b) of an intent  
771 to change the physical custody of the child, and a  
772 multidisciplinary team staffing must be held in accordance with  
773 ss. 39.4022 and 39.4023 at least 21 days before the intended  
774 date for the child's change in physical custody, unless there is  
775 an emergency situation as defined in s. 39.4022(2)(b). If there  
776 is not a unanimous consensus decision reached by the  
777 multidisciplinary team, the department's official position must  
778 be provided to the parties within the designated time period as  
779 provided for in s. 39.4022.

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780           2. A caregiver who objects to the department's official  
781 position on the change in physical custody must notify the court  
782 and the department or community-based care lead agency of his or  
783 her objection and the intent to request an evidentiary hearing  
784 in writing in accordance with this section within 5 days after  
785 receiving notice of the department's official position provided  
786 under subparagraph 1. The transition of the child to the new  
787 caregiver may not begin before the expiration of the 5-day  
788 period within which the current caregiver may object.

789           3. Upon the department or community-based care lead agency  
790 receiving written notice of the caregiver's objection, the  
791 change to the child's physical custody must be placed in  
792 abeyance and the child may not be transitioned to a new physical  
793 placement without a court order, unless there is an emergency  
794 situation as defined in s. 39.4022(2) (b).

795           4. Within 7 days after receiving written notice from the  
796 caregiver, the court must conduct an initial case status  
797 hearing, at which time the court must do all of the following:

798           a. Grant party status to the current caregiver who is  
799 seeking permanent custody and has maintained physical custody of  
800 that child for at least 9 continuous months for the limited  
801 purpose of filing a motion for a hearing on the objection and  
802 presenting evidence pursuant to this subsection.†

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803 ~~b. Appoint an attorney for the child who is the subject of~~  
804 ~~the permanent custody proceeding, in addition to the guardian ad~~  
805 ~~litem, if one is appointed;~~

806 ~~b.e.~~ Advise the caregiver of his or her right to retain  
807 counsel for purposes of the evidentiary hearing. ~~;~~ and

808 ~~c.d.~~ Appoint a court-selected neutral and independent  
809 licensed professional with expertise in the science and research  
810 of child-parent bonding.

811 Section 19. Paragraph (c) of subsection (1) and paragraph  
812 (c) of subsection (3) of section 39.6012, Florida Statutes, are  
813 amended to read:

814 39.6012 Case plan tasks; services.—

815 (1) The services to be provided to the parent and the  
816 tasks that must be completed are subject to the following:

817 (c) If there is evidence of harm as defined in s.  
818 39.01(37)(g) ~~s. 39.01(34)(g)~~, the case plan must include as a  
819 required task for the parent whose actions caused the harm that  
820 the parent submit to a substance abuse disorder assessment or  
821 evaluation and participate and comply with treatment and  
822 services identified in the assessment or evaluation as being  
823 necessary.

824 (3) In addition to any other requirement, if the child is  
825 in an out-of-home placement, the case plan must include:

826 (c) When appropriate, for a child who is 13 years of age  
827 or older, a written description of the programs and services

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828 that will help the child prepare for the transition from foster  
829 care to independent living. The written description must include  
830 age-appropriate activities for the child's development of  
831 relationships, coping skills, and emotional well-being.

832 Section 20. Section 39.6036, Florida Statutes, is created  
833 to read:

834 39.6036 Supportive adults for children transitioning out  
835 of foster care.-

836 (1) The Legislature finds that a committed, caring adult  
837 provides a lifeline for a child transitioning out of foster care  
838 to live independently. Accordingly, it is the intent of the  
839 Legislature that the Statewide Guardian ad Litem Office help  
840 children connect with supportive adults with the hope of  
841 creating an ongoing relationship that lasts into adulthood.

842 (2) The Statewide Guardian ad Litem Office shall work with  
843 a child who is transitioning out of foster care to identify at  
844 least one supportive adult with whom the child can enter into a  
845 formal agreement for an ongoing relationship and document such  
846 agreement in the child's court file. If the child cannot  
847 identify a supportive adult, the Statewide Guardian ad Litem  
848 Office shall work in coordination with the Office of Continuing  
849 Care to identify at least one supportive adult with whom the  
850 child can enter into a formal agreement for an ongoing  
851 relationship and document such agreement in the child's court  
852 file.

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853 Section 21. Paragraph (c) of subsection (10) of section  
854 39.621, Florida Statutes, is amended to read:

855 39.621 Permanency determination by the court.-

856 (10) The permanency placement is intended to continue  
857 until the child reaches the age of majority and may not be  
858 disturbed absent a finding by the court that the circumstances  
859 of the permanency placement are no longer in the best interest  
860 of the child.

861 (c) The court shall base its decision concerning any  
862 motion by a parent for reunification or increased contact with a  
863 child on the effect of the decision on the safety, well-being,  
864 and physical and emotional health of the child. Factors that  
865 must be considered and addressed in the findings of fact of the  
866 order on the motion must include:

867 1. The compliance or noncompliance of the parent with the  
868 case plan;

869 2. The circumstances which caused the child's dependency  
870 and whether those circumstances have been resolved;

871 3. The stability and longevity of the child's placement;

872 4. The preferences of the child, if the child is of  
873 sufficient age and understanding to express a preference;

874 5. The recommendation of the current custodian; and

875 6. Any ~~The~~ recommendation of the guardian ad litem, ~~if one~~  
876 ~~has been appointed.~~

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877 Section 22. Subsection (2) of section 39.6241, Florida  
878 Statutes, is amended to read:

879 39.6241 Another planned permanent living arrangement.—

880 (2) The department and the guardian ad litem must provide  
881 the court with a recommended list and description of services  
882 needed by the child, such as independent living services and  
883 medical, dental, educational, or psychological referrals, and a  
884 recommended list and description of services needed by his or  
885 her caregiver. The guardian ad litem must also advise the court  
886 whether the child has been connected with a supportive adult  
887 and, if the child has been connected with a supportive adult,  
888 whether the child has entered into a formal agreement with the  
889 adult. If the child has entered into a formal agreement pursuant  
890 to s. 39.6036, the guardian ad litem must ensure that the  
891 agreement is documented in the child's court file.

892 Section 23. Paragraphs (b) and (f) of subsection (1),  
893 paragraph (c) of subsection (2), subsection (3), and paragraph  
894 (e) of subsection (4) of section 39.701, Florida Statutes, are  
895 amended to read:

896 39.701 Judicial review.—

897 (1) GENERAL PROVISIONS.—

898 (b)1. The court shall retain jurisdiction over a child  
899 returned to his or her parents for a minimum period of 6 months  
900 after following the reunification, but, at that time, based on a  
901 report of the social service agency and the guardian ad litem,

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902 ~~if one has been appointed,~~ and any other relevant factors, the  
903 court shall make a determination as to whether supervision by  
904 the department and the court's jurisdiction shall continue or be  
905 terminated.

906 2. Notwithstanding subparagraph 1., the court must retain  
907 jurisdiction over a child if the child is placed in the home  
908 with a parent or caregiver with an in-home safety plan and such  
909 safety plan remains necessary for the child to reside safely in  
910 the home.

911 (f) Notice of a judicial review hearing or a citizen  
912 review panel hearing, and a copy of the motion for judicial  
913 review, if any, must be served by the clerk of the court upon  
914 all of the following persons, if available to be served,  
915 regardless of whether the person was present at the previous  
916 hearing at which the date, time, and location of the hearing was  
917 announced:

918 1. The social service agency charged with the supervision  
919 of care, custody, or guardianship of the child, if that agency  
920 is not the movant.

921 2. The foster parent or legal custodian in whose home the  
922 child resides.

923 3. The parents.

924 4. The guardian ad litem for the child, ~~or the~~  
925 ~~representative of the guardian ad litem program if the program~~  
926 ~~has been appointed.~~

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- 927           5. The attorney ad litem for the child, if one is  
928 appointed.
- 929           6. The child, if the child is 13 years of age or older.
- 930           7. Any preadoptive parent.
- 931           8. Such other persons as the court may direct.
- 932           (2) REVIEW HEARINGS FOR CHILDREN YOUNGER THAN 18 YEARS OF  
933 AGE.—
- 934           (c) Review determinations.—The court and any citizen  
935 review panel shall take into consideration the information  
936 contained in the social services study and investigation and all  
937 medical, psychological, and educational records that support the  
938 terms of the case plan; testimony by the social services agency,  
939 the parent, the foster parent or caregiver, the guardian ad  
940 litem, the ~~or~~ surrogate parent for educational decisionmaking if  
941 one has been appointed for the child, and any other person  
942 deemed appropriate; and any relevant and material evidence  
943 submitted to the court, including written and oral reports to  
944 the extent of their probative value. These reports and evidence  
945 may be received by the court in its effort to determine the  
946 action to be taken with regard to the child and may be relied  
947 upon to the extent of their probative value, even though not  
948 competent in an adjudicatory hearing. In its deliberations, the  
949 court and any citizen review panel shall seek to determine:

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950 1. If the parent was advised of the right to receive  
951 assistance from any person or social service agency in the  
952 preparation of the case plan.

953 2. If the parent has been advised of the right to have  
954 counsel present at the judicial review or citizen review  
955 hearings. If not so advised, the court or citizen review panel  
956 shall advise the parent of such right.

957 3. If a guardian ad litem needs to be appointed for the  
958 child in a case in which a guardian ad litem has not previously  
959 been appointed ~~or if there is a need to continue a guardian ad~~  
960 ~~litem in a case in which a guardian ad litem has been appointed.~~

961 4. Who holds the rights to make educational decisions for  
962 the child. If appropriate, the court may refer the child to the  
963 district school superintendent for appointment of a surrogate  
964 parent or may itself appoint a surrogate parent under the  
965 Individuals with Disabilities Education Act and s. 39.0016.

966 5. The compliance or lack of compliance of all parties  
967 with applicable items of the case plan, including the parents'  
968 compliance with child support orders.

969 6. The compliance or lack of compliance with a visitation  
970 contract between the parent and the social service agency for  
971 contact with the child, including the frequency, duration, and  
972 results of the parent-child visitation and the reason for any  
973 noncompliance.

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974 7. The frequency, kind, and duration of contacts among  
975 siblings who have been separated during placement, as well as  
976 any efforts undertaken to reunite separated siblings if doing so  
977 is in the best interests of the child.

978 8. The compliance or lack of compliance of the parent in  
979 meeting specified financial obligations pertaining to the care  
980 of the child, including the reason for failure to comply, if  
981 applicable.

982 9. Whether the child is receiving safe and proper care  
983 according to s. 39.6012, including, but not limited to, the  
984 appropriateness of the child's current placement, including  
985 whether the child is in a setting that is as family-like and as  
986 close to the parent's home as possible, consistent with the  
987 child's best interests and special needs, and including  
988 maintaining stability in the child's educational placement, as  
989 documented by assurances from the community-based care lead  
990 agency that:

991 a. The placement of the child takes into account the  
992 appropriateness of the current educational setting and the  
993 proximity to the school in which the child is enrolled at the  
994 time of placement.

995 b. The community-based care lead agency has coordinated  
996 with appropriate local educational agencies to ensure that the  
997 child remains in the school in which the child is enrolled at  
998 the time of placement.

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999 | 10. A projected date likely for the child's return home or  
1000 | other permanent placement.

1001 | 11. When appropriate, the basis for the unwillingness or  
1002 | inability of the parent to become a party to a case plan. The  
1003 | court and the citizen review panel shall determine if the  
1004 | efforts of the social service agency to secure party  
1005 | participation in a case plan were sufficient.

1006 | 12. For a child who has reached 13 years of age but is not  
1007 | yet 18 years of age, the adequacy of the child's preparation for  
1008 | adulthood and independent living. For a child who is 15 years of  
1009 | age or older, the court shall determine if appropriate steps are  
1010 | being taken for the child to obtain a driver license or  
1011 | learner's driver license.

1012 | 13. If amendments to the case plan are required.  
1013 | Amendments to the case plan must be made under s. 39.6013.

1014 | 14. If the parents and caregivers have developed a  
1015 | productive relationship that includes meaningful communication  
1016 | and mutual support.

1017 | (3) REVIEW HEARINGS FOR CHILDREN 16 AND 17 YEARS OF AGE.—  
1018 | At each review hearing held under this subsection, the court  
1019 | shall give the child and the guardian ad litem the opportunity  
1020 | to address the court and provide any information relevant to the  
1021 | child's best interest, particularly in relation to independent  
1022 | living transition services. The foster parent or legal  
1023 | custodian, ~~or guardian ad litem~~ may also provide any information

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1024 relevant to the child's best interest to the court. In addition  
1025 to the review and report required under paragraphs (1)(a) and  
1026 (2)(a), respectively, and the review and report required under  
1027 s. 39.822(2)(a)2., the court shall:

1028 (a) Inquire about the life skills the child has acquired  
1029 and whether those services are age appropriate, at the first  
1030 judicial review hearing held subsequent to the child's 16th  
1031 birthday. At the judicial review hearing, the department shall  
1032 provide the court with a report that includes specific  
1033 information related to the life skills that the child has  
1034 acquired since the child's 13th birthday or since the date the  
1035 child came into foster care, whichever came later. For any child  
1036 who may meet the requirements for appointment of a guardian  
1037 advocate under s. 393.12 or a guardian under chapter 744, the  
1038 updated case plan must be developed in a face-to-face conference  
1039 with the child, if appropriate; the child's attorney ad litem,  
1040 if one is appointed; the child's ~~any court-appointed~~ guardian ad  
1041 litem; the temporary custodian of the child; and the parent of  
1042 the child, if the parent's rights have not been terminated.

1043 (b) The court shall hold a judicial review hearing within  
1044 90 days after a child's 17th birthday. The court shall issue an  
1045 order, separate from the order on judicial review, that the  
1046 disability of nonage of the child has been removed under ss.  
1047 743.044-743.047 for any disability that the court finds is in  
1048 the child's best interest to remove. The department shall

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1049 include in the social study report for the first judicial review  
1050 that occurs after the child's 17th birthday written verification  
1051 that the child has:

1052 1. A current Medicaid card and all necessary information  
1053 concerning the Medicaid program sufficient to prepare the child  
1054 to apply for coverage upon reaching the age of 18, if such  
1055 application is appropriate.

1056 2. A certified copy of the child's birth certificate and,  
1057 if the child does not have a valid driver license, a Florida  
1058 identification card issued under s. 322.051.

1059 3. A social security card and information relating to  
1060 social security insurance benefits if the child is eligible for  
1061 those benefits. If the child has received such benefits and they  
1062 are being held in trust for the child, a full accounting of  
1063 these funds must be provided and the child must be informed as  
1064 to how to access those funds.

1065 4. All relevant information related to the Road-to-  
1066 Independence Program under s. 409.1451, including, but not  
1067 limited to, eligibility requirements, information on  
1068 participation, and assistance in gaining admission to the  
1069 program. If the child is eligible for the Road-to-Independence  
1070 Program, he or she must be advised that he or she may continue  
1071 to reside with the licensed family home or group care provider  
1072 with whom the child was residing at the time the child attained

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1073 his or her 18th birthday, in another licensed family home, or  
1074 with a group care provider arranged by the department.

1075 5. An open bank account or the identification necessary to  
1076 open a bank account and to acquire essential banking and  
1077 budgeting skills.

1078 6. Information on public assistance and how to apply for  
1079 public assistance.

1080 7. A clear understanding of where he or she will be living  
1081 on his or her 18th birthday, how living expenses will be paid,  
1082 and the educational program or school in which he or she will be  
1083 enrolled.

1084 8. Information related to the ability of the child to  
1085 remain in care until he or she reaches 21 years of age under s.  
1086 39.013.

1087 9. A letter providing the dates that the child is under  
1088 the jurisdiction of the court.

1089 10. A letter stating that the child is in compliance with  
1090 financial aid documentation requirements.

1091 11. The child's educational records.

1092 12. The child's entire health and mental health records.

1093 13. The process for accessing the child's case file.

1094 14. A statement encouraging the child to attend all  
1095 judicial review hearings.

1096 15. Information on how to obtain a driver license or  
1097 learner's driver license.

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1098 (c) At the first judicial review hearing held subsequent  
1099 to the child's 17th birthday, if the court determines pursuant  
1100 to chapter 744 that there is a good faith basis to believe that  
1101 the child qualifies for appointment of a guardian advocate,  
1102 limited guardian, or plenary guardian for the child and that no  
1103 less restrictive decisionmaking assistance will meet the child's  
1104 needs:

1105 1. The department shall complete a multidisciplinary  
1106 report which must include, but is not limited to, a psychosocial  
1107 evaluation and educational report if such a report has not been  
1108 completed within the previous 2 years.

1109 2. The department shall identify one or more individuals  
1110 who are willing to serve as the guardian advocate under s.  
1111 393.12 or as the plenary or limited guardian under chapter 744.  
1112 Any other interested parties or participants may make efforts to  
1113 identify such a guardian advocate, limited guardian, or plenary  
1114 guardian. The child's biological or adoptive family members,  
1115 including the child's parents if the parents' rights have not  
1116 been terminated, may not be considered for service as the  
1117 plenary or limited guardian unless the court enters a written  
1118 order finding that such an appointment is in the child's best  
1119 interests.

1120 3. Proceedings may be initiated within 180 days after the  
1121 child's 17th birthday for the appointment of a guardian  
1122 advocate, plenary guardian, or limited guardian for the child in

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1123 a separate proceeding in the court division with jurisdiction  
1124 over guardianship matters and pursuant to chapter 744. The  
1125 Legislature encourages the use of pro bono representation to  
1126 initiate proceedings under this section.

1127 4. In the event another interested party or participant  
1128 initiates proceedings for the appointment of a guardian  
1129 advocate, plenary guardian, or limited guardian for the child,  
1130 the department shall provide all necessary documentation and  
1131 information to the petitioner to complete a petition under s.  
1132 393.12 or chapter 744 within 45 days after the first judicial  
1133 review hearing after the child's 17th birthday.

1134 5. Any proceedings seeking appointment of a guardian  
1135 advocate or a determination of incapacity and the appointment of  
1136 a guardian must be conducted in a separate proceeding in the  
1137 court division with jurisdiction over guardianship matters and  
1138 pursuant to chapter 744.

1139 (d) If the court finds at the judicial review hearing  
1140 after the child's 17th birthday that the department has not met  
1141 its obligations to the child as stated in this part, in the  
1142 written case plan, or in the provision of independent living  
1143 services, the court may issue an order directing the department  
1144 to show cause as to why it has not done so. If the department  
1145 cannot justify its noncompliance, the court may give the  
1146 department 30 days within which to comply. If the department

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1147 fails to comply within 30 days, the court may hold the  
1148 department in contempt.

1149 (e) If necessary, the court may review the status of the  
1150 child more frequently during the year before the child's 18th  
1151 birthday. At the last review hearing before the child reaches 18  
1152 years of age, and in addition to the requirements of subsection  
1153 (2), the court shall:

1154 1. Address whether the child plans to remain in foster  
1155 care, and, if so, ensure that the child's transition plan  
1156 includes a plan for meeting one or more of the criteria  
1157 specified in s. 39.6251 and determine if the child has entered  
1158 into a formal agreement for an ongoing relationship with a  
1159 supportive adult.

1160 2. Ensure that the transition plan includes a supervised  
1161 living arrangement under s. 39.6251.

1162 3. Ensure the child has been informed of:

1163 a. The right to continued support and services from the  
1164 department and the community-based care lead agency.

1165 b. The right to request termination of dependency  
1166 jurisdiction and be discharged from foster care.

1167 c. The opportunity to reenter foster care under s.  
1168 39.6251.

1169 4. Ensure that the child, if he or she requests  
1170 termination of dependency jurisdiction and discharge from foster  
1171 care, has been informed of:

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1172 a. Services or benefits for which the child may be  
1173 eligible based on his or her former placement in foster care,  
1174 including, but not limited to, the assistance of the Office of  
1175 Continuing Care under s. 414.56.

1176 b. Services or benefits that may be lost through  
1177 termination of dependency jurisdiction.

1178 c. Other federal, state, local, or community-based  
1179 services or supports available to him or her.

1180 (4) REVIEW HEARINGS FOR YOUNG ADULTS IN FOSTER CARE.—  
1181 During each period of time that a young adult remains in foster  
1182 care, the court shall review the status of the young adult at  
1183 least every 6 months and must hold a permanency review hearing  
1184 at least annually.

1185 (e)1. Notwithstanding the provisions of this subsection,  
1186 if a young adult has chosen to remain in extended foster care  
1187 after he or she has reached 18 years of age, the department may  
1188 not close a case and the court may not terminate jurisdiction  
1189 until the court finds, following a hearing, that the following  
1190 criteria have been met:

1191 ~~a.1.~~ Attendance of the young adult at the hearing; or

1192 ~~b.2.~~ Findings by the court that:

1193 ~~(I)a.~~ The young adult has been informed by the department  
1194 of his or her right to attend the hearing and has provided  
1195 written consent to waive this right; and

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1196        (II)~~b.~~ The young adult has been informed of the potential  
1197 negative effects of early termination of care, the option to  
1198 reenter care before reaching 21 years of age, the procedure for,  
1199 and limitations on, reentering care, and the availability of  
1200 alternative services, and has signed a document attesting that  
1201 he or she has been so informed and understands these provisions;  
1202 or

1203        (III)~~e.~~ The young adult has voluntarily left the program,  
1204 has not signed the document in sub-subparagraph b., and is  
1205 unwilling to participate in any further court proceeding.

1206        2.3. In all permanency hearings or hearings regarding the  
1207 transition of the young adult from care to independent living,  
1208 the court shall consult with the young adult regarding the  
1209 proposed permanency plan, case plan, and individual education  
1210 plan for the young adult and ensure that he or she has  
1211 understood the conversation. The court shall also inquire of the  
1212 young adult regarding his or her relationship with the  
1213 supportive adult with whom the young adult has entered into a  
1214 formal agreement for an ongoing relationship, if such agreement  
1215 exists.

1216        Section 24. Paragraph (a) of subsection (3) of section  
1217 39.801, Florida Statutes, is amended to read:

1218        39.801 Procedures and jurisdiction; notice; service of  
1219 process.-

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1220 (3) Before the court may terminate parental rights, in  
1221 addition to the other requirements set forth in this part, the  
1222 following requirements must be met:

1223 (a) Notice of the date, time, and place of the advisory  
1224 hearing for the petition to terminate parental rights and a copy  
1225 of the petition must be personally served upon the following  
1226 persons, specifically notifying them that a petition has been  
1227 filed:

- 1228 1. The parents of the child.
- 1229 2. The legal custodians of the child.
- 1230 3. If the parents who would be entitled to notice are dead  
1231 or unknown, a living relative of the child, unless upon diligent  
1232 search and inquiry no such relative can be found.
- 1233 4. Any person who has physical custody of the child.
- 1234 5. Any grandparent entitled to priority for adoption under  
1235 s. 63.0425.
- 1236 6. Any prospective parent who has been identified under s.  
1237 39.503 or s. 39.803, unless a court order has been entered  
1238 pursuant to s. 39.503(4) or (9) or s. 39.803(4) or (9) which  
1239 indicates no further notice is required. Except as otherwise  
1240 provided in this section, if there is not a legal father, notice  
1241 of the petition for termination of parental rights must be  
1242 provided to any known prospective father who is identified under  
1243 oath before the court or who is identified by a diligent search  
1244 of the Florida Putative Father Registry. Service of the notice

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1245 of the petition for termination of parental rights is not  
1246 required if the prospective father executes an affidavit of  
1247 nonpaternity or a consent to termination of his parental rights  
1248 which is accepted by the court after notice and opportunity to  
1249 be heard by all parties to address the best interests of the  
1250 child in accepting such affidavit.

1251 7. The guardian ad litem for the child ~~or the~~  
1252 ~~representative of the guardian ad litem program, if the program~~  
1253 ~~has been appointed.~~

1254  
1255 The document containing the notice to respond or appear must  
1256 contain, in type at least as large as the type in the balance of  
1257 the document, the following or substantially similar language:  
1258 "FAILURE TO PERSONALLY APPEAR AT THIS ADVISORY HEARING  
1259 CONSTITUTES CONSENT TO THE TERMINATION OF PARENTAL RIGHTS OF  
1260 THIS CHILD (OR CHILDREN). IF YOU FAIL TO APPEAR ON THE DATE AND  
1261 TIME SPECIFIED, YOU MAY LOSE ALL LEGAL RIGHTS AS A PARENT TO THE  
1262 CHILD OR CHILDREN NAMED IN THE PETITION ATTACHED TO THIS  
1263 NOTICE."

1264 Section 25. Subsection (2) of section 39.807, Florida  
1265 Statutes, is amended to read:

1266 39.807 Right to counsel; guardian ad litem.—

1267 (2)(a) The court shall appoint a guardian ad litem to  
1268 represent the ~~best interest of the~~ child in any termination of

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1269 parental rights proceedings and shall ascertain at each stage of  
1270 the proceedings whether a guardian ad litem has been appointed.

1271 (b) The guardian ad litem has the ~~following~~  
1272 responsibilities and authorities listed in s. 39.822.÷

1273 ~~1. To investigate the allegations of the petition and any~~  
1274 ~~subsequent matters arising in the case and,~~

1275 (c) Unless excused by the court, the guardian ad litem  
1276 must ~~to~~ file a written report. This report must include a  
1277 statement of the wishes of the child and the recommendations of  
1278 the guardian ad litem and must be provided to all parties and  
1279 the court at least 72 hours before the disposition hearing.

1280 ~~2. To be present at all court hearings unless excused by~~  
1281 ~~the court.~~

1282 ~~3. To represent the best interests of the child until the~~  
1283 ~~jurisdiction of the court over the child terminates or until~~  
1284 ~~excused by the court.~~

1285 ~~(c) A guardian ad litem is not required to post bond but~~  
1286 ~~shall file an acceptance of the office.~~

1287 ~~(d) A guardian ad litem is entitled to receive service of~~  
1288 ~~pleadings and papers as provided by the Florida Rules of~~  
1289 ~~Juvenile Procedure.~~

1290 (d)-(e) This subsection does not apply to any voluntary  
1291 relinquishment of parental rights proceeding.

1292 Section 26. Subsection (2) of section 39.808, Florida  
1293 Statutes, is amended to read:

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1294 39.808 Advisory hearing; pretrial status conference.—

1295 (2) At the hearing the court shall inform the parties of  
1296 their rights under s. 39.807, ~~shall~~ appoint counsel for the  
1297 parties in accordance with legal requirements, and ~~shall~~ appoint  
1298 a guardian ad litem to represent the ~~interests of the~~ child if  
1299 one has not already been appointed.

1300 Section 27. Subsection (2) of section 39.815, Florida  
1301 Statutes, is amended to read:

1302 39.815 Appeal.—

1303 (2) An attorney for the department shall represent the  
1304 state upon appeal. When a notice of appeal is filed in the  
1305 circuit court, the clerk shall notify the attorney for the  
1306 department, ~~together with~~ the attorney for the parent, the  
1307 guardian ad litem, and the any attorney ad litem for the child,  
1308 if one is appointed.

1309 Section 28. Section 39.820, Florida Statutes, is repealed.

1310 Section 29. Subsections (1) and (3) of section 39.821,  
1311 Florida Statutes, are amended to read:

1312 39.821 Qualifications of guardians ad litem.—

1313 (1) Because of the special trust or responsibility placed  
1314 in a guardian ad litem, the Statewide Guardian ad Litem Office  
1315 ~~Program~~ may use any private funds collected by the office  
1316 ~~program~~, or any state funds so designated, to conduct a security  
1317 background investigation before certifying a volunteer to serve.  
1318 A security background investigation must include, but need not

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1319 | be limited to, employment history checks, checks of references,  
1320 | local criminal history records checks through local law  
1321 | enforcement agencies, and statewide criminal history records  
1322 | checks through the Department of Law Enforcement. Upon request,  
1323 | an employer shall furnish a copy of the personnel record for the  
1324 | employee or former employee who is the subject of a security  
1325 | background investigation conducted under this section. The  
1326 | information contained in the personnel record may include, but  
1327 | need not be limited to, disciplinary matters and the reason why  
1328 | the employee was terminated from employment. An employer who  
1329 | releases a personnel record for purposes of a security  
1330 | background investigation is presumed to have acted in good faith  
1331 | and is not liable for information contained in the record  
1332 | without a showing that the employer maliciously falsified the  
1333 | record. A security background investigation conducted under this  
1334 | section must ensure that a person is not certified as a guardian  
1335 | ad litem if the person has an arrest awaiting final disposition  
1336 | for, been convicted of, regardless of adjudication, entered a  
1337 | plea of nolo contendere or guilty to, or been adjudicated  
1338 | delinquent and the record has not been sealed or expunged for,  
1339 | any offense prohibited under the provisions listed in s. 435.04.  
1340 | All applicants must undergo a level 2 background screening  
1341 | pursuant to chapter 435 before being certified to serve as a  
1342 | guardian ad litem. In analyzing and evaluating the information  
1343 | obtained in the security background investigation, the office

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1344 ~~program~~ must give particular emphasis to past activities  
1345 involving children, including, but not limited to, child-related  
1346 criminal offenses or child abuse. The office ~~program~~ has sole  
1347 discretion in determining whether to certify a person based on  
1348 his or her security background investigation. The information  
1349 collected pursuant to the security background investigation is  
1350 confidential and exempt from s. 119.07(1).

1351 (3) It is a misdemeanor of the first degree, punishable as  
1352 provided in s. 775.082 or s. 775.083, for any person to  
1353 willfully, knowingly, or intentionally fail, by false statement,  
1354 misrepresentation, impersonation, or other fraudulent means, to  
1355 disclose in any application for a volunteer position or for paid  
1356 employment with the Statewide Guardian ad Litem Office ~~Program~~,  
1357 any material fact used in making a determination as to the  
1358 applicant's qualifications for such position.

1359 Section 30. Section 39.822, Florida Statutes, is amended  
1360 to read:

1361 39.822 Appointment of guardian ad litem for abused,  
1362 abandoned, or neglected child.—

1363 (1) A guardian ad litem shall be appointed by the court at  
1364 the earliest possible time to represent the child in any child  
1365 abuse, abandonment, or neglect judicial proceeding, whether  
1366 civil or criminal. A guardian ad litem is a fiduciary and must  
1367 provide independent representation of the child using a best  
1368 interest standard of decisionmaking and advocacy.

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- 1369        (2) (a) A guardian ad litem must:
- 1370        1. Be present at all court hearings unless excused by the
- 1371 court.
- 1372        2. Investigate issues related to the best interest of the
- 1373 child who is the subject of the appointment, review all
- 1374 disposition recommendations and changes in placement, and,
- 1375 unless excused by the court, file written reports and
- 1376 recommendations in accordance with general law.
- 1377        3. Represent the child until the court's jurisdiction over
- 1378 the child terminates or until excused by the court.
- 1379        4. Advocate for the child's participation in the
- 1380 proceedings and to report the child's preferences to the court,
- 1381 to the extent the child has the ability and desire to express
- 1382 his or her preferences.
- 1383        5. Perform such other duties that are consistent with the
- 1384 scope of the appointment.
- 1385        (b) A guardian ad litem shall have immediate and unlimited
- 1386 access to the children he or she represents.
- 1387        (c) A guardian ad litem is not required to post bond but
- 1388 must file an acceptance of the appointment.
- 1389        (d) A guardian ad litem is entitled to receive service of
- 1390 pleadings and papers as provided by the Florida Rules of
- 1391 Juvenile Procedure.
- 1392        (3) Any person participating in a civil or criminal
- 1393 judicial proceeding resulting from such appointment shall be

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1394 presumed prima facie to be acting in good faith and in so doing  
1395 shall be immune from any liability, civil or criminal, that  
1396 otherwise might be incurred or imposed.

1397 ~~(4)-(2)~~ In those cases in which the parents are financially  
1398 able, the parent or parents of the child shall reimburse the  
1399 court, in part or in whole, for the cost of provision of  
1400 guardian ad litem representation services. Reimbursement to the  
1401 individual providing guardian ad litem services shall not be  
1402 contingent upon successful collection by the court from the  
1403 parent or parents.

1404 ~~(5)-(3)~~ Upon presentation by a guardian ad litem of a court  
1405 order appointing the guardian ad litem:

1406 (a) An agency, as defined in chapter 119, shall allow the  
1407 guardian ad litem to inspect and copy records related to the  
1408 best interests of the child who is the subject of the  
1409 appointment, including, but not limited to, records made  
1410 confidential or exempt from s. 119.07(1) or s. 24(a), Art. I of  
1411 the State Constitution. The guardian ad litem shall maintain the  
1412 confidential or exempt status of any records shared by an agency  
1413 under this paragraph.

1414 (b) A person or organization, other than an agency under  
1415 paragraph (a), shall allow the guardian ad litem to inspect and  
1416 copy any records related to the best interests of the child who  
1417 is the subject of the appointment, including, but not limited  
1418 to, confidential records.

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1419  
1420 For the purposes of this subsection, the term "records related  
1421 to the best interests of the child" includes, but is not limited  
1422 to, medical, mental health, substance abuse, child care,  
1423 education, law enforcement, court, social services, and  
1424 financial records.

1425 ~~(4) The guardian ad litem or the program representative~~  
1426 ~~shall review all disposition recommendations and changes in~~  
1427 ~~placements, and must be present at all critical stages of the~~  
1428 ~~dependency proceeding or submit a written report of~~  
1429 ~~recommendations to the court. Written reports must be filed with~~  
1430 ~~the court and served on all parties whose whereabouts are known~~  
1431 ~~at least 72 hours prior to the hearing.~~

1432 Section 31. Subsection (4) of section 39.827, Florida  
1433 Statutes, is amended to read:

1434 39.827 Hearing for appointment of a guardian advocate.—

1435 (4) The hearing under this section must ~~shall~~ remain  
1436 confidential and closed to the public. The clerk shall keep all  
1437 court records required by this part separate from other records  
1438 of the circuit court. All court records required by this part  
1439 are ~~shall be~~ confidential and exempt from ~~the provisions of s.~~  
1440 119.07(1). All records may only ~~shall~~ be inspected ~~only~~ upon  
1441 order of the court by persons deemed by the court to have a  
1442 proper interest therein, except that a child and the parents or  
1443 custodians of the child and their attorneys, the guardian ad

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1444 litem, and the department and its designees, and the attorney ad  
1445 litem, if one is appointed, shall always have the right to  
1446 inspect and copy any official record pertaining to the child.  
1447 The court may permit authorized representatives of recognized  
1448 organizations compiling statistics for proper purposes to  
1449 inspect and make abstracts from official records, under whatever  
1450 conditions upon their use and disposition the court may deem  
1451 proper, and may punish by contempt proceedings any violation of  
1452 those conditions. All information obtained pursuant to this part  
1453 in the discharge of official duty by any judge, employee of the  
1454 court, or authorized agent of the department is shall be  
1455 confidential and exempt from ~~the provisions of s. 119.07(1) and~~  
1456 may shall not be disclosed to anyone other than the authorized  
1457 personnel of the court or the department and its designees,  
1458 except upon order of the court.

1459 Section 32. Subsection (2) of section 39.8296, Florida  
1460 Statutes, is amended to read:

1461 39.8296 Statewide Guardian ad Litem Office; legislative  
1462 findings and intent; creation; appointment of executive  
1463 director; duties of office.—

1464 (2) STATEWIDE GUARDIAN AD LITEM OFFICE.—There is created a  
1465 Statewide Guardian ad Litem Office within the Justice  
1466 Administrative Commission. The Justice Administrative Commission  
1467 shall provide administrative support and service to the office  
1468 to the extent requested by the executive director within the

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1469 available resources of the commission. The Statewide Guardian ad  
1470 Litem Office is not subject to control, supervision, or  
1471 direction by the Justice Administrative Commission in the  
1472 performance of its duties, but the employees of the office are  
1473 governed by the classification plan and salary and benefits plan  
1474 approved by the Justice Administrative Commission.

1475 (a) The head of the Statewide Guardian ad Litem Office is  
1476 the executive director, who shall be appointed by the Governor  
1477 from a list of a minimum of three eligible applicants submitted  
1478 by a Guardian ad Litem Qualifications Committee. The Guardian ad  
1479 Litem Qualifications Committee shall be composed of five  
1480 persons, two persons appointed by the Governor, two persons  
1481 appointed by the Chief Justice of the Supreme Court, and one  
1482 person appointed by the Statewide Guardian ad Litem Office  
1483 ~~Association~~. The committee shall provide for statewide  
1484 advertisement and the receiving of applications for the position  
1485 of executive director. The Governor shall appoint an executive  
1486 director from among the recommendations, or the Governor may  
1487 reject the nominations and request the submission of new  
1488 nominees. The executive director must have knowledge in  
1489 dependency law and knowledge of social service delivery systems  
1490 available to meet the needs of children who are abused,  
1491 neglected, or abandoned. The executive director shall serve on a  
1492 full-time basis and shall personally, or through representatives  
1493 of the office, carry out the purposes and functions of the

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1494 Statewide Guardian ad Litem Office in accordance with state and  
1495 federal law and the state's long-established policy of  
1496 prioritizing children's best interests. The executive director  
1497 shall report to the Governor. The executive director shall serve  
1498 a 3-year term, subject to removal for cause by the Governor. Any  
1499 person appointed to serve as the executive director may be  
1500 permitted to serve more than one term without the necessity of  
1501 convening the Guardian ad Litem Qualifications Committee.

1502 (b) The Statewide Guardian ad Litem Office shall, within  
1503 available resources, have oversight responsibilities for and  
1504 provide technical assistance to all guardian ad litem and  
1505 attorney ad litem programs located within the judicial circuits.

1506 1. The office shall identify the resources required to  
1507 implement methods of collecting, reporting, and tracking  
1508 reliable and consistent case data.

1509 2. The office shall review the current guardian ad litem  
1510 offices ~~programs~~ in Florida and other states.

1511 3. The office, in consultation with local guardian ad  
1512 litem offices, shall develop statewide performance measures and  
1513 standards.

1514 4. The office shall develop and maintain a guardian ad  
1515 litem training program, which must be updated regularly, ~~which~~  
1516 ~~shall include, but is not limited to, training on the~~  
1517 ~~recognition of and responses to head trauma and brain injury in~~  
1518 ~~a child under 6 years of age. The office shall establish a~~

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1519 ~~curriculum committee to develop the training program specified~~  
1520 ~~in this subparagraph. The curriculum committee shall include,~~  
1521 ~~but not be limited to, dependency judges, directors of circuit~~  
1522 ~~guardian ad litem programs, active certified guardians ad litem,~~  
1523 ~~a mental health professional who specializes in the treatment of~~  
1524 ~~children, a member of a child advocacy group, a representative~~  
1525 ~~of a domestic violence advocacy group, an individual with a~~  
1526 ~~degree in social work, and a social worker experienced in~~  
1527 ~~working with victims and perpetrators of child abuse.~~

1528 5. The office shall review the various methods of funding  
1529 guardian ad litem offices ~~programs~~, maximize the use of those  
1530 funding sources to the extent possible, and review the kinds of  
1531 services being provided by circuit guardian ad litem offices  
1532 ~~programs~~.

1533 6. The office shall determine the feasibility or  
1534 desirability of new concepts of organization, administration,  
1535 financing, or service delivery designed to preserve the civil  
1536 and constitutional rights and fulfill other needs of dependent  
1537 children.

1538 7. The office shall ensure that each child has an attorney  
1539 assigned to his or her case and, within available resources, is  
1540 represented using multidisciplinary teams that may include  
1541 volunteers, pro bono attorneys, social workers, and mentors.

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1542 8. The office shall provide oversight and technical  
1543 assistance to attorneys ad litem, including, but not limited to,  
1544 all of the following:

1545 a. Develop an attorney ad litem training program in  
1546 collaboration with dependency court stakeholders, including, but  
1547 not limited to, dependency judges, representatives from legal  
1548 aid providing attorney ad litem representation, and an attorney  
1549 ad litem appointed from a registry maintained by the chief  
1550 judge. The training program must be updated regularly with or  
1551 without convening the stakeholders group.

1552 b. Offer consultation and technical assistance to chief  
1553 judges in maintaining attorney registries for the selection of  
1554 attorneys ad litem.

1555 c. Assist with recruitment, training, and mentoring of  
1556 attorneys ad litem as needed.

1557 9.7. In an effort to promote normalcy and establish trust  
1558 between a ~~court-appointed volunteer~~ guardian ad litem and a  
1559 child alleged to be abused, abandoned, or neglected under this  
1560 chapter, a guardian ad litem may transport a child. However, a  
1561 guardian ad litem ~~volunteer~~ may not be required by a guardian ad  
1562 litem circuit office or ordered by ~~or directed by the program or~~  
1563 a court to transport a child.

1564 10.8. The office shall submit to the Governor, the  
1565 President of the Senate, the Speaker of the House of  
1566 Representatives, and the Chief Justice of the Supreme Court an

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1567 interim report describing the progress of the office in meeting  
1568 the goals as described in this section. The office shall submit  
1569 to the Governor, the President of the Senate, the Speaker of the  
1570 House of Representatives, and the Chief Justice of the Supreme  
1571 Court a proposed plan including alternatives for meeting the  
1572 state's guardian ad litem and attorney ad litem needs. This plan  
1573 may include recommendations for less than the entire state, may  
1574 include a phase-in system, and shall include estimates of the  
1575 cost of each of the alternatives. Each year the office shall  
1576 provide a status report and provide further recommendations to  
1577 address the need for guardian ad litem services and related  
1578 issues.

1579 Section 33. Section 39.8297, Florida Statutes, is amended  
1580 to read:

1581 39.8297 County funding for guardian ad litem employees.—

1582 (1) A county and the executive director of the Statewide  
1583 Guardian ad Litem Office may enter into an agreement by which  
1584 the county agrees to provide funds to the local guardian ad  
1585 litem office in order to employ persons who will assist in the  
1586 operation of the guardian ad litem office ~~program~~ in the county.

1587 (2) The agreement, at a minimum, must provide that:

1588 (a) Funding for the persons who are employed will be  
1589 provided on at least a fiscal-year basis.

1590 (b) The persons who are employed will be hired,  
1591 supervised, managed, and terminated by the executive director of

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1592 the Statewide Guardian ad Litem Office. The statewide office is  
1593 responsible for compliance with all requirements of federal and  
1594 state employment laws, and shall fully indemnify the county from  
1595 any liability under such laws, as authorized by s. 768.28(19),  
1596 to the extent such liability is the result of the acts or  
1597 omissions of the Statewide Guardian ad Litem Office or its  
1598 agents or employees.

1599 (c) The county is the employer for purposes of s. 440.10  
1600 and chapter 443.

1601 (d) Employees funded by the county under this section and  
1602 other county employees may be aggregated for purposes of a  
1603 flexible benefits plan pursuant to s. 125 of the Internal  
1604 Revenue Code of 1986.

1605 (e) Persons employed under this section may be terminated  
1606 after a substantial breach of the agreement or because funding  
1607 to the guardian ad litem office ~~program~~ has expired.

1608 (3) Persons employed under this section may not be counted  
1609 in a formula or similar process used by the Statewide Guardian  
1610 ad Litem Office to measure personnel needs of a judicial  
1611 circuit's guardian ad litem office ~~program~~.

1612 (4) Agreements created pursuant to this section do not  
1613 obligate the state to allocate funds to a county to employ  
1614 persons in the guardian ad litem office ~~program~~.

1615 Section 34. Section 39.8298, Florida Statutes, is amended  
1616 to read:

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1617 39.8298 Guardian ad Litem state direct-support  
1618 organization and local direct-support organizations.-

1619 (1) AUTHORITY.-The Statewide Guardian ad Litem Office  
1620 created under s. 39.8296 is authorized to create a state direct-  
1621 support organization and to create or designate local direct-  
1622 support organizations. The executive director of the Statewide  
1623 Guardian ad Litem Office is responsible for designating local  
1624 direct-support organizations under this subsection.

1625 (a) The state direct-support organization and the local  
1626 direct-support organizations must be a Florida corporations  
1627 ~~corporation~~ not for profit, incorporated under ~~the provisions of~~  
1628 chapter 617. The state direct-support organization and the local  
1629 direct-support organizations ~~shall be~~ exempt from paying  
1630 fees under s. 617.0122.

1631 (b) The state direct-support organization and each local  
1632 direct-support organization must ~~shall~~ be organized and operated  
1633 to conduct programs and activities; raise funds; request and  
1634 receive grants, gifts, and bequests of moneys; acquire, receive,  
1635 hold, invest, and administer, in its own name, securities,  
1636 funds, objects of value, or other property, real or personal;  
1637 and make expenditures to or for the direct or indirect benefit  
1638 of the Statewide Guardian ad Litem Office, including the local  
1639 guardian ad litem offices.

1640 (c) If the executive director of the Statewide Guardian ad  
1641 Litem Office determines that the state direct-support

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1642 organization or a local direct-support organization is operating  
1643 in a manner that is inconsistent with the goals and purposes of  
1644 the Statewide Guardian ad Litem Office or not acting in the best  
1645 interest of the state, the executive director may terminate the  
1646 organization's contract and thereafter the organization may not  
1647 use the name of the Statewide Guardian ad Litem Office.

1648 (2) ~~CONTRACTS~~ ~~CONTRACT~~.—The state direct-support  
1649 organization and the local direct-support organizations shall  
1650 operate under a written contract with the Statewide Guardian Ad  
1651 Litem Office. The written contract must, at a minimum, provide  
1652 for:

1653 (a) Approval of the articles of incorporation and bylaws  
1654 of the direct-support organization by the executive director of  
1655 the Statewide Guardian ad Litem Office.

1656 (b) Submission of an annual budget for the approval by the  
1657 executive director of the Statewide Guardian ad Litem Office.

1658 (c) The reversion without penalty to the Statewide  
1659 Guardian ad Litem Office, or to the state if the Statewide  
1660 Guardian ad Litem Office ceases to exist, of all moneys and  
1661 property held in trust by the state direct-support organization  
1662 for the Statewide Guardian Ad Litem Office if the direct-support  
1663 organization ceases to exist or if the contract is terminated.

1664 (d) The fiscal year of the state direct-support  
1665 organization and the local direct-support organizations, which

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1666 must begin July 1 of each year and end June 30 of the following  
1667 year.

1668 (e) The disclosure of material provisions of the contract  
1669 and the distinction between the Statewide Guardian ad Litem  
1670 Office and the state direct-support organization or the local  
1671 direct-support organization to donors of gifts, contributions,  
1672 or bequests, as well as on all promotional and fundraising  
1673 publications.

1674 (3) BOARD OF DIRECTORS.—The executive director of the  
1675 Statewide Guardian ad Litem Office shall appoint a board of  
1676 directors for the state direct-support organization. The  
1677 executive director may designate employees of the Statewide  
1678 Guardian ad Litem Office to serve on the board of directors of  
1679 the state direct-support organization or a local direct-support  
1680 organization. Members of the board of the state direct-support  
1681 organization or a local direct-support organization shall serve  
1682 at the pleasure of the executive director.

1683 (4) USE OF PROPERTY AND SERVICES.—The executive director  
1684 of the Statewide Guardian ad Litem Office:

1685 (a) May authorize the use of facilities and property other  
1686 than money that are owned by the Statewide Guardian ad Litem  
1687 Office to be used by the state direct-support organization or a  
1688 local direct-support organization.

1689 (b) May authorize the use of personal services provided by  
1690 employees of the Statewide Guardian ad Litem Office to be used

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1691 by the state direct-support organization or a local direct-  
1692 support organization. For the purposes of this section, the term  
1693 "personal services" includes full-time personnel and part-time  
1694 personnel as well as payroll processing.

1695 (c) May prescribe the conditions by which the state  
1696 direct-support organization or a local direct-support  
1697 organization may use property, facilities, or personal services  
1698 of the office or the state direct-support organization.

1699 (d) May ~~shall~~ not authorize the use of property,  
1700 facilities, or personal services by the state ~~of the~~ direct-  
1701 support organization or a local direct-support organization if  
1702 the organization does not provide equal employment opportunities  
1703 to all persons, regardless of race, color, religion, sex, age,  
1704 or national origin.

1705 (5) MONEYS.—Moneys of the state direct-support  
1706 organization or a local direct-support organization ~~must~~ may be  
1707 held in a separate depository account in the name of the direct-  
1708 support organization and subject to the provisions of the  
1709 contract with the Statewide Guardian ad Litem Office.

1710 (6) ANNUAL AUDIT.—The state direct-support organization  
1711 and a local direct-support organization ~~must~~ shall provide for  
1712 an annual financial audit in accordance with s. 215.981.

1713 (7) LIMITS ON DIRECT-SUPPORT ORGANIZATIONS ~~ORGANIZATION.~~—  
1714 The state direct-support organization and a local direct-support  
1715 organization ~~may~~ shall not exercise any power under s.

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1716 617.0302(12) or (16). A ~~No~~ state employee may not ~~shall~~ receive  
1717 compensation from the state direct-support organization or a  
1718 local direct-support organization for service on the board of  
1719 directors or for services rendered to the direct-support  
1720 organization.

1721 Section 35. Section 1009.898, Florida Statutes, is created  
1722 to read:

1723 1009.898 Pathway to Prosperity grants.-

1724 (1) The Pathway to Prosperity program shall administer the  
1725 following grants to youth and young adults aging out of foster  
1726 care:

1727 (a) Grants to provide financial literacy instruction using  
1728 a curriculum developed by the Department of Financial Services.

1729 (b) Grants to provide SAT and ACT preparation, including  
1730 one-on-one support and fee waivers for the examinations.

1731 (c) Grants to youth and young adults planning to pursue  
1732 trade careers or paid apprenticeships.

1733 (2) If a youth who is aging out of foster care is reunited  
1734 with his or her parents, the grants remain available for the  
1735 youth for up to 6 months after reunification.

1736 Section 36. Subsection (1) of section 39.302, Florida  
1737 Statutes, is amended to read:

1738 39.302 Protective investigations of institutional child  
1739 abuse, abandonment, or neglect.-

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1740 (1) The department shall conduct a child protective  
1741 investigation of each report of institutional child abuse,  
1742 abandonment, or neglect. Upon receipt of a report that alleges  
1743 that an employee or agent of the department, or any other entity  
1744 or person covered by s. 39.01(39) or (57) ~~s. 39.01(36) or (54)~~,  
1745 acting in an official capacity, has committed an act of child  
1746 abuse, abandonment, or neglect, the department shall initiate a  
1747 child protective investigation within the timeframe established  
1748 under s. 39.101(2) and notify the appropriate state attorney,  
1749 law enforcement agency, and licensing agency, which shall  
1750 immediately conduct a joint investigation, unless independent  
1751 investigations are more feasible. When conducting investigations  
1752 or having face-to-face interviews with the child, investigation  
1753 visits shall be unannounced unless it is determined by the  
1754 department or its agent that unannounced visits threaten the  
1755 safety of the child. If a facility is exempt from licensing, the  
1756 department shall inform the owner or operator of the facility of  
1757 the report. Each agency conducting a joint investigation is  
1758 entitled to full access to the information gathered by the  
1759 department in the course of the investigation. A protective  
1760 investigation must include an interview with the child's parent  
1761 or legal guardian. The department shall make a full written  
1762 report to the state attorney within 3 business days after making  
1763 the oral report. A criminal investigation shall be coordinated,  
1764 whenever possible, with the child protective investigation of

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1765 the department. Any interested person who has information  
1766 regarding the offenses described in this subsection may forward  
1767 a statement to the state attorney as to whether prosecution is  
1768 warranted and appropriate. Within 15 days after the completion  
1769 of the investigation, the state attorney shall report the  
1770 findings to the department and shall include in the report a  
1771 determination of whether or not prosecution is justified and  
1772 appropriate in view of the circumstances of the specific case.

1773 Section 37. Paragraph (c) of subsection (1) of section  
1774 39.521, Florida Statutes, is amended to read:

1775 39.521 Disposition hearings; powers of disposition.—

1776 (1) A disposition hearing shall be conducted by the court,  
1777 if the court finds that the facts alleged in the petition for  
1778 dependency were proven in the adjudicatory hearing, or if the  
1779 parents or legal custodians have consented to the finding of  
1780 dependency or admitted the allegations in the petition, have  
1781 failed to appear for the arraignment hearing after proper  
1782 notice, or have not been located despite a diligent search  
1783 having been conducted.

1784 (c) When any child is adjudicated by a court to be  
1785 dependent, the court having jurisdiction of the child has the  
1786 power by order to:

1787 1. Require the parent and, when appropriate, the legal  
1788 guardian or the child to participate in treatment and services  
1789 identified as necessary. The court may require the person who

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1790 has custody or who is requesting custody of the child to submit  
1791 to a mental health or substance abuse disorder assessment or  
1792 evaluation. The order may be made only upon good cause shown and  
1793 pursuant to notice and procedural requirements provided under  
1794 the Florida Rules of Juvenile Procedure. The mental health  
1795 assessment or evaluation must be administered by a qualified  
1796 professional as defined in s. 39.01, and the substance abuse  
1797 assessment or evaluation must be administered by a qualified  
1798 professional as defined in s. 397.311. The court may also  
1799 require such person to participate in and comply with treatment  
1800 and services identified as necessary, including, when  
1801 appropriate and available, participation in and compliance with  
1802 a mental health court program established under chapter 394 or a  
1803 treatment-based drug court program established under s. 397.334.  
1804 Adjudication of a child as dependent based upon evidence of harm  
1805 as defined in s. 39.01(37)(g) ~~s. 39.01(34)(g)~~ demonstrates good  
1806 cause, and the court shall require the parent whose actions  
1807 caused the harm to submit to a substance abuse disorder  
1808 assessment or evaluation and to participate and comply with  
1809 treatment and services identified in the assessment or  
1810 evaluation as being necessary. In addition to supervision by the  
1811 department, the court, including the mental health court program  
1812 or the treatment-based drug court program, may oversee the  
1813 progress and compliance with treatment by a person who has  
1814 custody or is requesting custody of the child. The court may

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1815 impose appropriate available sanctions for noncompliance upon a  
1816 person who has custody or is requesting custody of the child or  
1817 make a finding of noncompliance for consideration in determining  
1818 whether an alternative placement of the child is in the child's  
1819 best interests. Any order entered under this subparagraph may be  
1820 made only upon good cause shown. This subparagraph does not  
1821 authorize placement of a child with a person seeking custody of  
1822 the child, other than the child's parent or legal custodian, who  
1823 requires mental health or substance abuse disorder treatment.

1824 2. Require, if the court deems necessary, the parties to  
1825 participate in dependency mediation.

1826 3. Require placement of the child either under the  
1827 protective supervision of an authorized agent of the department  
1828 in the home of one or both of the child's parents or in the home  
1829 of a relative of the child or another adult approved by the  
1830 court, or in the custody of the department. Protective  
1831 supervision continues until the court terminates it or until the  
1832 child reaches the age of 18, whichever date is first. Protective  
1833 supervision shall be terminated by the court whenever the court  
1834 determines that permanency has been achieved for the child,  
1835 whether with a parent, another relative, or a legal custodian,  
1836 and that protective supervision is no longer needed. The  
1837 termination of supervision may be with or without retaining  
1838 jurisdiction, at the court's discretion, and shall in either  
1839 case be considered a permanency option for the child. The order

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1840 terminating supervision by the department must set forth the  
1841 powers of the custodian of the child and include the powers  
1842 ordinarily granted to a guardian of the person of a minor unless  
1843 otherwise specified. Upon the court's termination of supervision  
1844 by the department, further judicial reviews are not required if  
1845 permanency has been established for the child.

1846 4. Determine whether the child has a strong attachment to  
1847 the prospective permanent guardian and whether such guardian has  
1848 a strong commitment to permanently caring for the child.

1849 Section 38. Paragraph (d) of subsection (4) of section  
1850 119.071, Florida Statutes, is amended to read:

1851 119.071 General exemptions from inspection or copying of  
1852 public records.—

1853 (4) AGENCY PERSONNEL INFORMATION.—

1854 (d)1. For purposes of this paragraph, the term:

1855 a. "Home addresses" means the dwelling location at which  
1856 an individual resides and includes the physical address, mailing  
1857 address, street address, parcel identification number, plot  
1858 identification number, legal property description, neighborhood  
1859 name and lot number, GPS coordinates, and any other descriptive  
1860 property information that may reveal the home address.

1861 b. "Telephone numbers" includes home telephone numbers,  
1862 personal cellular telephone numbers, personal pager telephone  
1863 numbers, and telephone numbers associated with personal  
1864 communications devices.

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1865           2.a. The home addresses, telephone numbers, dates of  
1866 birth, and photographs of active or former sworn law enforcement  
1867 personnel or of active or former civilian personnel employed by  
1868 a law enforcement agency, including correctional and  
1869 correctional probation officers, personnel of the Department of  
1870 Children and Families whose duties include the investigation of  
1871 abuse, neglect, exploitation, fraud, theft, or other criminal  
1872 activities, personnel of the Department of Health whose duties  
1873 are to support the investigation of child abuse or neglect, and  
1874 personnel of the Department of Revenue or local governments  
1875 whose responsibilities include revenue collection and  
1876 enforcement or child support enforcement; the names, home  
1877 addresses, telephone numbers, photographs, dates of birth, and  
1878 places of employment of the spouses and children of such  
1879 personnel; and the names and locations of schools and day care  
1880 facilities attended by the children of such personnel are exempt  
1881 from s. 119.07(1) and s. 24(a), Art. I of the State  
1882 Constitution.

1883           b. The home addresses, telephone numbers, dates of birth,  
1884 and photographs of current or former nonsworn investigative  
1885 personnel of the Department of Financial Services whose duties  
1886 include the investigation of fraud, theft, workers' compensation  
1887 coverage requirements and compliance, other related criminal  
1888 activities, or state regulatory requirement violations; the  
1889 names, home addresses, telephone numbers, dates of birth, and

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1890 places of employment of the spouses and children of such  
1891 personnel; and the names and locations of schools and day care  
1892 facilities attended by the children of such personnel are exempt  
1893 from s. 119.07(1) and s. 24(a), Art. I of the State  
1894 Constitution.

1895 c. The home addresses, telephone numbers, dates of birth,  
1896 and photographs of current or former nonsworn investigative  
1897 personnel of the Office of Financial Regulation's Bureau of  
1898 Financial Investigations whose duties include the investigation  
1899 of fraud, theft, other related criminal activities, or state  
1900 regulatory requirement violations; the names, home addresses,  
1901 telephone numbers, dates of birth, and places of employment of  
1902 the spouses and children of such personnel; and the names and  
1903 locations of schools and day care facilities attended by the  
1904 children of such personnel are exempt from s. 119.07(1) and s.  
1905 24(a), Art. I of the State Constitution.

1906 d. The home addresses, telephone numbers, dates of birth,  
1907 and photographs of current or former firefighters certified in  
1908 compliance with s. 633.408; the names, home addresses, telephone  
1909 numbers, photographs, dates of birth, and places of employment  
1910 of the spouses and children of such firefighters; and the names  
1911 and locations of schools and day care facilities attended by the  
1912 children of such firefighters are exempt from s. 119.07(1) and  
1913 s. 24(a), Art. I of the State Constitution.

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1914 e. The home addresses, dates of birth, and telephone  
1915 numbers of current or former justices of the Supreme Court,  
1916 district court of appeal judges, circuit court judges, and  
1917 county court judges; the names, home addresses, telephone  
1918 numbers, dates of birth, and places of employment of the spouses  
1919 and children of current or former justices and judges; and the  
1920 names and locations of schools and day care facilities attended  
1921 by the children of current or former justices and judges are  
1922 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
1923 Constitution.

1924 f. The home addresses, telephone numbers, dates of birth,  
1925 and photographs of current or former state attorneys, assistant  
1926 state attorneys, statewide prosecutors, or assistant statewide  
1927 prosecutors; the names, home addresses, telephone numbers,  
1928 photographs, dates of birth, and places of employment of the  
1929 spouses and children of current or former state attorneys,  
1930 assistant state attorneys, statewide prosecutors, or assistant  
1931 statewide prosecutors; and the names and locations of schools  
1932 and day care facilities attended by the children of current or  
1933 former state attorneys, assistant state attorneys, statewide  
1934 prosecutors, or assistant statewide prosecutors are exempt from  
1935 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

1936 g. The home addresses, dates of birth, and telephone  
1937 numbers of general magistrates, special magistrates, judges of  
1938 compensation claims, administrative law judges of the Division

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1939 of Administrative Hearings, and child support enforcement  
1940 hearing officers; the names, home addresses, telephone numbers,  
1941 dates of birth, and places of employment of the spouses and  
1942 children of general magistrates, special magistrates, judges of  
1943 compensation claims, administrative law judges of the Division  
1944 of Administrative Hearings, and child support enforcement  
1945 hearing officers; and the names and locations of schools and day  
1946 care facilities attended by the children of general magistrates,  
1947 special magistrates, judges of compensation claims,  
1948 administrative law judges of the Division of Administrative  
1949 Hearings, and child support enforcement hearing officers are  
1950 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
1951 Constitution.

1952 h. The home addresses, telephone numbers, dates of birth,  
1953 and photographs of current or former human resource, labor  
1954 relations, or employee relations directors, assistant directors,  
1955 managers, or assistant managers of any local government agency  
1956 or water management district whose duties include hiring and  
1957 firing employees, labor contract negotiation, administration, or  
1958 other personnel-related duties; the names, home addresses,  
1959 telephone numbers, dates of birth, and places of employment of  
1960 the spouses and children of such personnel; and the names and  
1961 locations of schools and day care facilities attended by the  
1962 children of such personnel are exempt from s. 119.07(1) and s.  
1963 24(a), Art. I of the State Constitution.

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1964 i. The home addresses, telephone numbers, dates of birth,  
1965 and photographs of current or former code enforcement officers;  
1966 the names, home addresses, telephone numbers, dates of birth,  
1967 and places of employment of the spouses and children of such  
1968 personnel; and the names and locations of schools and day care  
1969 facilities attended by the children of such personnel are exempt  
1970 from s. 119.07(1) and s. 24(a), Art. I of the State  
1971 Constitution.

1972 j. The home addresses, telephone numbers, places of  
1973 employment, dates of birth, and photographs of current or former  
1974 guardians ad litem, as defined in s. 39.01 ~~s. 39.820~~; the names,  
1975 home addresses, telephone numbers, dates of birth, and places of  
1976 employment of the spouses and children of such persons; and the  
1977 names and locations of schools and day care facilities attended  
1978 by the children of such persons are exempt from s. 119.07(1) and  
1979 s. 24(a), Art. I of the State Constitution.

1980 k. The home addresses, telephone numbers, dates of birth,  
1981 and photographs of current or former juvenile probation  
1982 officers, juvenile probation supervisors, detention  
1983 superintendents, assistant detention superintendents, juvenile  
1984 justice detention officers I and II, juvenile justice detention  
1985 officer supervisors, juvenile justice residential officers,  
1986 juvenile justice residential officer supervisors I and II,  
1987 juvenile justice counselors, juvenile justice counselor  
1988 supervisors, human services counselor administrators, senior

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1989 human services counselor administrators, rehabilitation  
1990 therapists, and social services counselors of the Department of  
1991 Juvenile Justice; the names, home addresses, telephone numbers,  
1992 dates of birth, and places of employment of spouses and children  
1993 of such personnel; and the names and locations of schools and  
1994 day care facilities attended by the children of such personnel  
1995 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
1996 Constitution.

1997       1. The home addresses, telephone numbers, dates of birth,  
1998 and photographs of current or former public defenders, assistant  
1999 public defenders, criminal conflict and civil regional counsel,  
2000 and assistant criminal conflict and civil regional counsel; the  
2001 names, home addresses, telephone numbers, dates of birth, and  
2002 places of employment of the spouses and children of current or  
2003 former public defenders, assistant public defenders, criminal  
2004 conflict and civil regional counsel, and assistant criminal  
2005 conflict and civil regional counsel; and the names and locations  
2006 of schools and day care facilities attended by the children of  
2007 current or former public defenders, assistant public defenders,  
2008 criminal conflict and civil regional counsel, and assistant  
2009 criminal conflict and civil regional counsel are exempt from s.  
2010 119.07(1) and s. 24(a), Art. I of the State Constitution.

2011       m. The home addresses, telephone numbers, dates of birth,  
2012 and photographs of current or former investigators or inspectors  
2013 of the Department of Business and Professional Regulation; the

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2014 names, home addresses, telephone numbers, dates of birth, and  
2015 places of employment of the spouses and children of such current  
2016 or former investigators and inspectors; and the names and  
2017 locations of schools and day care facilities attended by the  
2018 children of such current or former investigators and inspectors  
2019 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
2020 Constitution.

2021 n. The home addresses, telephone numbers, and dates of  
2022 birth of county tax collectors; the names, home addresses,  
2023 telephone numbers, dates of birth, and places of employment of  
2024 the spouses and children of such tax collectors; and the names  
2025 and locations of schools and day care facilities attended by the  
2026 children of such tax collectors are exempt from s. 119.07(1) and  
2027 s. 24(a), Art. I of the State Constitution.

2028 o. The home addresses, telephone numbers, dates of birth,  
2029 and photographs of current or former personnel of the Department  
2030 of Health whose duties include, or result in, the determination  
2031 or adjudication of eligibility for social security disability  
2032 benefits, the investigation or prosecution of complaints filed  
2033 against health care practitioners, or the inspection of health  
2034 care practitioners or health care facilities licensed by the  
2035 Department of Health; the names, home addresses, telephone  
2036 numbers, dates of birth, and places of employment of the spouses  
2037 and children of such personnel; and the names and locations of  
2038 schools and day care facilities attended by the children of such

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2039 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of  
2040 the State Constitution.

2041 p. The home addresses, telephone numbers, dates of birth,  
2042 and photographs of current or former impaired practitioner  
2043 consultants who are retained by an agency or current or former  
2044 employees of an impaired practitioner consultant whose duties  
2045 result in a determination of a person's skill and safety to  
2046 practice a licensed profession; the names, home addresses,  
2047 telephone numbers, dates of birth, and places of employment of  
2048 the spouses and children of such consultants or their employees;  
2049 and the names and locations of schools and day care facilities  
2050 attended by the children of such consultants or employees are  
2051 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
2052 Constitution.

2053 q. The home addresses, telephone numbers, dates of birth,  
2054 and photographs of current or former emergency medical  
2055 technicians or paramedics certified under chapter 401; the  
2056 names, home addresses, telephone numbers, dates of birth, and  
2057 places of employment of the spouses and children of such  
2058 emergency medical technicians or paramedics; and the names and  
2059 locations of schools and day care facilities attended by the  
2060 children of such emergency medical technicians or paramedics are  
2061 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
2062 Constitution.

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2063 r. The home addresses, telephone numbers, dates of birth,  
2064 and photographs of current or former personnel employed in an  
2065 agency's office of inspector general or internal audit  
2066 department whose duties include auditing or investigating waste,  
2067 fraud, abuse, theft, exploitation, or other activities that  
2068 could lead to criminal prosecution or administrative discipline;  
2069 the names, home addresses, telephone numbers, dates of birth,  
2070 and places of employment of spouses and children of such  
2071 personnel; and the names and locations of schools and day care  
2072 facilities attended by the children of such personnel are exempt  
2073 from s. 119.07(1) and s. 24(a), Art. I of the State  
2074 Constitution.

2075 s. The home addresses, telephone numbers, dates of birth,  
2076 and photographs of current or former directors, managers,  
2077 supervisors, nurses, and clinical employees of an addiction  
2078 treatment facility; the home addresses, telephone numbers,  
2079 photographs, dates of birth, and places of employment of the  
2080 spouses and children of such personnel; and the names and  
2081 locations of schools and day care facilities attended by the  
2082 children of such personnel are exempt from s. 119.07(1) and s.  
2083 24(a), Art. I of the State Constitution. For purposes of this  
2084 sub-subparagraph, the term "addiction treatment facility" means  
2085 a county government, or agency thereof, that is licensed  
2086 pursuant to s. 397.401 and provides substance abuse prevention,

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2087 intervention, or clinical treatment, including any licensed  
2088 service component described in s. 397.311(26).

2089 t. The home addresses, telephone numbers, dates of birth,  
2090 and photographs of current or former directors, managers,  
2091 supervisors, and clinical employees of a child advocacy center  
2092 that meets the standards of s. 39.3035(2) and fulfills the  
2093 screening requirement of s. 39.3035(3), and the members of a  
2094 Child Protection Team as described in s. 39.303 whose duties  
2095 include supporting the investigation of child abuse or sexual  
2096 abuse, child abandonment, child neglect, and child exploitation  
2097 or to provide services as part of a multidisciplinary case  
2098 review team; the names, home addresses, telephone numbers,  
2099 photographs, dates of birth, and places of employment of the  
2100 spouses and children of such personnel and members; and the  
2101 names and locations of schools and day care facilities attended  
2102 by the children of such personnel and members are exempt from s.  
2103 119.07(1) and s. 24(a), Art. I of the State Constitution.

2104 u. The home addresses, telephone numbers, places of  
2105 employment, dates of birth, and photographs of current or former  
2106 staff and domestic violence advocates, as defined in s.  
2107 90.5036(1)(b), of domestic violence centers certified by the  
2108 Department of Children and Families under chapter 39; the names,  
2109 home addresses, telephone numbers, places of employment, dates  
2110 of birth, and photographs of the spouses and children of such  
2111 personnel; and the names and locations of schools and day care

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2112 facilities attended by the children of such personnel are exempt  
2113 from s. 119.07(1) and s. 24(a), Art. I of the State  
2114 Constitution.

2115 3. An agency that is the custodian of the information  
2116 specified in subparagraph 2. and that is not the employer of the  
2117 officer, employee, justice, judge, or other person specified in  
2118 subparagraph 2. must maintain the exempt status of that  
2119 information only if the officer, employee, justice, judge, other  
2120 person, or employing agency of the designated employee submits a  
2121 written and notarized request for maintenance of the exemption  
2122 to the custodial agency. The request must state under oath the  
2123 statutory basis for the individual's exemption request and  
2124 confirm the individual's status as a party eligible for exempt  
2125 status.

2126 4.a. A county property appraiser, as defined in s.  
2127 192.001(3), or a county tax collector, as defined in s.  
2128 192.001(4), who receives a written and notarized request for  
2129 maintenance of the exemption pursuant to subparagraph 3. must  
2130 comply by removing the name of the individual with exempt status  
2131 and the instrument number or Official Records book and page  
2132 number identifying the property with the exempt status from all  
2133 publicly available records maintained by the property appraiser  
2134 or tax collector. For written requests received on or before  
2135 July 1, 2021, a county property appraiser or county tax  
2136 collector must comply with this sub-subparagraph by October 1,

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2137 2021. A county property appraiser or county tax collector may  
2138 not remove the street address, legal description, or other  
2139 information identifying real property within the agency's  
2140 records so long as a name or personal information otherwise  
2141 exempt from inspection and copying pursuant to this section are  
2142 not associated with the property or otherwise displayed in the  
2143 public records of the agency.

2144 b. Any information restricted from public display,  
2145 inspection, or copying under sub-subparagraph a. must be  
2146 provided to the individual whose information was removed.

2147 5. An officer, an employee, a justice, a judge, or other  
2148 person specified in subparagraph 2. may submit a written request  
2149 for the release of his or her exempt information to the  
2150 custodial agency. The written request must be notarized and must  
2151 specify the information to be released and the party authorized  
2152 to receive the information. Upon receipt of the written request,  
2153 the custodial agency must release the specified information to  
2154 the party authorized to receive such information.

2155 6. The exemptions in this paragraph apply to information  
2156 held by an agency before, on, or after the effective date of the  
2157 exemption.

2158 7. Information made exempt under this paragraph may be  
2159 disclosed pursuant to s. 28.2221 to a title insurer authorized  
2160 pursuant to s. 624.401 and its affiliates as defined in s.  
2161 624.10; a title insurance agent or title insurance agency as

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2162 defined in s. 626.841(1) or (2), respectively; or an attorney  
2163 duly admitted to practice law in this state and in good standing  
2164 with The Florida Bar.

2165 8. The exempt status of a home address contained in the  
2166 Official Records is maintained only during the period when a  
2167 protected party resides at the dwelling location. Upon  
2168 conveyance of real property after October 1, 2021, and when such  
2169 real property no longer constitutes a protected party's home  
2170 address as defined in sub-subparagraph 1.a., the protected party  
2171 must submit a written request to release the removed information  
2172 to the county recorder. The written request to release the  
2173 removed information must be notarized, must confirm that a  
2174 protected party's request for release is pursuant to a  
2175 conveyance of his or her dwelling location, and must specify the  
2176 Official Records book and page, instrument number, or clerk's  
2177 file number for each document containing the information to be  
2178 released.

2179 9. Upon the death of a protected party as verified by a  
2180 certified copy of a death certificate or court order, any party  
2181 can request the county recorder to release a protected  
2182 decedent's removed information unless there is a related request  
2183 on file with the county recorder for continued removal of the  
2184 decedent's information or unless such removal is otherwise  
2185 prohibited by statute or by court order. The written request to  
2186 release the removed information upon the death of a protected

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2187 party must attach the certified copy of a death certificate or  
2188 court order and must be notarized, must confirm the request for  
2189 release is due to the death of a protected party, and must  
2190 specify the Official Records book and page number, instrument  
2191 number, or clerk's file number for each document containing the  
2192 information to be released. A fee may not be charged for the  
2193 release of any document pursuant to such request.

2194 10. This paragraph is subject to the Open Government  
2195 Sunset Review Act in accordance with s. 119.15 and shall stand  
2196 repealed on October 2, 2024, unless reviewed and saved from  
2197 repeal through reenactment by the Legislature.

2198 Section 39. Subsection (4) of section 322.09, Florida  
2199 Statutes, is amended to read:

2200 322.09 Application of minors; responsibility for  
2201 negligence or misconduct of minor.—

2202 (4) Notwithstanding subsections (1) and (2), if a  
2203 caregiver of a minor who is under the age of 18 years and is in  
2204 out-of-home care as defined in s. 39.01 ~~s. 39.01(55)~~, an  
2205 authorized representative of a residential group home at which  
2206 such a minor resides, the caseworker at the agency at which the  
2207 state has placed the minor, or a guardian ad litem specifically  
2208 authorized by the minor's caregiver to sign for a learner's  
2209 driver license signs the minor's application for a learner's  
2210 driver license, that caregiver, group home representative,  
2211 caseworker, or guardian ad litem does not assume any obligation

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2212 or become liable for any damages caused by the negligence or  
2213 willful misconduct of the minor by reason of having signed the  
2214 application. Before signing the application, the caseworker,  
2215 authorized group home representative, or guardian ad litem shall  
2216 notify the caregiver or other responsible party of his or her  
2217 intent to sign and verify the application.

2218 Section 40. Paragraph (p) of subsection (4) of section  
2219 394.495, Florida Statutes, is amended to read:

2220 394.495 Child and adolescent mental health system of care;  
2221 programs and services.—

2222 (4) The array of services may include, but is not limited  
2223 to:

2224 (p) Trauma-informed services for children who have  
2225 suffered sexual exploitation as defined in s. 39.01(80)(g) ~~s.~~  
2226 ~~39.01(77)(g)~~.

2227 Section 41. Section 627.746, Florida Statutes, is amended  
2228 to read:

2229 627.746 Coverage for minors who have a learner's driver  
2230 license; additional premium prohibited.—An insurer that issues  
2231 an insurance policy on a private passenger motor vehicle to a  
2232 named insured who is a caregiver of a minor who is under the age  
2233 of 18 years and is in out-of-home care as defined in s. 39.01 ~~s.~~  
2234 ~~39.01(55)~~ may not charge an additional premium for coverage of  
2235 the minor while the minor is operating the insured vehicle, for

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2236 the period of time that the minor has a learner's driver  
2237 license, until such time as the minor obtains a driver license.

2238 Section 42. Paragraph (b) of subsection (9) of section  
2239 768.28, Florida Statutes, is amended to read:

2240 768.28 Waiver of sovereign immunity in tort actions;  
2241 recovery limits; civil liability for damages caused during a  
2242 riot; limitation on attorney fees; statute of limitations;  
2243 exclusions; indemnification; risk management programs.—

2244 (9)

2245 (b) As used in this subsection, the term:

2246 1. "Employee" includes any volunteer firefighter.

2247 2. "Officer, employee, or agent" includes, but is not  
2248 limited to, any health care provider when providing services  
2249 pursuant to s. 766.1115; any nonprofit independent college or  
2250 university located and chartered in this state which owns or  
2251 operates an accredited medical school, and its employees or  
2252 agents, when providing patient services pursuant to paragraph  
2253 (10) (f); any public defender or her or his employee or agent,  
2254 including an assistant public defender or an investigator; and  
2255 any member of a Child Protection Team, as defined in s. 39.01 ~~s.~~  
2256 ~~39.01(13)~~, when carrying out her or his duties as a team member  
2257 under the control, direction, and supervision of the state or  
2258 any of its agencies or subdivisions.

2259 Section 43. Paragraph (c) of subsection (1) of section  
2260 934.255, Florida Statutes, is amended to read:

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2261 934.255 Subpoenas in investigations of sexual offenses.—

2262 (1) As used in this section, the term:

2263 (c) "Sexual abuse of a child" means a criminal offense  
2264 based on any conduct described in s. 39.01(80) ~~s. 39.01(77)~~.

2265 Section 44. Subsection (5) of section 960.065, Florida  
2266 Statutes, is amended to read:

2267 960.065 Eligibility for awards.—

2268 (5) A person is not ineligible for an award pursuant to  
2269 paragraph (2)(a), paragraph (2)(b), or paragraph (2)(c) if that  
2270 person is a victim of sexual exploitation of a child as defined  
2271 in s. 39.01(80)(g) ~~s. 39.01(77)(g)~~.

2272 Section 45. The Division of Law Revision is requested to  
2273 prepare a reviser's bill for the 2024 Regular Session of the  
2274 Legislature to substitute the term "Statewide Guardian ad Litem  
2275 Office" for the term "Statewide Guardian Ad Litem Program"  
2276 throughout the Florida Statutes.

2278 -----

2279 **T I T L E A M E N D M E N T**

2280 Remove line 2 and insert:  
2281 An act relating to dependent children; amending s.  
2282 39.001, F.S.; revising the purposes of chapter 39;  
2283 requiring the Statewide Guardian ad Litem Office and  
2284 circuit guardian ad litem offices to participate in  
2285 the development of a certain state plan; conforming a

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2286 provision to changes made by the act; amending s.  
2287 39.00145, F.S.; authorizing a child's attorney ad  
2288 litem to inspect certain records; amending s.  
2289 39.00146, F.S.; conforming provisions to changes made  
2290 by the act; amending s. 39.0016, F.S.; requiring a  
2291 child's guardian ad litem be included in the  
2292 coordination of certain educational services; amending  
2293 s. 39.01, F.S.; providing and revising definitions;  
2294 amending s. 39.013, F.S.; requiring the court to  
2295 appoint a guardian ad litem for a child at the  
2296 earliest possible time; authorizing a guardian ad  
2297 litem to represent a child in other proceedings to  
2298 secure certain services and benefits; authorizing the  
2299 court to appoint an attorney ad litem for a child  
2300 after it makes certain determinations; authorizing an  
2301 attorney ad litem to represent a child in other  
2302 proceedings to secure certain services and benefits;  
2303 amending s. 39.01305, F.S.; revising provisions  
2304 relating to the appointment of an attorney for certain  
2305 children; revising legislative findings; authorizing  
2306 the court to appoint an attorney ad litem for a child  
2307 after making certain determinations; providing  
2308 requirements for the appointment and discharge of an  
2309 attorney ad litem; authorizing an attorney ad litem to  
2310 represent a child in other proceedings to secure

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2311 certain services and benefits; conforming provisions  
2312 to changes made by the act; providing applicability;  
2313 amending s. 39.0132, F.S.; authorizing a child's  
2314 attorney ad litem to inspect certain records; amending  
2315 s. 39.0136, F.S.; revising the parties who may request  
2316 a continuance in a proceeding; amending s. 39.0139,  
2317 F.S.; conforming provisions to changes made by the  
2318 act; amending s. 39.202, F.S.; requiring that certain  
2319 confidential records be released to the guardian ad  
2320 litem and attorney ad litem; conforming a cross-  
2321 reference; amending s. 39.402, F.S.; requiring parents  
2322 to consent to provide certain information to the  
2323 guardian ad litem and attorney ad litem; conforming  
2324 provisions to changes made by the act; amending s.  
2325 39.4022, F.S.; revising the participants who must be  
2326 invited to a multidisciplinary team staffing; amending  
2327 s. 39.4023, F.S.; requiring notice of a  
2328 multidisciplinary team staffing be provided to a  
2329 child's guardian ad litem and attorney ad litem;  
2330 conforming provisions to changes made by the act;  
2331 amending s. 39.407, F.S.; conforming provisions to  
2332 changes made by the act; amending s. 39.4085, F.S.;  
2333 providing a goal of permanency; conforming provisions  
2334 to changes made by the act; amending s. 39.522, F.S.;  
2335 conforming provisions to changes made by the act;

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2336 amending s. 39.6012, F.S.; requiring a case plan to  
2337 include written descriptions of certain activities;  
2338 conforming a cross-reference; creating s. 39.6036,  
2339 F.S.; providing legislative findings and intent;  
2340 requiring the Statewide Guardian ad Litem Office to  
2341 work with certain children to identify a supportive  
2342 adult to enter into a specified agreement; requiring  
2343 such agreement be documented in the child's court  
2344 file; requiring the office to coordinate with the  
2345 Office of Continuing Care for a specified purpose;  
2346 amending s. 39.621, F.S.; conforming provisions to  
2347 changes made by the act; amending s. 39.6241, F.S.;  
2348 requiring a guardian ad litem to advise the court  
2349 regarding certain information and to ensure a certain  
2350 agreement has been documented in the child's court  
2351 file; amending s. 39.701, F.S.; requiring certain  
2352 notice be given to an attorney ad litem; requiring a  
2353 court to give a guardian ad litem an opportunity to  
2354 address the court in certain proceedings; requiring  
2355 the court to inquire and determine if a child has a  
2356 certain agreement documented in his or her court file  
2357 at a specified hearing; conforming provisions to  
2358 changes made by the act; amending s. 39.801, F.S.;  
2359 conforming provisions to changes made by the act;  
2360 amending s. 39.807, F.S.; requiring a court to appoint

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2361 a guardian ad litem to represent the child; revising a  
2362 guardian ad litem's responsibilities and authorities;  
2363 deleting provisions relating to bonds and service of  
2364 pleadings or papers; amending s. 39.808, F.S.;  
2365 conforming provisions to changes made by the act;  
2366 amending s. 39.815, F.S.; conforming provisions to  
2367 changes made by the act; repealing s. 39.820, F.S.,  
2368 relating to definitions of the terms "guardian ad  
2369 litem" and "guardian advocate"; amending s. 39.821,  
2370 F.S.; conforming provisions to changes made by the  
2371 act; amending s. 39.822, F.S.; providing that a  
2372 guardian ad litem is a fiduciary and must provide  
2373 independent representation to a child; revising  
2374 responsibilities of a guardian ad litem; requiring  
2375 that guardians ad litem have certain access to the  
2376 children the guardians ad litem represent; providing  
2377 actions that a guardian ad litem does or does not have  
2378 to fulfill; amending s. 39.827, F.S.; authorizing a  
2379 child's guardian ad litem and attorney ad litem to  
2380 inspect certain records; amending s. 39.8296, F.S.;  
2381 revising the duties and appointment of the executive  
2382 director of the Statewide Guardian ad Litem Office;  
2383 requiring the training program for guardians ad litem  
2384 to be updated regularly; requiring the office to  
2385 provide oversight and technical assistance to

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2386 attorneys ad litem; specifying certain requirements of  
2387 the office; amending s. 39.8297, F.S.; conforming  
2388 provisions to changes made by the act; amending s.  
2389 39.8298, F.S.; authorizing the executive director of  
2390 the Statewide Guardian ad Litem Office to create or  
2391 designate local direct-support organizations;  
2392 providing responsibilities for the executive director  
2393 of the office; requiring that certain moneys be held  
2394 in a separate depository account; conforming  
2395 provisions to changes made by the act; creating s.  
2396 1009.898, F.S.; authorizing the Pathway to Prosperity  
2397 program to provide certain grants to youth and young  
2398 adults who are aging out of foster care; requiring  
2399 grants to extend for a certain period of time after a  
2400 recipient is reunited with his or her parents;  
2401 amending ss. 39.302, 39.521, 119.071, 322.09, 394.495,  
2402 627.746, 768.28, 934.255, and 960.065, F.S.;  
2403 conforming cross-references; providing a directive to  
2404 the Division of Law Revision;

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Approved For Filing: 4/26/2023 3:50:18 PM