

By the Committee on Children, Families, and Elder Affairs; and
Senator Burton

586-03505-23

20231384c1

1 A bill to be entitled
2 An act relating to legal proceedings for children;
3 amending s. 39.001, F.S.; revising the purposes of ch.
4 39, F.S.; revising the entities involved in the state
5 plan for the promotion of adoption, support of
6 adoptive families, and prevention of abuse,
7 abandonment, and neglect of children; amending s.
8 39.00145, F.S.; clarifying the persons who may have
9 access to records concerning a child; amending s.
10 39.00146, F.S.; revising the general information
11 included on a child's face sheet; amending s. 39.0016,
12 F.S.; revising requirements for agency agreements
13 between the Department of Children and Families and
14 district school boards; amending s. 39.01, F.S.;
15 defining terms and revising definitions; amending s.
16 39.013, F.S.; requiring the court to appoint a
17 guardian ad litem at the earliest possible time to
18 represent a child for specified proceedings;
19 authorizing the court to appoint an attorney ad litem
20 under certain circumstances; amending s. 39.01305,
21 F.S.; revising legislative findings; authorizing the
22 court to appoint an attorney ad litem under certain
23 circumstances; deleting the definition of the term
24 "dependent child"; deleting the requirement that an
25 attorney be appointed for a dependent child under
26 certain circumstances; requiring a court order
27 appointing an attorney ad litem to be in writing;
28 requiring the court to discharge an attorney ad litem
29 under certain circumstances; authorizing an attorney

586-03505-23

20231384c1

30 ad litem to arrange for supplemental or separate
31 counsel under certain circumstances; conforming
32 provisions to changes made in the act; deleting a
33 requirement that the department adopt certain
34 procedures; deleting the department's authorization to
35 adopt certain rules; deleting construction; providing
36 applicability; amending s. 39.0132, F.S.; revising
37 persons who have access to inspect and copy certain
38 records; amending s. 39.0136, F.S.; revising persons
39 who may request a continuance in certain
40 circumstances; amending s. 39.0139, F.S.; conforming
41 provisions to changes made by the act; amending s.
42 39.202, F.S.; clarifying provisions governing persons
43 who are granted access to certain records; conforming
44 a cross-reference; amending s. 39.302, F.S.;
45 conforming cross-references; amending s. 39.402, F.S.;
46 conforming provisions to changes made by the act;
47 deleting provisions relating to a child's consent to
48 certain time limitations; amending s. 39.4022, F.S.;
49 revising participants that must be invited to a
50 multidisciplinary team staffing; conforming provisions
51 to changes made by the act; amending ss. 39.4023 and
52 39.407, F.S.; conforming provisions to changes made by
53 the act; amending s. 39.4085, F.S.; revising
54 legislative findings; conforming provisions to changes
55 made by the act; amending s. 39.521, F.S.; conforming
56 a cross-reference; amending s. 39.522, F.S.;
57 conforming provisions to changes made by the act;
58 amending s. 39.6012, F.S.; conforming a cross-

586-03505-23

20231384c1

59 reference; modifying requirements for the case plans
60 for children in out-of-home placements; creating s.
61 39.6036, F.S.; providing legislative findings and
62 intent; requiring the Statewide Guardian ad Litem
63 Office to work with certain youth to identify at least
64 one supportive adult to enter into a specified formal
65 agreement; requiring the Statewide Guardian ad Litem
66 Office to ensure that such agreement is documented in
67 the youth's court file; requiring the Statewide
68 Guardian ad Litem Office to work in coordination with
69 the Office of Continuing Care for a specified purpose;
70 requiring that any agreement with a supportive adult
71 be documented in the youth's court file; amending s.
72 39.621, F.S.; conforming provisions to changes made
73 the act; amending s. 39.6241, F.S.; requiring a
74 guardian ad litem to advise the court regarding
75 certain information and ensure a certain agreement has
76 been filed with the court; amending s. 39.701, F.S.;
77 conforming changes made by the act; requiring the
78 court to give a guardian ad litem the opportunity to
79 address the court during judicial review hearings for
80 children 16 and 17 years of age; revising the
81 determinations that must be made at the final judicial
82 review hearing before a child reaches 18 years of age;
83 requiring the court to determine whether a child has
84 entered into a formal agreement for an ongoing
85 relationship with a supportive adult during certain
86 judicial review hearings; requiring the court to
87 inquire of a young adult transitioning from foster

586-03505-23

20231384c1

88 care to independent living regarding his or her
89 relationship with a supportive adult during certain
90 judicial review hearings; amending s. 39.801, F.S.;
91 conforming provisions to changes made by the act;
92 amending s. 39.807, F.S.; revising a guardian ad
93 litem's responsibilities and authorities; deleting
94 provisions relating to a guardian ad litem's bond and
95 service of pleadings and papers; amending s. 39.808,
96 F.S.; conforming provisions to changes made by the
97 act; amending s. 39.815, F.S.; conforming provisions
98 to changes made by the act; repealing s. 39.820, F.S.,
99 relating to definitions of the terms "guardian ad
100 litem" and "guardian advocate"; amending s. 39.821,
101 F.S.; making technical changes; amending s. 39.822,
102 F.S.; specifying that a guardian ad litem is a
103 fiduciary; requiring a guardian ad litem to provide
104 certain representation; specifying the
105 responsibilities of a guardian ad litem; requiring
106 that guardians ad litem have certain access to the
107 children they represent; specifying that a guardian ad
108 litem is not required to post bond but must file an
109 acceptance of the appointment; specifying that a
110 guardian ad litem is entitled to receive service of
111 certain pleadings and papers; clarifying a provision
112 relating to parental reimbursement of guardian ad
113 litem representation; amending s. 39.827, F.S.;
114 revising persons authorized to inspect and copy
115 certain records; amending s. 39.8296, F.S.; making
116 technical changes; revising the duties and appointment

586-03505-23

20231384c1

117 of the executive director of the Statewide Guardian ad
118 Litem Office; revising the office's responsibilities;
119 amending s. 39.8297, F.S.; conforming provisions to
120 changes made by the act; amending s. 39.8298, F.S.;
121 authorizing the Statewide Guardian ad Litem Office to
122 create or designate local direct-support
123 organizations; authorizing the executive director to
124 designate such organizations; conforming provisions to
125 changes made by the act; requiring certain moneys to
126 be held in a separate depository account; amending ss.
127 119.071, 322.09, 394.495, 627.746, 768.28, 934.255,
128 and 960.065, F.S.; conforming cross-references;
129 creating s. 1009.898, F.S.; authorizing the Pathway to
130 Prosperity program to provide certain grants to youth
131 and young adults aging out of foster care; specifying
132 that grants remain available for a certain timeframe
133 for youth aging out of foster care who have reunited
134 with parents; providing a directive to the Division of
135 Law Revision; providing an effective date.

136

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

138

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

142 39.001 Purposes and intent; personnel standards and
143 screening.—

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

145 (j) To ensure that, when reunification or adoption is not

586-03505-23

20231384c1

146 possible, the child will be prepared for alternative permanency
147 goals or placements, to include, but not be limited to, long-
148 term foster care, independent living, custody to a relative on a
149 permanent basis with or without legal guardianship, or custody
150 to a foster parent or legal custodian on a permanent basis with
151 or without legal guardianship. Permanency for youth
152 transitioning from foster care to independent living includes
153 naturally occurring, lifelong, kin-like connections between the
154 youth and a supportive adult.

155 (10) PLAN FOR COMPREHENSIVE APPROACH.—

156 (a) The office shall develop a state plan for the promotion
157 of adoption, support of adoptive families, and prevention of
158 abuse, abandonment, and neglect of children. The Department of
159 Children and Families, the Department of Corrections, the
160 Department of Education, the Department of Health, the
161 Department of Juvenile Justice, the Department of Law
162 Enforcement, the Statewide Guardian ad Litem Office, and the
163 Agency for Persons with Disabilities shall participate and fully
164 cooperate in the development of the state plan at both the state
165 and local levels. Furthermore, appropriate local agencies and
166 organizations shall be provided an opportunity to participate in
167 the development of the state plan at the local level.

168 Appropriate local groups and organizations shall include, but
169 not be limited to, community mental health centers; circuit
170 guardian ad litem offices ~~programs for children under the~~
171 ~~circuit court~~; the school boards of the local school districts;
172 the Florida local advocacy councils; community-based care lead
173 agencies; private or public organizations or programs with
174 recognized expertise in working with child abuse prevention

586-03505-23

20231384c1

175 programs for children and families; private or public
176 organizations or programs with recognized expertise in working
177 with children who are sexually abused, physically abused,
178 emotionally abused, abandoned, or neglected and with expertise
179 in working with the families of such children; private or public
180 programs or organizations with expertise in maternal and infant
181 health care; multidisciplinary Child Protection Teams; child day
182 care centers; law enforcement agencies; and the circuit courts,
183 ~~when guardian ad litem programs are not available in the local~~
184 ~~area.~~ The state plan to be provided to the Legislature and the
185 Governor shall include, as a minimum, the information required
186 of the various groups in paragraph (b).

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

189 39.00145 Records concerning children.—

190 (2) Notwithstanding any other provision of this chapter,
191 all records in a child's case record must be made available for
192 inspection, upon request, to the child who is the subject of the
193 case record and to the child's caregiver, guardian ad litem, or
194 attorney ad litem, if appointed.

195 (a) A complete and accurate copy of any record in a child's
196 case record must be provided, upon request and at no cost, to
197 the child who is the subject of the case record and to the
198 child's caregiver, guardian ad litem, or attorney ad litem, if
199 appointed.

200 (b) The department shall release the information in a
201 manner and setting that are appropriate to the age and maturity
202 of the child and the nature of the information being released,
203 which may include the release of information in a therapeutic

586-03505-23

20231384c1

204 setting, if appropriate. This paragraph does not deny the child
205 access to his or her records.

206 (c) If a child or the child's caregiver, guardian ad litem,
207 or attorney ad litem, if appointed, requests access to the
208 child's case record, any person or entity that fails to provide
209 any record in the case record under assertion of a claim of
210 exemption from the public records requirements of chapter 119,
211 or fails to provide access within a reasonable time, is subject
212 to sanctions and penalties under s. 119.10.

213 (d) For the purposes of this subsection, the term
214 "caregiver" is limited to parents, legal custodians, permanent
215 guardians, or foster parents; employees of a residential home,
216 institution, facility, or agency at which the child resides; and
217 other individuals legally responsible for a child's welfare in a
218 residential setting.

219 Section 3. Paragraph (a) of subsection (2) of section
220 39.00146, Florida Statutes, is amended to read:

221 39.00146 Case record face sheet.—

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

228 (a) General case information, including, but not limited
229 to:

- 230 1. The child's name and date of birth;
- 231 2. The current county of residence and the county of
232 residence at the time of the referral;

586-03505-23

20231384c1

233 3. The reason for the referral and any family safety
234 concerns;

235 4. The personal identifying information of the parents or
236 legal custodians who had custody of the child at the time of the
237 referral, including name, date of birth, and county of
238 residence;

239 5. The date of removal from the home; and

240 6. The name and contact information of the attorney or
241 attorneys assigned to the case in all capacities, including the
242 attorney or attorneys that represent the department and the
243 parents, and the name and contact information for the guardian
244 ad litem, if one has been appointed.

245 Section 4. Paragraph (b) of subsection (2) of section
246 39.0016, Florida Statutes, is amended to read:

247 39.0016 Education of abused, neglected, and abandoned
248 children; agency agreements; children having or suspected of
249 having a disability.—

250 (2) AGENCY AGREEMENTS.—

251 (b) The department shall enter into agreements with
252 district school boards or other local educational entities
253 regarding education and related services for children known to
254 the department who are of school age and children known to the
255 department who are younger than school age but who would
256 otherwise qualify for services from the district school board.
257 Such agreements shall include, but are not limited to:

258 1. A requirement that the department shall:

259 a. Ensure that children known to the department are
260 enrolled in school or in the best educational setting that meets
261 the needs of the child. The agreement shall provide for

586-03505-23

20231384c1

262 continuing the enrollment of a child known to the department at
263 the school of origin when possible if it is in the best interest
264 of the child, with the goal of minimal disruption of education.

265 b. Notify the school and school district in which a child
266 known to the department is enrolled of the name and phone number
267 of the child known to the department caregiver and caseworker
268 for child safety purposes.

269 c. Establish a protocol for the department to share
270 information about a child known to the department with the
271 school district, consistent with the Family Educational Rights
272 and Privacy Act, since the sharing of information will assist
273 each agency in obtaining education and related services for the
274 benefit of the child. The protocol must require the district
275 school boards or other local educational entities to access the
276 department's Florida Safe Families Network to obtain information
277 about children known to the department, consistent with the
278 Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. s.
279 1232g.

280 d. Notify the school district of the department's case
281 planning for a child known to the department, both at the time
282 of plan development and plan review. Within the plan development
283 or review process, the school district may provide information
284 regarding the child known to the department if the school
285 district deems it desirable and appropriate.

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

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

290 a. Provide the department with a general listing of the

586-03505-23

20231384c1

291 services and information available from the district school
292 board to facilitate educational access for a child known to the
293 department.

294 b. Identify all educational and other services provided by
295 the school and school district which the school district
296 believes are reasonably necessary to meet the educational needs
297 of a child known to the department.

298 c. Determine whether transportation is available for a
299 child known to the department when such transportation will
300 avoid a change in school assignment due to a change in
301 residential placement. Recognizing that continued enrollment in
302 the same school throughout the time the child known to the
303 department is in out-of-home care is preferable unless
304 enrollment in the same school would be unsafe or otherwise
305 impractical, the department, the district school board, and the
306 Department of Education shall assess the availability of
307 federal, charitable, or grant funding for such transportation.

308 d. Provide individualized student intervention or an
309 individual educational plan when a determination has been made
310 through legally appropriate criteria that intervention services
311 are required. The intervention or individual educational plan
312 must include strategies to enable the child known to the
313 department to maximize the attainment of educational goals.

314 3. A requirement that the department and the district
315 school board shall cooperate in accessing the services and
316 supports needed for a child known to the department who has or
317 is suspected of having a disability to receive an appropriate
318 education consistent with the Individuals with Disabilities
319 Education Act and state implementing laws, rules, and

586-03505-23

20231384c1

320 assurances. Coordination of services for a child known to the
321 department who has or is suspected of having a disability may
322 include:

323 a. Referral for screening.

324 b. Sharing of evaluations between the school district and
325 the department where appropriate.

326 c. Provision of education and related services appropriate
327 for the needs and abilities of the child known to the
328 department.

329 d. Coordination of services and plans between the school
330 and the residential setting to avoid duplication or conflicting
331 service plans.

332 e. Appointment of a surrogate parent, consistent with the
333 Individuals with Disabilities Education Act and pursuant to
334 subsection (3), for educational purposes for a child known to
335 the department who qualifies.

336 f. For each child known to the department 14 years of age
337 and older, transition planning by the department and all
338 providers, including the department's independent living program
339 staff and the guardian ad litem, to meet the requirements of the
340 local school district for educational purposes.

341 Section 5. Present subsections (8) through (30) of section
342 39.01, Florida Statutes, are redesignated as subsections (9)
343 through (31), respectively, present subsections (31) through
344 (87) of that section are redesignated as subsections (34)
345 through (90), respectively, new subsections (8), (32) and (33)
346 are added to that section, and present subsections (9), (36),
347 and (58) of that section are amended, to read:

348 39.01 Definitions.—When used in this chapter, unless the

586-03505-23

20231384c1

349 context otherwise requires:

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

354 (10)~~(9)~~ "Caregiver" means the parent, legal custodian,
355 permanent guardian, adult household member, or other person
356 responsible for a child's welfare as defined in subsection (57)
357 ~~(54)~~.

358 (32) "Guardian ad litem" means an individual or entity that
359 is a fiduciary appointed by the court to represent a child in
360 any civil, criminal, or administrative proceeding to which the
361 child is a party, including, but not limited to, this chapter,
362 who uses a best interests standard for decisionmaking and
363 advocacy. For purposes of this chapter, a guardian ad litem
364 includes, but is not limited to, the following: the Statewide
365 Guardian ad Litem Office, which includes all circuit guardian ad
366 litem offices and the duly certified volunteers, staff, and
367 attorneys assigned by the Statewide Guardian ad Litem Office to
368 represent children; a court-appointed attorney; or a responsible
369 adult who is appointed by the court. A guardian ad litem is a
370 party to the judicial proceeding as a representative of the
371 child, and serves until the jurisdiction of the court over the
372 child terminates or until excused by the court.

373 (33) "Guardian advocate" means a person appointed by the
374 court to act on behalf of a drug dependent newborn under Part
375 XI.

376 (39)~~(36)~~ "Institutional child abuse or neglect" means
377 situations of known or suspected child abuse or neglect in which

586-03505-23

20231384c1

378 the person allegedly perpetrating the child abuse or neglect is
379 an employee of a public or private school, public or private day
380 care center, residential home, institution, facility, or agency
381 or any other person at such institution responsible for the
382 child's welfare as defined in subsection (57) ~~(54)~~.

383 (61)~~(58)~~ "Party" means the parent or parents of the child,
384 the petitioner, the department, the guardian ad litem ~~or the~~
385 ~~representative of the guardian ad litem program when the program~~
386 ~~has been appointed~~, and the child. The presence of the child may
387 be excused by order of the court when presence would not be in
388 the child's best interest. Notice to the child may be excused by
389 order of the court when the age, capacity, or other condition of
390 the child is such that the notice would be meaningless or
391 detrimental to the child.

392 Section 6. Section 39.013, Florida Statutes, is amended to
393 read:

394 39.013 Procedures and jurisdiction; right to counsel;
395 guardian ad litem.—

396 (1) All procedures, including petitions, pleadings,
397 subpoenas, summonses, and hearings, in this chapter shall be
398 conducted according to the Florida Rules of Juvenile Procedure
399 unless otherwise provided by law. Parents must be informed by
400 the court of their right to counsel in dependency proceedings at
401 each stage of the dependency proceedings. Parents who are unable
402 to afford counsel must be appointed counsel.

403 (2) The circuit court has exclusive original jurisdiction
404 of all proceedings under this chapter, of a child voluntarily
405 placed with a licensed child-caring agency, a licensed child-
406 placing agency, or the department, and of the adoption of

586-03505-23

20231384c1

407 children whose parental rights have been terminated under this
408 chapter. Jurisdiction attaches when the initial shelter
409 petition, dependency petition, or termination of parental rights
410 petition, or a petition for an injunction to prevent child abuse
411 issued pursuant to s. 39.504, is filed or when a child is taken
412 into the custody of the department. The circuit court may assume
413 jurisdiction over any such proceeding regardless of whether the
414 child was in the physical custody of both parents, was in the
415 sole legal or physical custody of only one parent, caregiver, or
416 some other person, or was not in the physical or legal custody
417 of any person when the event or condition occurred that brought
418 the child to the attention of the court. When the court obtains
419 jurisdiction of any child who has been found to be dependent,
420 the court shall retain jurisdiction, unless relinquished by its
421 order, until the child reaches 21 years of age, or 22 years of
422 age if the child has a disability, with the following
423 exceptions:

424 (a) If a young adult chooses to leave foster care upon
425 reaching 18 years of age.

426 (b) If a young adult does not meet the eligibility
427 requirements to remain in foster care under s. 39.6251 or
428 chooses to leave care under that section.

429 (c) If a young adult petitions the court at any time before
430 his or her 19th birthday requesting the court's continued
431 jurisdiction, the juvenile court may retain jurisdiction under
432 this chapter for a period not to exceed 1 year following the
433 young adult's 18th birthday for the purpose of determining
434 whether appropriate services that were required to be provided
435 to the young adult before reaching 18 years of age have been

586-03505-23

20231384c1

436 provided.

437 (d) If a petition for special immigrant juvenile status and
438 an application for adjustment of status have been filed on
439 behalf of a foster child and the petition and application have
440 not been granted by the time the child reaches 18 years of age,
441 the court may retain jurisdiction over the dependency case
442 solely for the purpose of allowing the continued consideration
443 of the petition and application by federal authorities. Review
444 hearings for the child shall be set solely for the purpose of
445 determining the status of the petition and application. The
446 court's jurisdiction terminates upon the final decision of the
447 federal authorities. Retention of jurisdiction in this instance
448 does not affect the services available to a young adult under s.
449 409.1451. The court may not retain jurisdiction of the case
450 after the immigrant child's 22nd birthday.

451 (3) When a child is under the jurisdiction of the circuit
452 court pursuant to this chapter, the circuit court assigned to
453 handle dependency matters may exercise the general and equitable
454 jurisdiction over guardianship proceedings under chapter 744 and
455 proceedings for temporary custody of minor children by extended
456 family under chapter 751.

457 (4) Orders entered pursuant to this chapter which affect
458 the placement of, access to, parental time with, adoption of, or
459 parental rights and responsibilities for a minor child shall
460 take precedence over other orders entered in civil actions or
461 proceedings. However, if the court has terminated jurisdiction,
462 the order may be subsequently modified by a court of competent
463 jurisdiction in any other civil action or proceeding affecting
464 placement of, access to, parental time with, adoption of, or

586-03505-23

20231384c1

465 parental rights and responsibilities for the same minor child.

466 (5) The court shall expedite the resolution of the
467 placement issue in cases involving a child who has been removed
468 from the parent and placed in an out-of-home placement.

469 (6) The court shall expedite the judicial handling of all
470 cases when the child has been removed from the parent and placed
471 in an out-of-home placement.

472 (7) Children removed from their homes shall be provided
473 equal treatment with respect to goals, objectives, services, and
474 case plans, without regard to the location of their placement.

475 (8) For any child who remains in the custody of the
476 department, the court shall, within the month which constitutes
477 the beginning of the 6-month period before the child's 18th
478 birthday, hold a hearing to review the progress of the child
479 while in the custody of the department.

480 (9) (a) At each stage of the proceedings under this chapter,
481 the court shall advise the parents of the right to counsel. The
482 court shall appoint counsel for indigent parents. The court
483 shall ascertain whether the right to counsel is understood. When
484 right to counsel is waived, the court shall determine whether
485 the waiver is knowing and intelligent. The court shall enter its
486 findings in writing with respect to the appointment or waiver of
487 counsel for indigent parents or the waiver of counsel by
488 nonindigent parents.

489 (b) Once counsel has entered an appearance or been
490 appointed by the court to represent the parent of the child, the
491 attorney shall continue to represent the parent throughout the
492 proceedings. If the attorney-client relationship is
493 discontinued, the court shall advise the parent of the right to

586-03505-23

20231384c1

494 have new counsel retained or appointed for the remainder of the
495 proceedings.

496 (c)1. A waiver of counsel may not be accepted if it appears
497 that the parent is unable to make an intelligent and
498 understanding choice because of mental condition, age,
499 education, experience, the nature or complexity of the case, or
500 other factors.

501 2. A waiver of counsel made in court must be of record.

502 3. If a waiver of counsel is accepted at any hearing or
503 proceeding, the offer of assistance of counsel must be renewed
504 by the court at each subsequent stage of the proceedings at
505 which the parent appears without counsel.

506 (d) This subsection does not apply to any parent who has
507 voluntarily executed a written surrender of the child and
508 consents to the entry of a court order terminating parental
509 rights.

510 (10) Court-appointed counsel representing indigent parents
511 at shelter hearings shall be paid from state funds appropriated
512 by general law.

513 (11) The court shall appoint a guardian ad litem at the
514 earliest possible time to represent the child throughout the
515 proceedings, including any appeals ~~The court shall encourage the~~
516 ~~Statewide Guardian Ad Litem Office to provide greater~~
517 ~~representation to those children who are within 1 year of~~
518 ~~transferring out of foster care.~~

519 (12) The department shall be represented by counsel in each
520 dependency proceeding. Through its attorneys, the department
521 shall make recommendations to the court on issues before the
522 court and may support its recommendations through testimony and

586-03505-23

20231384c1

523 other evidence by its own employees, employees of sheriff's
524 offices providing child protection services, employees of its
525 contractors, employees of its contractor's subcontractors, or
526 from any other relevant source.

527 (13) The court may appoint an attorney ad litem for a child
528 if the court believes the child is in need of such
529 representation and determines the child has a rational and
530 factual understanding of the proceedings and sufficient present
531 ability to consult with a lawyer with a reasonable degree of
532 rational understanding.

533 Section 7. Section 39.01305, Florida Statutes, is amended
534 to read:

535 39.01305 Appointment of an attorney ad litem for a
536 dependent child ~~with certain special needs.~~-

537 (1)~~(a)~~ The Legislature finds that~~+~~

538 ~~1.~~ all children in proceedings under this chapter have
539 important interests at stake, such as health, safety, and well-
540 being and the need to obtain permanency. While all children are
541 represented by the Statewide Guardian ad Litem Office using a
542 best interest standard of decisionmaking and advocacy in
543 proceedings under this chapter, some children may also need
544 representation by an attorney at litem

545 ~~2. A dependent child who has certain special needs has a~~
546 ~~particular need for an attorney to represent the dependent child~~
547 ~~in proceedings under this chapter, as well as in fair hearings~~
548 ~~and appellate proceedings, so that the attorney may address the~~
549 ~~child's medical and related needs and the services and supports~~
550 ~~necessary for the child to live successfully in the community.~~

551 ~~(b) The Legislature recognizes the existence of~~

586-03505-23

20231384c1

552 ~~organizations that provide attorney representation to children~~
553 ~~in certain jurisdictions throughout the state. Further, the~~
554 ~~statewide Guardian Ad Litem Program provides best interest~~
555 ~~representation for dependent children in every jurisdiction in~~
556 ~~accordance with state and federal law. The Legislature,~~
557 ~~therefore, does not intend that funding provided for~~
558 ~~representation under this section supplant proven and existing~~
559 ~~organizations representing children. Instead, the Legislature~~
560 ~~intends that funding provided for representation under this~~
561 ~~section be an additional resource for the representation of more~~
562 ~~children in these jurisdictions, to the extent necessary to meet~~
563 ~~the requirements of this chapter, with the cooperation of~~
564 ~~existing local organizations or through the expansion of those~~
565 ~~organizations. The Legislature encourages the expansion of pro~~
566 ~~bono representation for children. This section is not intended~~
567 ~~to limit the ability of a pro bono attorney to appear on behalf~~
568 ~~of a child.~~

569 (2) The court may appoint an attorney ad litem for a child
570 if the court believes the child is in need of such
571 representation and determines the child has a rational and
572 factual understanding of the proceedings and sufficient present
573 ability to consult with a lawyer with a reasonable degree of
574 rational understanding ~~As used in this section, the term~~
575 ~~“dependent child” means a child who is subject to any proceeding~~
576 ~~under this chapter. The term does not require that a child be~~
577 ~~adjudicated dependent for purposes of this section.~~

578 ~~(3) An attorney shall be appointed for a dependent child~~
579 ~~who:~~

580 ~~(a) Resides in a skilled nursing facility or is being~~

586-03505-23

20231384c1

581 ~~considered for placement in a skilled nursing home;~~
582 ~~(b) Is prescribed a psychotropic medication but declines~~
583 ~~assent to the psychotropic medication;~~
584 ~~(c) Has a diagnosis of a developmental disability as~~
585 ~~defined in s. 393.063;~~
586 ~~(d) Is being placed in a residential treatment center or~~
587 ~~being considered for placement in a residential treatment~~
588 ~~center; or~~
589 ~~(e) Is a victim of human trafficking as defined in s.~~
590 ~~787.06(2)(d).~~
591 ~~(4)~~(a) Before a court may appoint an attorney ad litem, who
592 may be compensated pursuant to this section, the court must
593 request a recommendation from the Statewide Guardian ad Litem
594 Office for an attorney who is willing to represent a child
595 without additional compensation. If such an attorney is
596 available within 15 days after the court's request, the court
597 must appoint that attorney. However, the court may appoint a
598 compensated attorney within the 15-day period if the Statewide
599 Guardian ad Litem Office informs the court that it will not be
600 able to recommend an attorney within that time period.
601 (b) A court order appointing an attorney ad litem under
602 this section must be in writing ~~After an attorney is appointed,~~
603 ~~the appointment continues in effect until the attorney is~~
604 ~~allowed to withdraw or is discharged by the court or until the~~
605 ~~case is dismissed. The court must discharge an attorney ad litem~~
606 ~~who is appointed under this section~~ if the need for the
607 representation is resolved ~~to represent the child shall provide~~
608 ~~the complete range of legal services, from the removal from home~~
609 ~~or from the initial appointment through all available appellate~~

586-03505-23

20231384c1

610 ~~proceedings.~~ With the permission of the court, the attorney ad
611 litem ~~for the dependent child~~ may arrange for supplemental or
612 separate counsel to represent the child in appellate
613 proceedings. ~~A court order appointing an attorney under this~~
614 ~~section must be in writing.~~

615 ~~(4)~~(5) Unless the attorney ad litem has agreed to provide
616 pro bono services, an appointed attorney ad litem or
617 organization must be adequately compensated. All appointed
618 attorneys ad litem and organizations, including pro bono
619 attorneys, must be provided with access to funding for expert
620 witnesses, depositions, and other due process costs of
621 litigation. Payment of attorney fees and case-related due
622 process costs are subject to appropriations and review by the
623 Justice Administrative Commission for reasonableness. The
624 Justice Administrative Commission shall contract with attorneys
625 ad litem appointed by the court. Attorney fees may not exceed
626 \$1,000 per child per year.

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

631 ~~(7) The department may adopt rules to administer this~~
632 ~~section.~~

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

636 ~~(5)~~(9) Implementation of this section is subject to
637 appropriations expressly made for that purpose.

638 Section 8. The amendments made by this act to s. 39.01305,

586-03505-23

20231384c1

639 Florida Statutes, apply only to attorney ad litem appointments
640 made on or after July 1, 2023.

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

643 39.0132 Oaths, records, and confidential information.—

644 (3) The clerk shall keep all court records required by this
645 chapter separate from other records of the circuit court. All
646 court records required by this chapter shall not be open to
647 inspection by the public. All records shall be inspected only
648 upon order of the court by persons deemed by the court to have a
649 proper interest therein, except that, subject to the provisions
650 of s. 63.162, a child, ~~and~~ the parents of the child and their
651 attorneys, the guardian ad litem, criminal conflict and civil
652 regional counsels, law enforcement agencies, ~~and~~ the department
653 and its designees, and the attorney ad litem, if one has been
654 appointed, shall always have the right to inspect and copy any
655 official record pertaining to the child. The Justice
656 Administrative Commission may inspect court dockets required by
657 this chapter as necessary to audit compensation of court-
658 appointed attorneys ad litem. If the docket is insufficient for
659 purposes of the audit, the commission may petition the court for
660 additional documentation as necessary and appropriate. The court
661 may permit authorized representatives of recognized
662 organizations compiling statistics for proper purposes to
663 inspect and make abstracts from official records, under whatever
664 conditions upon their use and disposition the court may deem
665 proper, and may punish by contempt proceedings any violation of
666 those conditions.

667 Section 10. Paragraph (a) of subsection (3) of section

586-03505-23

20231384c1

668 39.0136, Florida Statutes, is amended to read:

669 39.0136 Time limitations; continuances.—

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

671 (a) Periods of delay resulting from a continuance granted
672 at the request of the child's counsel or the child's guardian ad
673 litem or attorney ad litem, if appointed, ~~if the child is of~~
674 ~~sufficient capacity to express reasonable consent, at the~~
675 ~~request or with the consent of the child.~~ The court must
676 consider the best interests of the child when determining
677 periods of delay under this section.

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

680 39.0139 Visitation or other contact; restrictions.—

681 (4) HEARINGS.—A person who meets any of the criteria set
682 forth in paragraph (3) (a) who seeks to begin or resume contact
683 with the child victim shall have the right to an evidentiary
684 hearing to determine whether contact is appropriate.

685 (a) Prior to the hearing, the court shall appoint ~~an~~
686 ~~attorney ad litem or~~ a guardian ad litem for the child if one
687 has not already been appointed. The guardian ad litem and any
688 attorney ad litem, if ~~or guardian ad litem~~ appointed, shall have
689 special training in the dynamics of child sexual abuse.

690 (b) At the hearing, the court may receive and rely upon any
691 relevant and material evidence submitted to the extent of its
692 probative value, including written and oral reports or
693 recommendations from the Child Protection Team, the child's
694 therapist, the child's guardian ad litem, or the child's
695 attorney ad litem, if appointed, even if these reports,
696 recommendations, and evidence may not be admissible under the

586-03505-23

20231384c1

697 rules of evidence.

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

700 39.202 Confidentiality of reports and records in cases of
701 child abuse or neglect; exception.—

702 (2) Except as provided in subsection (4), access to such
703 records, excluding the name of, or other identifying information
704 with respect to, the reporter which shall be released only as
705 provided in subsection (5), shall be granted only to the
706 following persons, officials, and agencies:

707 (d) The parent or legal custodian of any child who is
708 alleged to have been abused, abandoned, or neglected, ~~and the~~
709 child, and the guardian ad litem, any attorney ad litem, if
710 appointed, or ~~and their attorneys, including~~ any attorney
711 representing a child in civil or criminal proceedings. This
712 access shall be made available no later than 60 days after the
713 department receives the initial report of abuse, neglect, or
714 abandonment. However, any information otherwise made
715 confidential or exempt by law shall not be released pursuant to
716 this paragraph.

717 (t) Persons with whom the department is seeking to place
718 the child or to whom placement has been granted, including
719 foster parents for whom an approved home study has been
720 conducted, the designee of a licensed child-caring agency as
721 defined in s. 39.01 ~~s. 39.01(41)~~, an approved relative or
722 nonrelative with whom a child is placed pursuant to s. 39.402,
723 preadoptive parents for whom a favorable preliminary adoptive
724 home study has been conducted, adoptive parents, or an adoption
725 entity acting on behalf of preadoptive or adoptive parents.

586-03505-23

20231384c1

726 Section 13. Subsection (1) of section 39.302, Florida
727 Statutes, is amended to read:

728 39.302 Protective investigations of institutional child
729 abuse, abandonment, or neglect.—

730 (1) The department shall conduct a child protective
731 investigation of each report of institutional child abuse,
732 abandonment, or neglect. Upon receipt of a report that alleges
733 that an employee or agent of the department, or any other entity
734 or person covered by s. 39.01(39) or (57) ~~s. 39.01(36) or (54)~~,
735 acting in an official capacity, has committed an act of child
736 abuse, abandonment, or neglect, the department shall initiate a
737 child protective investigation within the timeframe established
738 under s. 39.101(2) and notify the appropriate state attorney,
739 law enforcement agency, and licensing agency, which shall
740 immediately conduct a joint investigation, unless independent
741 investigations are more feasible. When conducting investigations
742 or having face-to-face interviews with the child, investigation
743 visits shall be unannounced unless it is determined by the
744 department or its agent that unannounced visits threaten the
745 safety of the child. If a facility is exempt from licensing, the
746 department shall inform the owner or operator of the facility of
747 the report. Each agency conducting a joint investigation is
748 entitled to full access to the information gathered by the
749 department in the course of the investigation. A protective
750 investigation must include an interview with the child's parent
751 or legal guardian. The department shall make a full written
752 report to the state attorney within 3 business days after making
753 the oral report. A criminal investigation shall be coordinated,
754 whenever possible, with the child protective investigation of

586-03505-23

20231384c1

755 the department. Any interested person who has information
756 regarding the offenses described in this subsection may forward
757 a statement to the state attorney as to whether prosecution is
758 warranted and appropriate. Within 15 days after the completion
759 of the investigation, the state attorney shall report the
760 findings to the department and shall include in the report a
761 determination of whether or not prosecution is justified and
762 appropriate in view of the circumstances of the specific case.

763 Section 14. Paragraphs (b) and (c) of subsection (11) and
764 paragraph (a) of subsection (14) of section 39.402, Florida
765 Statutes, are amended to read:

766 39.402 Placement in a shelter.—

767 (11)

768 (b) The court shall request that the parents consent to
769 provide access to the child's medical records and provide
770 information to the court, the department or its contract
771 agencies, ~~and any~~ the guardian ad litem, and the ~~or~~ attorney ad
772 litem for the child, if appointed. If a parent is unavailable or
773 unable to consent or withholds consent and the court determines
774 access to the records and information is necessary to provide
775 services to the child, the court shall issue an order granting
776 access. The court may also order the parents to provide all
777 known medical information to the department and to any others
778 granted access under this subsection.

779 (c) The court shall request that the parents consent to
780 provide access to the child's child care records, early
781 education program records, or other educational records and
782 provide information to the court, the department or its contract
783 agencies, the ~~and any~~ guardian ad litem, and the ~~or~~ attorney ad

586-03505-23

20231384c1

784 litem for the child, if appointed. If a parent is unavailable or
785 unable to consent or withholds consent and the court determines
786 access to the records and information is necessary to provide
787 services to the child, the court shall issue an order granting
788 access.

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

790 (a) Periods of delay resulting from a continuance granted
791 at the request or with the consent of the child's ~~counsel or the~~
792 ~~child's~~ guardian ad litem, or attorney ad litem if one has been
793 appointed by the court, ~~or, if the child is of sufficient~~
794 ~~capacity to express reasonable consent, at the request or with~~
795 ~~the consent of the child's attorney or the child's guardian ad~~
796 ~~litem, if one has been appointed by the court, and the child.~~

797 Section 15. Paragraphs (a) and (b) of subsection (4) of
798 section 39.4022, Florida Statutes, are amended to read:

799 39.4022 Multidisciplinary teams; staffings; assessments;
800 report.-

801 (4) PARTICIPANTS.-

802 (a) Collaboration among diverse individuals who are part of
803 the child's network is necessary to make the most informed
804 decisions possible for the child. A diverse team is preferable
805 to ensure that the necessary combination of technical skills,
806 cultural knowledge, community resources, and personal
807 relationships is developed and maintained for the child and
808 family. The participants necessary to achieve an appropriately
809 diverse team for a child may vary by child and may include
810 extended family, friends, neighbors, coaches, clergy, coworkers,
811 or others the family identifies as potential sources of support.

812 1. Each multidisciplinary team staffing must invite the

586-03505-23

20231384c1

813 following members:

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

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

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

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

827 e. A representative from the community-based care lead
828 agency, when the lead agency is directly involved in the goal
829 identified by the staffing;

830 f. The case manager for the child, or his or her case
831 manager supervisor; and

832 g. A representative from the Department of Juvenile
833 Justice, if the child is dually involved with both the
834 department and the Department of Juvenile Justice.

835 2. The multidisciplinary team must make reasonable efforts
836 to have all mandatory invitees attend. However, the
837 multidisciplinary team staffing may not be delayed if the
838 invitees in subparagraph 1. fail to attend after being provided
839 reasonable opportunities.

840 (b) Based on the particular goal the multidisciplinary team
841 staffing identifies as the purpose of convening the staffing as

586-03505-23

20231384c1

842 provided under subsection (5), the department or lead agency may
843 also invite to the meeting other professionals, including, but
844 not limited to:

- 845 1. A representative from Children's Medical Services;
- 846 2. ~~A guardian ad litem, if one is appointed;~~
- 847 ~~3.~~ A school personnel representative who has direct contact
848 with the child;
- 849 3.4. A therapist or other behavioral health professional,
850 if applicable;
- 851 4.5. A mental health professional with expertise in sibling
852 bonding, if the department or lead agency deems such expert is
853 necessary; or
- 854 5.6. Other community providers of services to the child or
855 stakeholders, when applicable.

856 Section 16. Paragraph (d) of subsection (3) and paragraph
857 (c) of subsection (4) of section 39.4023, Florida Statutes, are
858 amended to read:

859 39.4023 Placement and education transitions; transition
860 plans.—

861 (3) PLACEMENT TRANSITIONS.—

862 (d) *Transition planning*.—

- 863 1. If the supportive services provided pursuant to
864 paragraph (c) have not been successful to make the maintenance
865 of the placement suitable or if there are other circumstances
866 that require the child to be moved, the department or the
867 community-based care lead agency must convene a
868 multidisciplinary team staffing as required under s. 39.4022
869 before the child's placement is changed, or within 72 hours of
870 moving the child in an emergency situation, for the purpose of

586-03505-23

20231384c1

871 developing an appropriate transition plan.

872 2. A placement change may occur immediately in an emergency
873 situation without convening a multidisciplinary team staffing.
874 However, a multidisciplinary team staffing must be held within
875 72 hours after the emergency situation arises.

876 3. The department or the community-based care lead agency
877 must provide written notice of the planned move at least 14 days
878 before the move or within 72 hours after an emergency situation,
879 to the greatest extent possible and consistent with the child's
880 needs and preferences. The notice must include the reason a
881 placement change is necessary. A copy of the notice must be
882 filed with the court and be provided to:

883 a. The child, unless he or she, due to age or capacity, is
884 unable to comprehend the written notice, which will necessitate
885 the department or lead agency to provide notice in an age-
886 appropriate and capacity-appropriate alternative manner;

887 b. The child's parents, unless prohibited by court order;

888 c. The child's out-of-home caregiver;

889 d. The guardian ad litem, ~~if one is appointed~~;

890 e. The attorney ad litem for the child, if one is
891 appointed; and

892 f. The attorney for the department.

893 4. The transition plan must be developed through
894 cooperation among the persons included in subparagraph 3., and
895 such persons must share any relevant information necessary for
896 its development. Subject to the child's needs and preferences,
897 the transition plan must meet the requirements of s.

898 409.1415(2)(b)8. and exclude any placement changes that occur
899 between 7 p.m. and 8 a.m.

586-03505-23

20231384c1

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

904 (4) EDUCATION TRANSITIONS.—

905 (c) *Minimizing school changes.*—

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

910 2. Members of a multidisciplinary team staffing convened
911 for a purpose other than a school change must determine the
912 child's best interest regarding remaining in the school or
913 program of origin if the child's educational options are
914 affected by any other decision being made by the
915 multidisciplinary team.

916 3. The determination of whether it is in the child's best
917 interest to remain in the school of origin, and if not, of which
918 school the child will attend in the future, must be made in
919 consultation with the following individuals, including, but not
920 limited to, the child; the parents; the caregiver; the child
921 welfare professional; the guardian ad litem, ~~if appointed~~; the
922 educational surrogate, if appointed; child care and educational
923 staff, including teachers and guidance counselors; and the
924 school district representative or foster care liaison. A
925 multidisciplinary team member may contact any of these
926 individuals in advance of a multidisciplinary team staffing to
927 obtain his or her recommendation. An individual may remotely
928 attend the multidisciplinary team staffing if one of the

586-03505-23

20231384c1

929 identified goals is related to determining an educational
930 placement. The multidisciplinary team may rely on a report from
931 the child's current school or program district and, if
932 applicable, any other school district being considered for the
933 educational placement if the required school personnel are not
934 available to attend the multidisciplinary team staffing in
935 person or remotely.

936 4. The multidisciplinary team and the individuals listed in
937 subparagraph 3. must consider, at a minimum, all of the
938 following factors when determining whether remaining in the
939 school or program of origin is in the child's best interest or,
940 if not, when selecting a new school or program:

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

943 b. The preference of the child's parents or legal
944 guardians.

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

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

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

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

956 g. Whether the child is a student with a disability under
957 IDEA who is receiving special education and related services or

586-03505-23

20231384c1

958 a student with a disability under s. 504 of the Rehabilitation
959 Act of 1973 who is receiving accommodations and services and, if
960 so, whether those required services are available in a school or
961 program other than the school or program of origin.

962 h. Whether the child is an English Language Learner student
963 and is receiving language services and, if so, whether those
964 required services are available in a school or program other
965 than the school or program of origin.

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

968 j. The availability of extracurricular activities important
969 to the child.

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

974 l. The child's permanency goal and timeframe for achieving
975 permanency.

976 m. The child's history of school transfers and how such
977 transfers have impacted the child academically, emotionally, and
978 behaviorally.

979 n. The length of the commute to the school or program from
980 the child's home or placement and how such commute would impact
981 the child.

982 o. The length of time the child has attended the school or
983 program of origin.

984 5. The cost of transportation cannot be a factor in making
985 a best interest determination.

986 Section 17. Paragraph (f) of subsection (3) of section

586-03505-23

20231384c1

987 39.407, Florida Statutes, is amended to read:

988 39.407 Medical, psychiatric, and psychological examination
989 and treatment of child; physical, mental, or substance abuse
990 examination of person with or requesting child custody.—

991 (3)

992 (f)1. The department shall fully inform the court of the
993 child's medical and behavioral status as part of the social
994 services report prepared for each judicial review hearing held
995 for a child for whom psychotropic medication has been prescribed
996 or provided under this subsection. As a part of the information
997 provided to the court, the department shall furnish copies of
998 all pertinent medical records concerning the child which have
999 been generated since the previous hearing. On its own motion or
1000 on good cause shown by any party, including any guardian ad
1001 litem, ~~attorney,~~ or attorney ad litem, if appointed ~~who has been~~
1002 ~~appointed to represent the child or the child's interests,~~ the
1003 court may review the status more frequently than required in
1004 this subsection.

1005 2. The court may, in the best interests of the child, order
1006 the department to obtain a medical opinion addressing whether
1007 the continued use of the medication under the circumstances is
1008 safe and medically appropriate.

1009 Section 18. Paragraphs (m), (t), and (u) of subsection (1)
1010 of section 39.4085, Florida Statutes, are amended to read:

1011 39.4085 Goals for dependent children; responsibilities;
1012 education.—

1013 (1) The Legislature finds that the design and delivery of
1014 child welfare services should be directed by the principle that
1015 the health and safety of children, including the freedom from

586-03505-23

20231384c1

1016 abuse, abandonment, or neglect, is of paramount concern and,
1017 therefore, establishes the following goals for children in
1018 shelter or foster care:

1019 (m) To receive meaningful case management and planning that
1020 will quickly return the child to his or her family or move the
1021 child on to other forms of permanency. For youth transitioning
1022 from foster care to independent living, permanency includes
1023 establishing naturally occurring, lifelong, kin-like connections
1024 between the youth and a supportive adult.

1025 (t) To have a guardian ad litem appointed ~~to represent,~~
1026 ~~within reason, their best interests~~ and, if appropriate, an
1027 attorney ad litem ~~appointed to represent their legal interests;~~
1028 the guardian ad litem and attorney ad litem, if appointed, shall
1029 have immediate and unlimited access to the children they
1030 represent.

1031 (u) To have all their records available for review by their
1032 guardian ad litem and attorney ad litem, if appointed, if they
1033 deem such review necessary.

1034
1035 This subsection establishes goals and not rights. This
1036 subsection does not require the delivery of any particular
1037 service or level of service in excess of existing
1038 appropriations. A person does not have a cause of action against
1039 the state or any of its subdivisions, agencies, contractors,
1040 subcontractors, or agents, based upon the adoption of or failure
1041 to provide adequate funding for the achievement of these goals
1042 by the Legislature. This subsection does not require the
1043 expenditure of funds to meet the goals established in this
1044 subsection except those funds specifically appropriated for such

586-03505-23

20231384c1

1045 purpose.

1046 Section 19. Paragraph (c) of subsection (1) of section
1047 39.521, Florida Statutes, is amended to read:

1048 39.521 Disposition hearings; powers of disposition.—

1049 (1) A disposition hearing shall be conducted by the court,
1050 if the court finds that the facts alleged in the petition for
1051 dependency were proven in the adjudicatory hearing, or if the
1052 parents or legal custodians have consented to the finding of
1053 dependency or admitted the allegations in the petition, have
1054 failed to appear for the arraignment hearing after proper
1055 notice, or have not been located despite a diligent search
1056 having been conducted.

1057 (c) When any child is adjudicated by a court to be
1058 dependent, the court having jurisdiction of the child has the
1059 power by order to:

1060 1. Require the parent and, when appropriate, the legal
1061 guardian or the child to participate in treatment and services
1062 identified as necessary. The court may require the person who
1063 has custody or who is requesting custody of the child to submit
1064 to a mental health or substance abuse disorder assessment or
1065 evaluation. The order may be made only upon good cause shown and
1066 pursuant to notice and procedural requirements provided under
1067 the Florida Rules of Juvenile Procedure. The mental health
1068 assessment or evaluation must be administered by a qualified
1069 professional as defined in s. 39.01, and the substance abuse
1070 assessment or evaluation must be administered by a qualified
1071 professional as defined in s. 397.311. The court may also
1072 require such person to participate in and comply with treatment
1073 and services identified as necessary, including, when

586-03505-23

20231384c1

1074 appropriate and available, participation in and compliance with
1075 a mental health court program established under chapter 394 or a
1076 treatment-based drug court program established under s. 397.334.
1077 Adjudication of a child as dependent based upon evidence of harm
1078 as defined in s. 39.01 ~~s. 39.01(34)(g)~~ demonstrates good cause,
1079 and the court shall require the parent whose actions caused the
1080 harm to submit to a substance abuse disorder assessment or
1081 evaluation and to participate and comply with treatment and
1082 services identified in the assessment or evaluation as being
1083 necessary. In addition to supervision by the department, the
1084 court, including the mental health court program or the
1085 treatment-based drug court program, may oversee the progress and
1086 compliance with treatment by a person who has custody or is
1087 requesting custody of the child. The court may impose
1088 appropriate available sanctions for noncompliance upon a person
1089 who has custody or is requesting custody of the child or make a
1090 finding of noncompliance for consideration in determining
1091 whether an alternative placement of the child is in the child's
1092 best interests. Any order entered under this subparagraph may be
1093 made only upon good cause shown. This subparagraph does not
1094 authorize placement of a child with a person seeking custody of
1095 the child, other than the child's parent or legal custodian, who
1096 requires mental health or substance abuse disorder treatment.

1097 2. Require, if the court deems necessary, the parties to
1098 participate in dependency mediation.

1099 3. Require placement of the child either under the
1100 protective supervision of an authorized agent of the department
1101 in the home of one or both of the child's parents or in the home
1102 of a relative of the child or another adult approved by the

586-03505-23

20231384c1

1103 court, or in the custody of the department. Protective
1104 supervision continues until the court terminates it or until the
1105 child reaches the age of 18, whichever date is first. Protective
1106 supervision shall be terminated by the court whenever the court
1107 determines that permanency has been achieved for the child,
1108 whether with a parent, another relative, or a legal custodian,
1109 and that protective supervision is no longer needed. The
1110 termination of supervision may be with or without retaining
1111 jurisdiction, at the court's discretion, and shall in either
1112 case be considered a permanency option for the child. The order
1113 terminating supervision by the department must set forth the
1114 powers of the custodian of the child and include the powers
1115 ordinarily granted to a guardian of the person of a minor unless
1116 otherwise specified. Upon the court's termination of supervision
1117 by the department, further judicial reviews are not required if
1118 permanency has been established for the child.

1119 4. Determine whether the child has a strong attachment to
1120 the prospective permanent guardian and whether such guardian has
1121 a strong commitment to permanently caring for the child.

1122 Section 20. Paragraph (c) of subsection (3) of section
1123 39.522, Florida Statutes, is amended to read:

1124 39.522 Postdisposition change of custody.—

1125 (3)

1126 (c)1. The department or community-based care lead agency
1127 must notify a current caregiver who has been in the physical
1128 custody placement for at least 9 consecutive months and who
1129 meets all the established criteria in paragraph (b) of an intent
1130 to change the physical custody of the child, and a
1131 multidisciplinary team staffing must be held in accordance with

586-03505-23

20231384c1

1132 ss. 39.4022 and 39.4023 at least 21 days before the intended
1133 date for the child's change in physical custody, unless there is
1134 an emergency situation as defined in s. 39.4022(2)(b). If there
1135 is not a unanimous consensus decision reached by the
1136 multidisciplinary team, the department's official position must
1137 be provided to the parties within the designated time period as
1138 provided for in s. 39.4022.

1139 2. A caregiver who objects to the department's official
1140 position on the change in physical custody must notify the court
1141 and the department or community-based care lead agency of his or
1142 her objection and the intent to request an evidentiary hearing
1143 in writing in accordance with this section within 5 days after
1144 receiving notice of the department's official position provided
1145 under subparagraph 1. The transition of the child to the new
1146 caregiver may not begin before the expiration of the 5-day
1147 period within which the current caregiver may object.

1148 3. Upon the department or community-based care lead agency
1149 receiving written notice of the caregiver's objection, the
1150 change to the child's physical custody must be placed in
1151 abeyance and the child may not be transitioned to a new physical
1152 placement without a court order, unless there is an emergency
1153 situation as defined in s. 39.4022(2)(b).

1154 4. Within 7 days after receiving written notice from the
1155 caregiver, the court must conduct an initial case status
1156 hearing, at which time the court must:

1157 a. Grant party status to the current caregiver who is
1158 seeking permanent custody and has maintained physical custody of
1159 that child for at least 9 continuous months for the limited
1160 purpose of filing a motion for a hearing on the objection and

586-03505-23

20231384c1

1161 presenting evidence pursuant to this subsection;

1162 ~~b. Appoint an attorney for the child who is the subject of~~
1163 ~~the permanent custody proceeding, in addition to the guardian ad~~
1164 ~~litem, if one is appointed;~~

1165 ~~e.~~ Advise the caregiver of his or her right to retain
1166 counsel for purposes of the evidentiary hearing; and

1167 ~~c.d.~~ Appoint a court-selected neutral and independent
1168 licensed professional with expertise in the science and research
1169 of child-parent bonding.

1170 Section 21. Paragraph (c) of subsection (1) and paragraph
1171 (c) of subsection (3) of section 39.6012, Florida Statutes, are
1172 amended to read:

1173 39.6012 Case plan tasks; services.—

1174 (1) The services to be provided to the parent and the tasks
1175 that must be completed are subject to the following:

1176 (c) If there is evidence of harm as defined in s. 39.01 ~~s.~~
1177 ~~39.01(34)(g)~~, the case plan must include as a required task for
1178 the parent whose actions caused the harm that the parent submit
1179 to a substance abuse disorder assessment or evaluation and
1180 participate and comply with treatment and services identified in
1181 the assessment or evaluation as being necessary.

1182 (3) In addition to any other requirement, if the child is
1183 in an out-of-home placement, the case plan must include:

1184 (c) When appropriate, for a child who is 13 years of age or
1185 older, a written description of the programs and services that
1186 will help the child prepare for the transition from foster care
1187 to independent living. The written description must include age-
1188 appropriate activities for the child's development of
1189 relationships, coping skills, and emotional well-being.

586-03505-23

20231384c1

1190 Section 22. Section 39.6036, Florida Statutes, is created
1191 to read:

1192 39.6036 Supportive adults for youth transitioning out of
1193 foster care.-

1194 (1) The Legislature finds that a committed, caring adult
1195 provides a lifeline for youth transitioning out of foster care
1196 to live independently. Accordingly, it is the intent of the
1197 Legislature that the Statewide Guardian ad Litem Office help
1198 youth connect with supportive adults, with the hope of creating
1199 an ongoing relationship that lasts into adulthood.

1200 (2) The Statewide Guardian ad Litem Office shall work with
1201 youth transitioning out of foster care to identify at least one
1202 supportive adult with whom the youth can enter into a formal
1203 agreement for an ongoing relationship, and to document such
1204 agreement in the youth's court file. If the youth cannot
1205 identify a supportive adult, the Statewide Guardian ad Litem
1206 Office shall work in coordination with the Office of Continuing
1207 Care to identify at least one supportive adult with whom the
1208 youth can enter into a formal agreement for an ongoing
1209 relationship, and to document such agreement in the youth's
1210 court file.

1211 Section 23. Paragraph (c) of subsection (10) of section
1212 39.621, Florida Statutes, is amended to read:

1213 39.621 Permanency determination by the court.-

1214 (10) The permanency placement is intended to continue until
1215 the child reaches the age of majority and may not be disturbed
1216 absent a finding by the court that the circumstances of the
1217 permanency placement are no longer in the best interest of the
1218 child.

586-03505-23

20231384c1

1219 (c) The court shall base its decision concerning any motion
1220 by a parent for reunification or increased contact with a child
1221 on the effect of the decision on the safety, well-being, and
1222 physical and emotional health of the child. Factors that must be
1223 considered and addressed in the findings of fact of the order on
1224 the motion must include:

1225 1. The compliance or noncompliance of the parent with the
1226 case plan;

1227 2. The circumstances which caused the child's dependency
1228 and whether those circumstances have been resolved;

1229 3. The stability and longevity of the child's placement;

1230 4. The preferences of the child, if the child is of
1231 sufficient age and understanding to express a preference;

1232 5. The recommendation of the current custodian; and

1233 6. Any ~~The~~ recommendation of the guardian ad litem, ~~if one~~
1234 ~~has been appointed.~~

1235 Section 24. Subsection (2) of section 39.6241, Florida
1236 Statutes, is amended to read:

1237 39.6241 Another planned permanent living arrangement.—

1238 (2) The department and the guardian ad litem must provide
1239 the court with a recommended list and description of services
1240 needed by the child, such as independent living services and
1241 medical, dental, educational, or psychological referrals, and a
1242 recommended list and description of services needed by his or
1243 her caregiver. The guardian ad litem must also advise the court
1244 whether the child has been connected with a supportive adult
1245 and, if the child has been connected with a supportive adult,
1246 whether the child has entered into a formal agreement with the
1247 adult. If the child has entered into such agreement, as required

586-03505-23

20231384c1

1248 in s. 39.6036, the guardian ad litem must ensure the agreement
1249 is documented in the court file.

1250 Section 25. Paragraphs (b) and (f) of subsection (1),
1251 paragraph (c) of subsection (2), subsection (3), and paragraph
1252 (e) of subsection (4) of section 39.701, Florida Statutes, are
1253 amended to read:

1254 39.701 Judicial review.—

1255 (1) GENERAL PROVISIONS.—

1256 (b)1. The court shall retain jurisdiction over a child
1257 returned to his or her parents for a minimum period of 6 months
1258 following the reunification, but, at that time, based on a
1259 report of the social service agency and the guardian ad litem,
1260 ~~if one has been appointed,~~ and any other relevant factors, the
1261 court shall make a determination as to whether supervision by
1262 the department and the court's jurisdiction shall continue or be
1263 terminated.

1264 2. Notwithstanding subparagraph 1., the court must retain
1265 jurisdiction over a child if the child is placed in the home
1266 with a parent or caregiver with an in-home safety plan and such
1267 safety plan remains necessary for the child to reside safely in
1268 the home.

1269 (f) Notice of a judicial review hearing or a citizen review
1270 panel hearing, and a copy of the motion for judicial review, if
1271 any, must be served by the clerk of the court upon all of the
1272 following persons, if available to be served, regardless of
1273 whether the person was present at the previous hearing at which
1274 the date, time, and location of the hearing was announced:

1275 1. The social service agency charged with the supervision
1276 of care, custody, or guardianship of the child, if that agency

586-03505-23

20231384c1

1277 is not the movant.

1278 2. The foster parent or legal custodian in whose home the
1279 child resides.

1280 3. The parents.

1281 4. The guardian ad litem for the child, ~~or the~~
1282 ~~representative of the guardian ad litem program if the program~~
1283 ~~has been appointed.~~

1284 5. The attorney ad litem for the child, if appointed.

1285 6. The child, if the child is 13 years of age or older.

1286 7. Any preadoptive parent.

1287 8. Such other persons as the court may direct.

1288 (2) REVIEW HEARINGS FOR CHILDREN YOUNGER THAN 18 YEARS OF
1289 AGE.—

1290 (c) *Review determinations.*—The court and any citizen review
1291 panel shall take into consideration the information contained in
1292 the social services study and investigation and all medical,
1293 psychological, and educational records that support the terms of
1294 the case plan; testimony by the social services agency, the
1295 parent, the foster parent or caregiver, the guardian ad litem or
1296 surrogate parent for educational decisionmaking if one has been
1297 appointed for the child, and any other person deemed
1298 appropriate; and any relevant and material evidence submitted to
1299 the court, including written and oral reports to the extent of
1300 their probative value. These reports and evidence may be
1301 received by the court in its effort to determine the action to
1302 be taken with regard to the child and may be relied upon to the
1303 extent of their probative value, even though not competent in an
1304 adjudicatory hearing. In its deliberations, the court and any
1305 citizen review panel shall seek to determine:

586-03505-23

20231384c1

1306 1. If the parent was advised of the right to receive
1307 assistance from any person or social service agency in the
1308 preparation of the case plan.

1309 2. If the parent has been advised of the right to have
1310 counsel present at the judicial review or citizen review
1311 hearings. If not so advised, the court or citizen review panel
1312 shall advise the parent of such right.

1313 3. If a guardian ad litem needs to be appointed for the
1314 child in a case in which a guardian ad litem has not previously
1315 been appointed ~~or if there is a need to continue a guardian ad~~
1316 ~~litem in a case in which a guardian ad litem has been appointed.~~

1317 4. Who holds the rights to make educational decisions for
1318 the child. If appropriate, the court may refer the child to the
1319 district school superintendent for appointment of a surrogate
1320 parent or may itself appoint a surrogate parent under the
1321 Individuals with Disabilities Education Act and s. 39.0016.

1322 5. The compliance or lack of compliance of all parties with
1323 applicable items of the case plan, including the parents'
1324 compliance with child support orders.

1325 6. The compliance or lack of compliance with a visitation
1326 contract between the parent and the social service agency for
1327 contact with the child, including the frequency, duration, and
1328 results of the parent-child visitation and the reason for any
1329 noncompliance.

1330 7. The frequency, kind, and duration of contacts among
1331 siblings who have been separated during placement, as well as
1332 any efforts undertaken to reunite separated siblings if doing so
1333 is in the best interests of the child.

1334 8. The compliance or lack of compliance of the parent in

586-03505-23

20231384c1

1335 meeting specified financial obligations pertaining to the care
1336 of the child, including the reason for failure to comply, if
1337 applicable.

1338 9. Whether the child is receiving safe and proper care
1339 according to s. 39.6012, including, but not limited to, the
1340 appropriateness of the child's current placement, including
1341 whether the child is in a setting that is as family-like and as
1342 close to the parent's home as possible, consistent with the
1343 child's best interests and special needs, and including
1344 maintaining stability in the child's educational placement, as
1345 documented by assurances from the community-based care lead
1346 agency that:

1347 a. The placement of the child takes into account the
1348 appropriateness of the current educational setting and the
1349 proximity to the school in which the child is enrolled at the
1350 time of placement.

1351 b. The community-based care lead agency has coordinated
1352 with appropriate local educational agencies to ensure that the
1353 child remains in the school in which the child is enrolled at
1354 the time of placement.

1355 10. A projected date likely for the child's return home or
1356 other permanent placement.

1357 11. When appropriate, the basis for the unwillingness or
1358 inability of the parent to become a party to a case plan. The
1359 court and the citizen review panel shall determine if the
1360 efforts of the social service agency to secure party
1361 participation in a case plan were sufficient.

1362 12. For a child who has reached 13 years of age but is not
1363 yet 18 years of age, the adequacy of the child's preparation for

586-03505-23

20231384c1

1364 adulthood and independent living. For a child who is 15 years of
1365 age or older, the court shall determine if appropriate steps are
1366 being taken for the child to obtain a driver license or
1367 learner's driver license.

1368 13. If amendments to the case plan are required. Amendments
1369 to the case plan must be made under s. 39.6013.

1370 14. If the parents and caregivers have developed a
1371 productive relationship that includes meaningful communication
1372 and mutual support.

1373 (3) REVIEW HEARINGS FOR CHILDREN 16 AND 17 YEARS OF AGE.—At
1374 each review hearing held under this subsection, the court shall
1375 give the child and the guardian ad litem the opportunity to
1376 address the court and provide any information relevant to the
1377 child's best interest, particularly in relation to independent
1378 living transition services. The foster parent or legal
1379 custodian, ~~or guardian ad litem~~ may also provide any information
1380 relevant to the child's best interest to the court. In addition
1381 to the review and report required under paragraphs (1) (a), and
1382 (2) (a), and s. 39.822(2) (a)2., respectively, the court shall:

1383 (a) Inquire about the life skills the child has acquired
1384 and whether those services are age appropriate, at the first
1385 judicial review hearing held subsequent to the child's 16th
1386 birthday. At the judicial review hearing, the department shall
1387 provide the court with a report that includes specific
1388 information related to the life skills that the child has
1389 acquired since the child's 13th birthday or since the date the
1390 child came into foster care, whichever came later. For any child
1391 who may meet the requirements for appointment of a guardian
1392 advocate under s. 393.12 or a guardian under chapter 744, the

586-03505-23

20231384c1

1393 updated case plan must be developed in a face-to-face conference
1394 with the child, if appropriate; the child's attorney ad litem,
1395 if appointed; ~~the any court-appointed~~ guardian ad litem; the
1396 temporary custodian of the child; and the parent of the child,
1397 if the parent's rights have not been terminated.

1398 (b) The court shall hold a judicial review hearing within
1399 90 days after a child's 17th birthday. The court shall issue an
1400 order, separate from the order on judicial review, that the
1401 disability of nonage of the child has been removed under ss.
1402 743.044-743.047 for any disability that the court finds is in
1403 the child's best interest to remove. The department shall
1404 include in the social study report for the first judicial review
1405 that occurs after the child's 17th birthday written verification
1406 that the child has:

1407 1. A current Medicaid card and all necessary information
1408 concerning the Medicaid program sufficient to prepare the child
1409 to apply for coverage upon reaching the age of 18, if such
1410 application is appropriate.

1411 2. A certified copy of the child's birth certificate and,
1412 if the child does not have a valid driver license, a Florida
1413 identification card issued under s. 322.051.

1414 3. A social security card and information relating to
1415 social security insurance benefits if the child is eligible for
1416 those benefits. If the child has received such benefits and they
1417 are being held in trust for the child, a full accounting of
1418 these funds must be provided and the child must be informed as
1419 to how to access those funds.

1420 4. All relevant information related to the Road-to-
1421 Independence Program under s. 409.1451, including, but not

586-03505-23

20231384c1

1422 limited to, eligibility requirements, information on
1423 participation, and assistance in gaining admission to the
1424 program. If the child is eligible for the Road-to-Independence
1425 Program, he or she must be advised that he or she may continue
1426 to reside with the licensed family home or group care provider
1427 with whom the child was residing at the time the child attained
1428 his or her 18th birthday, in another licensed family home, or
1429 with a group care provider arranged by the department.

1430 5. An open bank account or the identification necessary to
1431 open a bank account and to acquire essential banking and
1432 budgeting skills.

1433 6. Information on public assistance and how to apply for
1434 public assistance.

1435 7. A clear understanding of where he or she will be living
1436 on his or her 18th birthday, how living expenses will be paid,
1437 and the educational program or school in which he or she will be
1438 enrolled.

1439 8. Information related to the ability of the child to
1440 remain in care until he or she reaches 21 years of age under s.
1441 39.013.

1442 9. A letter providing the dates that the child is under the
1443 jurisdiction of the court.

1444 10. A letter stating that the child is in compliance with
1445 financial aid documentation requirements.

1446 11. The child's educational records.

1447 12. The child's entire health and mental health records.

1448 13. The process for accessing the child's case file.

1449 14. A statement encouraging the child to attend all
1450 judicial review hearings.

586-03505-23

20231384c1

1451 15. Information on how to obtain a driver license or
1452 learner's driver license.

1453 (c) At the first judicial review hearing held subsequent to
1454 the child's 17th birthday, if the court determines pursuant to
1455 chapter 744 that there is a good faith basis to believe that the
1456 child qualifies for appointment of a guardian advocate, limited
1457 guardian, or plenary guardian for the child and that no less
1458 restrictive decisionmaking assistance will meet the child's
1459 needs:

1460 1. The department shall complete a multidisciplinary report
1461 which must include, but is not limited to, a psychosocial
1462 evaluation and educational report if such a report has not been
1463 completed within the previous 2 years.

1464 2. The department shall identify one or more individuals
1465 who are willing to serve as the guardian advocate under s.
1466 393.12 or as the plenary or limited guardian under chapter 744.
1467 Any other interested parties or participants may make efforts to
1468 identify such a guardian advocate, limited guardian, or plenary
1469 guardian. The child's biological or adoptive family members,
1470 including the child's parents if the parents' rights have not
1471 been terminated, may not be considered for service as the
1472 plenary or limited guardian unless the court enters a written
1473 order finding that such an appointment is in the child's best
1474 interests.

1475 3. Proceedings may be initiated within 180 days after the
1476 child's 17th birthday for the appointment of a guardian
1477 advocate, plenary guardian, or limited guardian for the child in
1478 a separate proceeding in the court division with jurisdiction
1479 over guardianship matters and pursuant to chapter 744. The

586-03505-23

20231384c1

1480 Legislature encourages the use of pro bono representation to
1481 initiate proceedings under this section.

1482 4. In the event another interested party or participant
1483 initiates proceedings for the appointment of a guardian
1484 advocate, plenary guardian, or limited guardian for the child,
1485 the department shall provide all necessary documentation and
1486 information to the petitioner to complete a petition under s.
1487 393.12 or chapter 744 within 45 days after the first judicial
1488 review hearing after the child's 17th birthday.

1489 5. Any proceedings seeking appointment of a guardian
1490 advocate or a determination of incapacity and the appointment of
1491 a guardian must be conducted in a separate proceeding in the
1492 court division with jurisdiction over guardianship matters and
1493 pursuant to chapter 744.

1494 (d) If the court finds at the judicial review hearing after
1495 the child's 17th birthday that the department has not met its
1496 obligations to the child as stated in this part, in the written
1497 case plan, or in the provision of independent living services,
1498 the court may issue an order directing the department to show
1499 cause as to why it has not done so. If the department cannot
1500 justify its noncompliance, the court may give the department 30
1501 days within which to comply. If the department fails to comply
1502 within 30 days, the court may hold the department in contempt.

1503 (e) If necessary, the court may review the status of the
1504 child more frequently during the year before the child's 18th
1505 birthday. At the last review hearing before the child reaches 18
1506 years of age, and in addition to the requirements of subsection
1507 (2), the court shall:

1508 1. Address whether the child plans to remain in foster

586-03505-23

20231384c1

1509 care, and, if so, ensure that the child's transition plan
1510 includes a plan for meeting one or more of the criteria
1511 specified in s. 39.6251 and determine whether the child has
1512 entered into a formal agreement for an ongoing relationship with
1513 a supportive adult.

1514 2. Ensure that the transition plan includes a supervised
1515 living arrangement under s. 39.6251.

1516 3. Ensure the child has been informed of:

1517 a. The right to continued support and services from the
1518 department and the community-based care lead agency.

1519 b. The right to request termination of dependency
1520 jurisdiction and be discharged from foster care.

1521 c. The opportunity to reenter foster care under s. 39.6251.

1522 4. Ensure that the child, if he or she requests termination
1523 of dependency jurisdiction and discharge from foster care, has
1524 been informed of:

1525 a. Services or benefits for which the child may be eligible
1526 based on his or her former placement in foster care, including,
1527 but not limited to, the assistance of the Office of Continuing
1528 Care under s. 414.56.

1529 b. Services or benefits that may be lost through
1530 termination of dependency jurisdiction.

1531 c. Other federal, state, local, or community-based services
1532 or supports available to him or her.

1533 (4) REVIEW HEARINGS FOR YOUNG ADULTS IN FOSTER CARE.—During
1534 each period of time that a young adult remains in foster care,
1535 the court shall review the status of the young adult at least
1536 every 6 months and must hold a permanency review hearing at
1537 least annually.

586-03505-23

20231384c1

1538 (e) Notwithstanding the provisions of this subsection, if a
1539 young adult has chosen to remain in extended foster care after
1540 he or she has reached 18 years of age, the department may not
1541 close a case and the court may not terminate jurisdiction until
1542 the court finds, following a hearing, that the following
1543 criteria have been met:

1544 1. Attendance of the young adult at the hearing; or

1545 2. Findings by the court that:

1546 a. The young adult has been informed by the department of
1547 his or her right to attend the hearing and has provided written
1548 consent to waive this right; and

1549 b. The young adult has been informed of the potential
1550 negative effects of early termination of care, the option to
1551 reenter care before reaching 21 years of age, the procedure for,
1552 and limitations on, reentering care, and the availability of
1553 alternative services, and has signed a document attesting that
1554 he or she has been so informed and understands these provisions;
1555 or

1556 c. The young adult has voluntarily left the program, has
1557 not signed the document in sub-subparagraph b., and is unwilling
1558 to participate in any further court proceeding.

1559 3. In all permanency hearings or hearings regarding the
1560 transition of the young adult from care to independent living,
1561 the court shall consult with the young adult regarding the
1562 proposed permanency plan, case plan, and individual education
1563 plan for the young adult and ensure that he or she has
1564 understood the conversation. The court shall inquire of the
1565 young adult regarding his or her relationship with the
1566 supportive adult with whom the young adult has entered into a

586-03505-23

20231384c1

1567 formal agreement for an ongoing relationship, if such agreement
1568 exists.

1569 Section 26. Paragraph (a) of subsection (3) of section
1570 39.801, Florida Statutes, is amended to read:

1571 39.801 Procedures and jurisdiction; notice; service of
1572 process.—

1573 (3) Before the court may terminate parental rights, in
1574 addition to the other requirements set forth in this part, the
1575 following requirements must be met:

1576 (a) Notice of the date, time, and place of the advisory
1577 hearing for the petition to terminate parental rights and a copy
1578 of the petition must be personally served upon the following
1579 persons, specifically notifying them that a petition has been
1580 filed:

1581 1. The parents of the child.

1582 2. The legal custodians of the child.

1583 3. If the parents who would be entitled to notice are dead
1584 or unknown, a living relative of the child, unless upon diligent
1585 search and inquiry no such relative can be found.

1586 4. Any person who has physical custody of the child.

1587 5. Any grandparent entitled to priority for adoption under
1588 s. 63.0425.

1589 6. Any prospective parent who has been identified under s.
1590 39.503 or s. 39.803, unless a court order has been entered
1591 pursuant to s. 39.503(4) or (9) or s. 39.803(4) or (9) which
1592 indicates no further notice is required. Except as otherwise
1593 provided in this section, if there is not a legal father, notice
1594 of the petition for termination of parental rights must be
1595 provided to any known prospective father who is identified under

586-03505-23

20231384c1

1596 oath before the court or who is identified by a diligent search
1597 of the Florida Putative Father Registry. Service of the notice
1598 of the petition for termination of parental rights is not
1599 required if the prospective father executes an affidavit of
1600 nonpaternity or a consent to termination of his parental rights
1601 which is accepted by the court after notice and opportunity to
1602 be heard by all parties to address the best interests of the
1603 child in accepting such affidavit.

1604 7. The guardian ad litem for the child ~~or the~~
1605 ~~representative of the guardian ad litem program, if the program~~
1606 ~~has been appointed.~~

1607
1608 The document containing the notice to respond or appear must
1609 contain, in type at least as large as the type in the balance of
1610 the document, the following or substantially similar language:
1611 "FAILURE TO PERSONALLY APPEAR AT THIS ADVISORY HEARING
1612 CONSTITUTES CONSENT TO THE TERMINATION OF PARENTAL RIGHTS OF
1613 THIS CHILD (OR CHILDREN). IF YOU FAIL TO APPEAR ON THE DATE AND
1614 TIME SPECIFIED, YOU MAY LOSE ALL LEGAL RIGHTS AS A PARENT TO THE
1615 CHILD OR CHILDREN NAMED IN THE PETITION ATTACHED TO THIS
1616 NOTICE."

1617 Section 27. Subsection (2) of section 39.807, Florida
1618 Statutes, is amended to read:

1619 39.807 Right to counsel; guardian ad litem.—

1620 (2) (a) The court shall appoint a guardian ad litem to
1621 represent ~~the best interest of~~ the child in any termination of
1622 parental rights proceedings and shall ascertain at each stage of
1623 the proceedings whether a guardian ad litem has been appointed.

1624 (b) The guardian ad litem has the ~~following~~

586-03505-23

20231384c1

1625 responsibilities and authorities listed in s. 39.822.÷

1626 ~~1. To investigate the allegations of the petition and any~~
1627 ~~subsequent matters arising in the case and,~~

1628 (c) Unless excused by the court, the guardian ad litem
1629 shall ~~to~~ file a written report. This report must include a
1630 statement of the wishes of the child and the recommendations of
1631 the guardian ad litem and must be provided to all parties and
1632 the court at least 72 hours before the disposition hearing.

1633 ~~2. To be present at all court hearings unless excused by~~
1634 ~~the court.~~

1635 ~~3. To represent the best interests of the child until the~~
1636 ~~jurisdiction of the court over the child terminates or until~~
1637 ~~excused by the court.~~

1638 ~~(c) A guardian ad litem is not required to post bond but~~
1639 ~~shall file an acceptance of the office.~~

1640 ~~(d) A guardian ad litem is entitled to receive service of~~
1641 ~~pleadings and papers as provided by the Florida Rules of~~
1642 ~~Juvenile Procedure.~~

1643 (d) ~~(e)~~ This subsection does not apply to any voluntary
1644 relinquishment of parental rights proceeding.

1645 Section 28. Subsection (2) of section 39.808, Florida
1646 Statutes, is amended to read:

1647 39.808 Advisory hearing; pretrial status conference.—

1648 (2) At the hearing the court shall inform the parties of
1649 their rights under s. 39.807, shall appoint counsel for the
1650 parties in accordance with legal requirements, and shall appoint
1651 a guardian ad litem to represent ~~the interests of~~ the child if
1652 one has not already been appointed.

1653 Section 29. Subsection (2) of section 39.815, Florida

586-03505-23

20231384c1

1654 Statutes, is amended to read:

1655 39.815 Appeal.—

1656 (2) An attorney for the department shall represent the
1657 state upon appeal. When a notice of appeal is filed in the
1658 circuit court, the clerk shall notify the attorney for the
1659 department, together with the attorney for the parent, the
1660 guardian ad litem, and any attorney ad litem for the child, if
1661 appointed.

1662 Section 30. Section 39.820, Florida Statutes, is repealed.

1663 Section 31. Subsections (1) and (3) of section 39.821,
1664 Florida Statutes, are amended to read:

1665 39.821 Qualifications of guardians ad litem.—

1666 (1) Because of the special trust or responsibility placed
1667 in a guardian ad litem, the Statewide Guardian ad Litem Office
1668 ~~Program~~ may use any private funds collected by the office
1669 ~~program~~, or any state funds so designated, to conduct a security
1670 background investigation before certifying a volunteer to serve.
1671 A security background investigation must include, but need not
1672 be limited to, employment history checks, checks of references,
1673 local criminal history records checks through local law
1674 enforcement agencies, and statewide criminal history records
1675 checks through the Department of Law Enforcement. Upon request,
1676 an employer shall furnish a copy of the personnel record for the
1677 employee or former employee who is the subject of a security
1678 background investigation conducted under this section. The
1679 information contained in the personnel record may include, but
1680 need not be limited to, disciplinary matters and the reason why
1681 the employee was terminated from employment. An employer who
1682 releases a personnel record for purposes of a security

586-03505-23

20231384c1

1683 background investigation is presumed to have acted in good faith
1684 and is not liable for information contained in the record
1685 without a showing that the employer maliciously falsified the
1686 record. A security background investigation conducted under this
1687 section must ensure that a person is not certified as a guardian
1688 ad litem if the person has an arrest awaiting final disposition
1689 for, been convicted of, regardless of adjudication, entered a
1690 plea of nolo contendere or guilty to, or been adjudicated
1691 delinquent and the record has not been sealed or expunged for,
1692 any offense prohibited under the provisions listed in s. 435.04.
1693 All applicants must undergo a level 2 background screening
1694 pursuant to chapter 435 before being certified to serve as a
1695 guardian ad litem. In analyzing and evaluating the information
1696 obtained in the security background investigation, the office
1697 ~~program~~ must give particular emphasis to past activities
1698 involving children, including, but not limited to, child-related
1699 criminal offenses or child abuse. The ~~program~~ Statewide Guardian
1700 ad Litem Office has sole discretion in determining whether to
1701 certify a person based on his or her security background
1702 investigation. The information collected pursuant to the
1703 security background investigation is confidential and exempt
1704 from s. 119.07(1).

1705 (3) It is a misdemeanor of the first degree, punishable as
1706 provided in s. 775.082 or s. 775.083, for any person to
1707 willfully, knowingly, or intentionally fail, by false statement,
1708 misrepresentation, impersonation, or other fraudulent means, to
1709 disclose in any application for a volunteer position or for paid
1710 employment with the Statewide Guardian ad Litem Office ~~Program~~,
1711 any material fact used in making a determination as to the

586-03505-23

20231384c1

1712 applicant's qualifications for such position.

1713 Section 32. Section 39.822, Florida Statutes, is amended to
1714 read:

1715 39.822 Appointment of guardian ad litem for abused,
1716 abandoned, or neglected child.—

1717 (1) A guardian ad litem shall be appointed by the court at
1718 the earliest possible time to represent the child in any child
1719 abuse, abandonment, or neglect judicial proceeding, whether
1720 civil or criminal. A guardian ad litem is a fiduciary and shall
1721 provide independent representation of the child using a best
1722 interest standard of decisionmaking and advocacy.

1723 (2) (a) The guardian ad litem has the following
1724 responsibilities:

1725 1. To be present at all court hearings unless excused by
1726 the court.

1727 2. To investigate issues related to the best interest of
1728 the child who is the subject of the appointment, review all
1729 disposition recommendations and changes in placement, and,
1730 unless excused by the court, file written reports and
1731 recommendations in accordance with law.

1732 3. To represent the child until the court's jurisdiction
1733 over the child terminates or until excused by the court.

1734 4. To advocate for the child's participation in the
1735 proceedings and report the child's wishes to the court to the
1736 extent the child has the ability and desire to express his or
1737 her preferences.

1738 5. To perform such other duties as are consistent with the
1739 scope of the appointment.

1740 (b) Guardians ad litem shall have immediate and unlimited

586-03505-23

20231384c1

1741 access to the children they represent.

1742 (c) A guardian ad litem is not required to post bond but
1743 must file an acceptance of the appointment.

1744 (d) A guardian ad litem is entitled to receive service of
1745 pleadings and papers as provided by the Florida Rules of
1746 Juvenile Procedure.

1747 (3) Any person participating in a civil or criminal
1748 judicial proceeding resulting from such appointment shall be
1749 presumed prima facie to be acting in good faith and in so doing
1750 shall be immune from any liability, civil or criminal, that
1751 otherwise might be incurred or imposed.

1752 (4)~~(2)~~ In those cases in which the parents are financially
1753 able, the parent or parents of the child shall reimburse the
1754 court, in part or in whole, for the cost of provision of
1755 guardian ad litem representation services. Reimbursement to the
1756 individual providing guardian ad litem services shall not be
1757 contingent upon successful collection by the court from the
1758 parent or parents.

1759 (5)~~(3)~~ Upon presentation by a guardian ad litem of a court
1760 order appointing the guardian ad litem:

1761 (a) An agency, as defined in chapter 119, shall allow the
1762 guardian ad litem to inspect and copy records related to the
1763 best interests of the child who is the subject of the
1764 appointment, including, but not limited to, records made
1765 confidential or exempt from s. 119.07(1) or s. 24(a), Art. I of
1766 the State Constitution. The guardian ad litem shall maintain the
1767 confidential or exempt status of any records shared by an agency
1768 under this paragraph.

1769 (b) A person or organization, other than an agency under

586-03505-23

20231384c1

1770 paragraph (a), shall allow the guardian ad litem to inspect and
1771 copy any records related to the best interests of the child who
1772 is the subject of the appointment, including, but not limited
1773 to, confidential records.

1774
1775 For the purposes of this subsection, the term "records related
1776 to the best interests of the child" includes, but is not limited
1777 to, medical, mental health, substance abuse, child care,
1778 education, law enforcement, court, social services, and
1779 financial records.

1780 ~~(4) The guardian ad litem or the program representative~~
1781 ~~shall review all disposition recommendations and changes in~~
1782 ~~placements, and must be present at all critical stages of the~~
1783 ~~dependency proceeding or submit a written report of~~
1784 ~~recommendations to the court. Written reports must be filed with~~
1785 ~~the court and served on all parties whose whereabouts are known~~
1786 ~~at least 72 hours prior to the hearing.~~

1787 Section 33. Subsection (4) of section 39.827, Florida
1788 Statutes, is amended to read:

1789 39.827 Hearing for appointment of a guardian advocate.—

1790 (4) The hearing under this section shall remain
1791 confidential and closed to the public. The clerk shall keep all
1792 court records required by this part separate from other records
1793 of the circuit court. All court records required by this part
1794 shall be confidential and exempt from the provisions of s.
1795 119.07(1). All records shall be inspected only upon order of the
1796 court by persons deemed by the court to have a proper interest
1797 therein, except that a child and the parents or custodians of
1798 the child and their attorneys, the guardian ad litem, ~~and~~ the

586-03505-23

20231384c1

1799 department and its designees, and the attorney ad litem, if
1800 appointed, shall always have the right to inspect and copy any
1801 official record pertaining to the child. The court may permit
1802 authorized representatives of recognized organizations compiling
1803 statistics for proper purposes to inspect and make abstracts
1804 from official records, under whatever conditions upon their use
1805 and disposition the court may deem proper, and may punish by
1806 contempt proceedings any violation of those conditions. All
1807 information obtained pursuant to this part in the discharge of
1808 official duty by any judge, employee of the court, or authorized
1809 agent of the department shall be confidential and exempt from
1810 the provisions of s. 119.07(1) and shall not be disclosed to
1811 anyone other than the authorized personnel of the court or the
1812 department and its designees, except upon order of the court.

1813 Section 34. Paragraphs (a), (b), and (d) of subsection (1)
1814 and subsection (2) of section 39.8296, Florida Statutes, are
1815 amended to read:

1816 39.8296 Statewide Guardian ad Litem Office; legislative
1817 findings and intent; creation; appointment of executive
1818 director; duties of office.—

1819 (1) LEGISLATIVE FINDINGS AND INTENT.—

1820 (a) The Legislature finds that for the past 20 years, the
1821 Guardian ad Litem Program has been the only mechanism for best
1822 interest representation for children in Florida who are involved
1823 in dependency proceedings.

1824 (b) The Legislature also finds that while the Guardian ad
1825 Litem Program has been supervised by court administration within
1826 the circuit courts since the program's inception, there is a
1827 perceived conflict of interest created by the supervision of

586-03505-23

20231384c1

1828 program staff by the judges before whom they appear.

1829 (d) It is therefore the intent of the Legislature to place
1830 the Guardian ad Litem Program in an appropriate place and
1831 provide a statewide infrastructure to increase functioning and
1832 standardization among the local programs currently operating in
1833 the 20 judicial circuits.

1834 (2) STATEWIDE GUARDIAN AD LITEM OFFICE.—There is created a
1835 Statewide Guardian ad Litem Office within the Justice
1836 Administrative Commission. The Justice Administrative Commission
1837 shall provide administrative support and service to the office
1838 to the extent requested by the executive director within the
1839 available resources of the commission. The Statewide Guardian ad
1840 Litem Office is not subject to control, supervision, or
1841 direction by the Justice Administrative Commission in the
1842 performance of its duties, but the employees of the office are
1843 governed by the classification plan and salary and benefits plan
1844 approved by the Justice Administrative Commission.

1845 (a) The head of the Statewide Guardian ad Litem Office is
1846 the executive director, who shall be appointed by the Governor
1847 from a list of a minimum of three eligible applicants submitted
1848 by a Guardian ad Litem Qualifications Committee. The Guardian ad
1849 Litem Qualifications Committee shall be composed of five
1850 persons, two persons appointed by the Governor, two persons
1851 appointed by the Chief Justice of the Supreme Court, and one
1852 person appointed by the Statewide Guardian ad Litem Office
1853 ~~Association~~. The committee shall provide for statewide
1854 advertisement and the receiving of applications for the position
1855 of executive director. The Governor shall appoint an executive
1856 director from among the recommendations, or the Governor may

586-03505-23

20231384c1

1857 reject the nominations and request the submission of new
1858 nominees. The executive director must have knowledge in
1859 dependency law and knowledge of social service delivery systems
1860 available to meet the needs of children who are abused,
1861 neglected, or abandoned. The executive director shall serve on a
1862 full-time basis and shall personally, or through representatives
1863 of the office, carry out the purposes and functions of the
1864 Statewide Guardian ad Litem Office in accordance with state and
1865 federal law and Florida's long-established policy of
1866 prioritizing children's best interests. The executive director
1867 shall report to the Governor. The executive director shall serve
1868 a 3-year term, subject to removal for cause by the Governor. Any
1869 person appointed to serve as the executive director may be
1870 permitted to serve more than one term, without the necessity of
1871 convening the Guardian ad Litem Qualifications Committee.

1872 (b) The Statewide Guardian ad Litem Office shall, within
1873 available resources, have oversight responsibilities for and
1874 provide technical assistance to all guardian ad litem and
1875 attorney ad litem programs located within the judicial circuits.

1876 1. The office shall identify the resources required to
1877 implement methods of collecting, reporting, and tracking
1878 reliable and consistent case data.

1879 2. The office shall review the current guardian ad litem
1880 offices ~~programs~~ in Florida and other states.

1881 3. The office, in consultation with local guardian ad litem
1882 offices, shall develop statewide performance measures and
1883 standards.

1884 4. The office shall develop and maintain a guardian ad
1885 litem training program, ~~which shall include, but is not limited~~

586-03505-23

20231384c1

1886 ~~to, training on the recognition of and responses to head trauma~~
1887 ~~and brain injury in a child under 6 years of age. The office~~
1888 ~~shall establish a curriculum committee to develop the training~~
1889 ~~program specified in this subparagraph. The curriculum committee~~
1890 ~~shall include, but not be limited to, dependency judges,~~
1891 ~~directors of circuit guardian ad litem programs, active~~
1892 ~~certified guardians ad litem, a mental health professional who~~
1893 ~~specializes in the treatment of children, a member of a child~~
1894 ~~advocacy group, a representative of a domestic violence advocacy~~
1895 ~~group, an individual with a degree in social work, and a social~~
1896 ~~worker experienced in working with victims and perpetrators of~~
1897 ~~child abuse. The training program shall be updated regularly.~~

1898 5. The office shall review the various methods of funding
1899 guardian ad litem offices ~~programs~~, maximize the use of those
1900 funding sources to the extent possible, and review the kinds of
1901 services being provided by circuit guardian ad litem offices
1902 ~~programs~~.

1903 6. The office shall determine the feasibility or
1904 desirability of new concepts of organization, administration,
1905 financing, or service delivery designed to preserve the civil
1906 and constitutional rights and fulfill other needs of dependent
1907 children.

1908 7. The office shall ensure that all children have an
1909 attorney assigned to their case and, within available resources,
1910 be represented using multidisciplinary teams that may include
1911 volunteers, pro bono attorneys, social workers, and mentors.

1912 8. The office shall provide oversight and technical
1913 assistance to attorneys ad litem, including but not limited to:

1914 a. Developing an attorney ad litem training program in

586-03505-23

20231384c1

1915 collaboration with dependency court stakeholders, including, but
1916 not limited to, dependency judges, representatives from legal
1917 aid providing attorney ad litem representation, and an attorney
1918 ad litem appointed from a registry maintained by the chief
1919 judge. The program shall be updated regularly with or without
1920 convening the stakeholders group;

1921 b. Offering consultation and technical assistance to chief
1922 judges in maintaining attorney registries for attorneys ad
1923 litem; and

1924 c. Assisting with recruitment, training, and mentoring of
1925 attorneys ad litem as needed.

1926 9. In an effort to promote normalcy and establish trust
1927 between a ~~court-appointed volunteer~~ guardian ad litem and a
1928 child alleged to be abused, abandoned, or neglected under this
1929 chapter, a guardian ad litem may transport a child. However, a
1930 guardian ad litem ~~volunteer~~ may not be required by a guardian ad
1931 litem circuit office or ordered by ~~or directed by the program or~~
1932 a court to transport a child.

1933 ~~10.8.~~ The office shall submit to the Governor, the
1934 President of the Senate, the Speaker of the House of
1935 Representatives, and the Chief Justice of the Supreme Court an
1936 interim report describing the progress of the office in meeting
1937 the goals as described in this section. The office shall submit
1938 to the Governor, the President of the Senate, the Speaker of the
1939 House of Representatives, and the Chief Justice of the Supreme
1940 Court a proposed plan including alternatives for meeting the
1941 state's guardian ad litem and attorney ad litem needs. This plan
1942 may include recommendations for less than the entire state, may
1943 include a phase-in system, and shall include estimates of the

586-03505-23

20231384c1

1944 cost of each of the alternatives. Each year the office shall
1945 provide a status report and provide further recommendations to
1946 address the need for guardian ad litem services and related
1947 issues.

1948 Section 35. Subsections (1), (3), and (4) of section
1949 39.8297, Florida Statutes, are amended to read:

1950 39.8297 County funding for guardian ad litem employees.—

1951 (1) A county and the executive director of the Statewide
1952 Guardian ad Litem Office may enter into an agreement by which
1953 the county agrees to provide funds to the local guardian ad
1954 litem office in order to employ persons who will assist in the
1955 operation of the guardian ad litem office ~~program~~ in the county.

1956 (3) Persons employed under this section may not be counted
1957 in a formula or similar process used by the Statewide Guardian
1958 ad Litem Office to measure personnel needs of a judicial
1959 circuit's guardian ad litem office ~~program~~.

1960 (4) Agreements created pursuant to this section do not
1961 obligate the state to allocate funds to a county to employ
1962 persons in the guardian ad litem office ~~program~~.

1963 Section 36. Section 39.8298, Florida Statutes, is amended
1964 to read:

1965 39.8298 Guardian ad Litem state direct-support organization
1966 and local direct-support organizations.—

1967 (1) AUTHORITY.—The Statewide Guardian ad Litem Office
1968 created under s. 39.8296 is authorized to create a state direct-
1969 support organization and create or designate local direct-
1970 support organizations. The executive director of the Statewide
1971 Guardian ad Litem Office is responsible for designating local
1972 direct-support organizations under this subsection.

586-03505-23

20231384c1

1973 (a) The state direct-support organization and the local
1974 direct-support organizations must be a Florida corporations
1975 ~~corporation~~ not for profit, incorporated under the provisions of
1976 chapter 617. The state direct-support organization and the local
1977 direct-support organization are ~~shall be~~ exempt from paying fees
1978 under s. 617.0122.

1979 (b) The state direct-support organization and each local
1980 direct-support organization shall be organized and operated to
1981 conduct programs and activities; raise funds; request and
1982 receive grants, gifts, and bequests of moneys; acquire, receive,
1983 hold, invest, and administer, in their ~~its~~ own name, securities,
1984 funds, objects of value, or other property, real or personal;
1985 and make expenditures to or for the direct or indirect benefit
1986 of the Statewide Guardian ad Litem Office, including the local
1987 guardian ad litem offices.

1988 (c) If the executive director of the Statewide Guardian ad
1989 Litem Office determines the state direct-support organization or
1990 a local direct-support organization is operating in a manner
1991 that is inconsistent with the goals and purposes of the
1992 Statewide Guardian ad Litem Office or not acting in the best
1993 interest of the state, the executive director may terminate the
1994 contract and thereafter the organization may not use the name of
1995 the Statewide Guardian ad Litem Office.

1996 (2) CONTRACT.—The state direct-support organization and the
1997 local direct-support organizations shall operate under a written
1998 contract with the Statewide Guardian ad Litem Office. The
1999 written contract must, at a minimum, provide for:

2000 (a) Approval of the articles of incorporation and bylaws of
2001 the direct-support organization by the executive director of the

586-03505-23

20231384c1

2002 Statewide Guardian ad Litem Office.

2003 (b) Submission of an annual budget for the approval by the
2004 executive director of the Statewide Guardian ad Litem Office.

2005 (c) The reversion without penalty to the Statewide Guardian
2006 ad Litem Office, or to the state if the Statewide Guardian ad
2007 Litem Office ceases to exist, of all moneys and property held in
2008 trust by the state direct-support organization for the Statewide
2009 Guardian ad Litem Office if the direct-support organization
2010 ceases to exist or if the contract is terminated.

2011 (d) The fiscal year of the state direct-support
2012 organization and the local direct-support organizations, which
2013 must begin July 1 of each year and end June 30 of the following
2014 year.

2015 (e) The disclosure of material provisions of the contract
2016 and the distinction between the Statewide Guardian ad Litem
2017 Office and the state direct-support organization or a local
2018 direct-support organization to donors of gifts, contributions,
2019 or bequests, as well as on all promotional and fundraising
2020 publications.

2021 (3) BOARD OF DIRECTORS.—The executive director of the
2022 Statewide Guardian ad Litem Office shall appoint a board of
2023 directors for the state direct-support organization. The
2024 executive director may designate employees of the Statewide
2025 Guardian ad Litem Office to serve on the board of directors of
2026 the state direct-support organization or a local direct-support
2027 organization. Members of the board of the state direct-support
2028 organization or a local direct-support organization shall serve
2029 at the pleasure of the executive director.

2030 (4) USE OF PROPERTY AND SERVICES.—The executive director of

586-03505-23

20231384c1

2031 the Statewide Guardian ad Litem Office:

2032 (a) May authorize the use of facilities and property other
2033 than money that are owned by the Statewide Guardian ad Litem
2034 Office to be used by the state direct-support organization or
2035 local direct-support organization.

2036 (b) May authorize the use of personal services provided by
2037 employees of the Statewide Guardian ad Litem Office to be used
2038 by the state direct-support organization or a local direct-
2039 support organization. For the purposes of this section, the term
2040 "personal services" includes full-time personnel and part-time
2041 personnel as well as payroll processing.

2042 (c) May prescribe the conditions by which the direct-
2043 support organization or a local direct-support organization may
2044 use property, facilities, or personal services of the office or
2045 the state direct-support organization.

2046 (d) Shall not authorize the use of property, facilities, or
2047 personal services by ~~of~~ the state direct-support organization or
2048 a local direct-support organization if the organization does not
2049 provide equal employment opportunities to all persons,
2050 regardless of race, color, religion, sex, age, or national
2051 origin.

2052 (5) MONEYS.—Moneys of the state direct-support organization
2053 or a local direct-support organization must ~~may~~ be held in a
2054 separate depository account in the name of the direct-support
2055 organization and subject to the provisions of the contract with
2056 the Statewide Guardian ad Litem Office.

2057 (6) ANNUAL AUDIT.—The state direct-support organization and
2058 a local direct-support organization shall provide for an annual
2059 financial audit in accordance with s. 215.981.

586-03505-23

20231384c1

2060 (7) LIMITS ON DIRECT-SUPPORT ORGANIZATIONS ~~ORGANIZATION~~.—
2061 The state direct-support organization and a local direct-support
2062 organization shall not exercise any power under s. 617.0302(12)
2063 or (16). No state employee shall receive compensation from the
2064 state direct-support organization or local direct-support
2065 organization for service on the board of directors or for
2066 services rendered to the direct-support organization.

2067 Section 37. Paragraph (d) of subsection (4) of section
2068 119.071, Florida Statutes, is amended to read:

2069 119.071 General exemptions from inspection or copying of
2070 public records.—

2071 (4) AGENCY PERSONNEL INFORMATION.—

2072 (d)1. For purposes of this paragraph, the term:

2073 a. "Home addresses" means the dwelling location at which an
2074 individual resides and includes the physical address, mailing
2075 address, street address, parcel identification number, plot
2076 identification number, legal property description, neighborhood
2077 name and lot number, GPS coordinates, and any other descriptive
2078 property information that may reveal the home address.

2079 b. "Telephone numbers" includes home telephone numbers,
2080 personal cellular telephone numbers, personal pager telephone
2081 numbers, and telephone numbers associated with personal
2082 communications devices.

2083 2.a. The home addresses, telephone numbers, dates of birth,
2084 and photographs of active or former sworn law enforcement
2085 personnel or of active or former civilian personnel employed by
2086 a law enforcement agency, including correctional and
2087 correctional probation officers, personnel of the Department of
2088 Children and Families whose duties include the investigation of

586-03505-23

20231384c1

2089 abuse, neglect, exploitation, fraud, theft, or other criminal
2090 activities, personnel of the Department of Health whose duties
2091 are to support the investigation of child abuse or neglect, and
2092 personnel of the Department of Revenue or local governments
2093 whose responsibilities include revenue collection and
2094 enforcement or child support enforcement; the names, home
2095 addresses, telephone numbers, photographs, dates of birth, and
2096 places of employment of the spouses and children of such
2097 personnel; and the names and locations of schools and day care
2098 facilities attended by the children of such personnel are exempt
2099 from s. 119.07(1) and s. 24(a), Art. I of the State
2100 Constitution.

2101 b. The home addresses, telephone numbers, dates of birth,
2102 and photographs of current or former nonsworn investigative
2103 personnel of the Department of Financial Services whose duties
2104 include the investigation of fraud, theft, workers' compensation
2105 coverage requirements and compliance, other related criminal
2106 activities, or state regulatory requirement violations; the
2107 names, home addresses, telephone numbers, dates of birth, and
2108 places of employment of the spouses and children of such
2109 personnel; and the names and locations of schools and day care
2110 facilities attended by the children of such personnel are exempt
2111 from s. 119.07(1) and s. 24(a), Art. I of the State
2112 Constitution.

2113 c. The home addresses, telephone numbers, dates of birth,
2114 and photographs of current or former nonsworn investigative
2115 personnel of the Office of Financial Regulation's Bureau of
2116 Financial Investigations whose duties include the investigation
2117 of fraud, theft, other related criminal activities, or state

586-03505-23

20231384c1

2118 regulatory requirement violations; the names, home addresses,
2119 telephone numbers, dates of birth, and places of employment of
2120 the spouses and children of such personnel; and the names and
2121 locations of schools and day care facilities attended by the
2122 children of such personnel are exempt from s. 119.07(1) and s.
2123 24(a), Art. I of the State Constitution.

2124 d. The home addresses, telephone numbers, dates of birth,
2125 and photographs of current or former firefighters certified in
2126 compliance with s. 633.408; the names, home addresses, telephone
2127 numbers, photographs, dates of birth, and places of employment
2128 of the spouses and children of such firefighters; and the names
2129 and locations of schools and day care facilities attended by the
2130 children of such firefighters are exempt from s. 119.07(1) and
2131 s. 24(a), Art. I of the State Constitution.

2132 e. The home addresses, dates of birth, and telephone
2133 numbers of current or former justices of the Supreme Court,
2134 district court of appeal judges, circuit court judges, and
2135 county court judges; the names, home addresses, telephone
2136 numbers, dates of birth, and places of employment of the spouses
2137 and children of current or former justices and judges; and the
2138 names and locations of schools and day care facilities attended
2139 by the children of current or former justices and judges are
2140 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2141 Constitution.

2142 f. The home addresses, telephone numbers, dates of birth,
2143 and photographs of current or former state attorneys, assistant
2144 state attorneys, statewide prosecutors, or assistant statewide
2145 prosecutors; the names, home addresses, telephone numbers,
2146 photographs, dates of birth, and places of employment of the

586-03505-23

20231384c1

2147 spouses and children of current or former state attorneys,
2148 assistant state attorneys, statewide prosecutors, or assistant
2149 statewide prosecutors; and the names and locations of schools
2150 and day care facilities attended by the children of current or
2151 former state attorneys, assistant state attorneys, statewide
2152 prosecutors, or assistant statewide prosecutors are exempt from
2153 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

2154 g. The home addresses, dates of birth, and telephone
2155 numbers of general magistrates, special magistrates, judges of
2156 compensation claims, administrative law judges of the Division
2157 of Administrative Hearings, and child support enforcement
2158 hearing officers; the names, home addresses, telephone numbers,
2159 dates of birth, and places of employment of the spouses and
2160 children of general magistrates, special magistrates, judges of
2161 compensation claims, administrative law judges of the Division
2162 of Administrative Hearings, and child support enforcement
2163 hearing officers; and the names and locations of schools and day
2164 care facilities attended by the children of general magistrates,
2165 special magistrates, judges of compensation claims,
2166 administrative law judges of the Division of Administrative
2167 Hearings, and child support enforcement hearing officers are
2168 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2169 Constitution.

2170 h. The home addresses, telephone numbers, dates of birth,
2171 and photographs of current or former human resource, labor
2172 relations, or employee relations directors, assistant directors,
2173 managers, or assistant managers of any local government agency
2174 or water management district whose duties include hiring and
2175 firing employees, labor contract negotiation, administration, or

586-03505-23

20231384c1

2176 other personnel-related duties; the names, home addresses,
2177 telephone numbers, dates of birth, and places of employment of
2178 the spouses and children of such personnel; and the names and
2179 locations of schools and day care facilities attended by the
2180 children of such personnel are exempt from s. 119.07(1) and s.
2181 24(a), Art. I of the State Constitution.

2182 i. The home addresses, telephone numbers, dates of birth,
2183 and photographs of current or former code enforcement officers;
2184 the names, home addresses, telephone numbers, dates of birth,
2185 and places of employment of the spouses and children of such
2186 personnel; and the names and locations of schools and day care
2187 facilities attended by the children of such personnel are exempt
2188 from s. 119.07(1) and s. 24(a), Art. I of the State
2189 Constitution.

2190 j. The home addresses, telephone numbers, places of
2191 employment, dates of birth, and photographs of current or former
2192 guardians ad litem, as defined in s. 39.01 ~~s. 39.820~~; the names,
2193 home addresses, telephone numbers, dates of birth, and places of
2194 employment of the spouses and children of such persons; and the
2195 names and locations of schools and day care facilities attended
2196 by the children of such persons are exempt from s. 119.07(1) and
2197 s. 24(a), Art. I of the State Constitution.

2198 k. The home addresses, telephone numbers, dates of birth,
2199 and photographs of current or former juvenile probation
2200 officers, juvenile probation supervisors, detention
2201 superintendents, assistant detention superintendents, juvenile
2202 justice detention officers I and II, juvenile justice detention
2203 officer supervisors, juvenile justice residential officers,
2204 juvenile justice residential officer supervisors I and II,

586-03505-23

20231384c1

2205 juvenile justice counselors, juvenile justice counselor
2206 supervisors, human services counselor administrators, senior
2207 human services counselor administrators, rehabilitation
2208 therapists, and social services counselors of the Department of
2209 Juvenile Justice; the names, home addresses, telephone numbers,
2210 dates of birth, and places of employment of spouses and children
2211 of such personnel; and the names and locations of schools and
2212 day care facilities attended by the children of such personnel
2213 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2214 Constitution.

2215 1. The home addresses, telephone numbers, dates of birth,
2216 and photographs of current or former public defenders, assistant
2217 public defenders, criminal conflict and civil regional counsel,
2218 and assistant criminal conflict and civil regional counsel; the
2219 names, home addresses, telephone numbers, dates of birth, and
2220 places of employment of the spouses and children of current or
2221 former public defenders, assistant public defenders, criminal
2222 conflict and civil regional counsel, and assistant criminal
2223 conflict and civil regional counsel; and the names and locations
2224 of schools and day care facilities attended by the children of
2225 current or former public defenders, assistant public defenders,
2226 criminal conflict and civil regional counsel, and assistant
2227 criminal conflict and civil regional counsel are exempt from s.
2228 119.07(1) and s. 24(a), Art. I of the State Constitution.

2229 m. The home addresses, telephone numbers, dates of birth,
2230 and photographs of current or former investigators or inspectors
2231 of the Department of Business and Professional Regulation; the
2232 names, home addresses, telephone numbers, dates of birth, and
2233 places of employment of the spouses and children of such current

586-03505-23

20231384c1

2234 or former investigators and inspectors; and the names and
2235 locations of schools and day care facilities attended by the
2236 children of such current or former investigators and inspectors
2237 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2238 Constitution.

2239 n. The home addresses, telephone numbers, and dates of
2240 birth of county tax collectors; the names, home addresses,
2241 telephone numbers, dates of birth, and places of employment of
2242 the spouses and children of such tax collectors; and the names
2243 and locations of schools and day care facilities attended by the
2244 children of such tax collectors are exempt from s. 119.07(1) and
2245 s. 24(a), Art. I of the State Constitution.

2246 o. The home addresses, telephone numbers, dates of birth,
2247 and photographs of current or former personnel of the Department
2248 of Health whose duties include, or result in, the determination
2249 or adjudication of eligibility for social security disability
2250 benefits, the investigation or prosecution of complaints filed
2251 against health care practitioners, or the inspection of health
2252 care practitioners or health care facilities licensed by the
2253 Department of Health; the names, home addresses, telephone
2254 numbers, dates of birth, and places of employment of the spouses
2255 and children of such personnel; and the names and locations of
2256 schools and day care facilities attended by the children of such
2257 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
2258 the State Constitution.

2259 p. The home addresses, telephone numbers, dates of birth,
2260 and photographs of current or former impaired practitioner
2261 consultants who are retained by an agency or current or former
2262 employees of an impaired practitioner consultant whose duties

586-03505-23

20231384c1

2263 result in a determination of a person's skill and safety to
2264 practice a licensed profession; the names, home addresses,
2265 telephone numbers, dates of birth, and places of employment of
2266 the spouses and children of such consultants or their employees;
2267 and the names and locations of schools and day care facilities
2268 attended by the children of such consultants or employees are
2269 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2270 Constitution.

2271 q. The home addresses, telephone numbers, dates of birth,
2272 and photographs of current or former emergency medical
2273 technicians or paramedics certified under chapter 401; the
2274 names, home addresses, telephone numbers, dates of birth, and
2275 places of employment of the spouses and children of such
2276 emergency medical technicians or paramedics; and the names and
2277 locations of schools and day care facilities attended by the
2278 children of such emergency medical technicians or paramedics are
2279 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2280 Constitution.

2281 r. The home addresses, telephone numbers, dates of birth,
2282 and photographs of current or former personnel employed in an
2283 agency's office of inspector general or internal audit
2284 department whose duties include auditing or investigating waste,
2285 fraud, abuse, theft, exploitation, or other activities that
2286 could lead to criminal prosecution or administrative discipline;
2287 the names, home addresses, telephone numbers, dates of birth,
2288 and places of employment of spouses and children of such
2289 personnel; and the names and locations of schools and day care
2290 facilities attended by the children of such personnel are exempt
2291 from s. 119.07(1) and s. 24(a), Art. I of the State

586-03505-23

20231384c1

2292 Constitution.

2293 s. The home addresses, telephone numbers, dates of birth,
2294 and photographs of current or former directors, managers,
2295 supervisors, nurses, and clinical employees of an addiction
2296 treatment facility; the home addresses, telephone numbers,
2297 photographs, dates of birth, and places of employment of the
2298 spouses and children of such personnel; and the names and
2299 locations of schools and day care facilities attended by the
2300 children of such personnel are exempt from s. 119.07(1) and s.
2301 24(a), Art. I of the State Constitution. For purposes of this
2302 sub-subparagraph, the term "addiction treatment facility" means
2303 a county government, or agency thereof, that is licensed
2304 pursuant to s. 397.401 and provides substance abuse prevention,
2305 intervention, or clinical treatment, including any licensed
2306 service component described in s. 397.311(26).

2307 t. The home addresses, telephone numbers, dates of birth,
2308 and photographs of current or former directors, managers,
2309 supervisors, and clinical employees of a child advocacy center
2310 that meets the standards of s. 39.3035(2) and fulfills the
2311 screening requirement of s. 39.3035(3), and the members of a
2312 Child Protection Team as described in s. 39.303 whose duties
2313 include supporting the investigation of child abuse or sexual
2314 abuse, child abandonment, child neglect, and child exploitation
2315 or to provide services as part of a multidisciplinary case
2316 review team; the names, home addresses, telephone numbers,
2317 photographs, dates of birth, and places of employment of the
2318 spouses and children of such personnel and members; and the
2319 names and locations of schools and day care facilities attended
2320 by the children of such personnel and members are exempt from s.

586-03505-23

20231384c1

2321 119.07(1) and s. 24(a), Art. I of the State Constitution.

2322 u. The home addresses, telephone numbers, places of
2323 employment, dates of birth, and photographs of current or former
2324 staff and domestic violence advocates, as defined in s.
2325 90.5036(1)(b), of domestic violence centers certified by the
2326 Department of Children and Families under chapter 39; the names,
2327 home addresses, telephone numbers, places of employment, dates
2328 of birth, and photographs of the spouses and children of such
2329 personnel; and the names and locations of schools and day care
2330 facilities attended by the children of such personnel are exempt
2331 from s. 119.07(1) and s. 24(a), Art. I of the State
2332 Constitution.

2333 3. An agency that is the custodian of the information
2334 specified in subparagraph 2. and that is not the employer of the
2335 officer, employee, justice, judge, or other person specified in
2336 subparagraph 2. must maintain the exempt status of that
2337 information only if the officer, employee, justice, judge, other
2338 person, or employing agency of the designated employee submits a
2339 written and notarized request for maintenance of the exemption
2340 to the custodial agency. The request must state under oath the
2341 statutory basis for the individual's exemption request and
2342 confirm the individual's status as a party eligible for exempt
2343 status.

2344 4.a. A county property appraiser, as defined in s.
2345 192.001(3), or a county tax collector, as defined in s.
2346 192.001(4), who receives a written and notarized request for
2347 maintenance of the exemption pursuant to subparagraph 3. must
2348 comply by removing the name of the individual with exempt status
2349 and the instrument number or Official Records book and page

586-03505-23

20231384c1

2350 number identifying the property with the exempt status from all
2351 publicly available records maintained by the property appraiser
2352 or tax collector. For written requests received on or before
2353 July 1, 2021, a county property appraiser or county tax
2354 collector must comply with this sub-subparagraph by October 1,
2355 2021. A county property appraiser or county tax collector may
2356 not remove the street address, legal description, or other
2357 information identifying real property within the agency's
2358 records so long as a name or personal information otherwise
2359 exempt from inspection and copying pursuant to this section are
2360 not associated with the property or otherwise displayed in the
2361 public records of the agency.

2362 b. Any information restricted from public display,
2363 inspection, or copying under sub-subparagraph a. must be
2364 provided to the individual whose information was removed.

2365 5. An officer, an employee, a justice, a judge, or other
2366 person specified in subparagraph 2. may submit a written request
2367 for the release of his or her exempt information to the
2368 custodial agency. The written request must be notarized and must
2369 specify the information to be released and the party authorized
2370 to receive the information. Upon receipt of the written request,
2371 the custodial agency must release the specified information to
2372 the party authorized to receive such information.

2373 6. The exemptions in this paragraph apply to information
2374 held by an agency before, on, or after the effective date of the
2375 exemption.

2376 7. Information made exempt under this paragraph may be
2377 disclosed pursuant to s. 28.2221 to a title insurer authorized
2378 pursuant to s. 624.401 and its affiliates as defined in s.

586-03505-23

20231384c1

2379 624.10; a title insurance agent or title insurance agency as
2380 defined in s. 626.841(1) or (2), respectively; or an attorney
2381 duly admitted to practice law in this state and in good standing
2382 with The Florida Bar.

2383 8. The exempt status of a home address contained in the
2384 Official Records is maintained only during the period when a
2385 protected party resides at the dwelling location. Upon
2386 conveyance of real property after October 1, 2021, and when such
2387 real property no longer constitutes a protected party's home
2388 address as defined in sub-subparagraph 1.a., the protected party
2389 must submit a written request to release the removed information
2390 to the county recorder. The written request to release the
2391 removed information must be notarized, must confirm that a
2392 protected party's request for release is pursuant to a
2393 conveyance of his or her dwelling location, and must specify the
2394 Official Records book and page, instrument number, or clerk's
2395 file number for each document containing the information to be
2396 released.

2397 9. Upon the death of a protected party as verified by a
2398 certified copy of a death certificate or court order, any party
2399 can request the county recorder to release a protected
2400 decedent's removed information unless there is a related request
2401 on file with the county recorder for continued removal of the
2402 decedent's information or unless such removal is otherwise
2403 prohibited by statute or by court order. The written request to
2404 release the removed information upon the death of a protected
2405 party must attach the certified copy of a death certificate or
2406 court order and must be notarized, must confirm the request for
2407 release is due to the death of a protected party, and must

586-03505-23

20231384c1

2408 specify the Official Records book and page number, instrument
2409 number, or clerk's file number for each document containing the
2410 information to be released. A fee may not be charged for the
2411 release of any document pursuant to such request.

2412 10. This paragraph is subject to the Open Government Sunset
2413 Review Act in accordance with s. 119.15 and shall stand repealed
2414 on October 2, 2024, unless reviewed and saved from repeal
2415 through reenactment by the Legislature.

2416 Section 38. Subsection (4) of section 322.09, Florida
2417 Statutes, is amended to read:

2418 322.09 Application of minors; responsibility for negligence
2419 or misconduct of minor.—

2420 (4) Notwithstanding subsections (1) and (2), if a caregiver
2421 of a minor who is under the age of 18 years and is in out-of-
2422 home care as defined in s. 39.01 ~~s. 39.01(55)~~, an authorized
2423 representative of a residential group home at which such a minor
2424 resides, the caseworker at the agency at which the state has
2425 placed the minor, or a guardian ad litem specifically authorized
2426 by the minor's caregiver to sign for a learner's driver license
2427 signs the minor's application for a learner's driver license,
2428 that caregiver, group home representative, caseworker, or
2429 guardian ad litem does not assume any obligation or become
2430 liable for any damages caused by the negligence or willful
2431 misconduct of the minor by reason of having signed the
2432 application. Before signing the application, the caseworker,
2433 authorized group home representative, or guardian ad litem shall
2434 notify the caregiver or other responsible party of his or her
2435 intent to sign and verify the application.

2436 Section 39. Paragraph (p) of subsection (4) of section

586-03505-23

20231384c1

2437 394.495, Florida Statutes, is amended to read:

2438 394.495 Child and adolescent mental health system of care;
2439 programs and services.—

2440 (4) The array of services may include, but is not limited
2441 to:

2442 (p) Trauma-informed services for children who have suffered
2443 sexual exploitation as defined in s. 39.01 ~~s. 39.01(77)(g)~~.

2444 Section 40. Section 627.746, Florida Statutes, is amended
2445 to read:

2446 627.746 Coverage for minors who have a learner's driver
2447 license; additional premium prohibited.—An insurer that issues
2448 an insurance policy on a private passenger motor vehicle to a
2449 named insured who is a caregiver of a minor who is under the age
2450 of 18 years and is in out-of-home care as defined in s. 39.01 ~~s.~~
2451 ~~39.01(55)~~ may not charge an additional premium for coverage of
2452 the minor while the minor is operating the insured vehicle, for
2453 the period of time that the minor has a learner's driver
2454 license, until such time as the minor obtains a driver license.

2455 Section 41. Paragraph (b) of subsection (9) of section
2456 768.28, Florida Statutes, is amended to read:

2457 768.28 Waiver of sovereign immunity in tort actions;
2458 recovery limits; civil liability for damages caused during a
2459 riot; limitation on attorney fees; statute of limitations;
2460 exclusions; indemnification; risk management programs.—

2461 (9)

2462 (b) As used in this subsection, the term:

2463 1. "Employee" includes any volunteer firefighter.

2464 2. "Officer, employee, or agent" includes, but is not
2465 limited to, any health care provider when providing services

586-03505-23

20231384c1

2466 pursuant to s. 766.1115; any nonprofit independent college or
 2467 university located and chartered in this state which owns or
 2468 operates an accredited medical school, and its employees or
 2469 agents, when providing patient services pursuant to paragraph
 2470 (10) (f); any public defender or her or his employee or agent,
 2471 including an assistant public defender or an investigator; and
 2472 any member of a Child Protection Team, as defined in s. 39.01 ~~s.~~
 2473 ~~39.01(13)~~, when carrying out her or his duties as a team member
 2474 under the control, direction, and supervision of the state or
 2475 any of its agencies or subdivisions.

2476 Section 42. Paragraph (c) of subsection (1) of section
 2477 934.255, Florida Statutes, is amended to read:

2478 934.255 Subpoenas in investigations of sexual offenses.—

2479 (1) As used in this section, the term:

2480 (c) "Sexual abuse of a child" means a criminal offense
 2481 based on any conduct described in s. 39.01 ~~s. 39.01(77)~~.

2482 Section 43. Subsection (5) of section 960.065, Florida
 2483 Statutes, is amended to read:

2484 960.065 Eligibility for awards.—

2485 (5) A person is not ineligible for an award pursuant to
 2486 paragraph (2) (a), paragraph (2) (b), or paragraph (2) (c) if that
 2487 person is a victim of sexual exploitation of a child as defined
 2488 in s. 39.01 ~~s. 39.01(77)(g)~~.

2489 Section 44. Section 1009.898, Florida Statutes, is created
 2490 to read:

2491 1009.898 Pathway to Prosperity grants.—

2492 (1) The Pathway to Prosperity program shall administer the
 2493 following grants for youth and young adults aging out of foster
 2494 care:

586-03505-23

20231384c1

2495 (a) For financial literacy instruction, with curriculum
2496 developed by the Department of Financial Services.

2497 (b) For SAT and ACT preparation, including one-on-one
2498 support and fee waivers for the examination.

2499 (c) For youth and young adults planning to pursue trade
2500 careers or paid apprenticeships.

2501 (2) If a youth who is aging out of foster care is
2502 reunited with his or her parents, the grants remain available
2503 for the youth for 6 months after reunification with the parents.

2504 Section 45. The Division of Law Revision is requested to
2505 prepare a reviser's bill for the 2024 Regular Session of the
2506 Legislature to substitute the term "Statewide Guardian Ad Litem
2507 Office" for the term "Statewide Guardian ad Litem Office"
2508 throughout the Florida Statutes.

2509 Section 46. This act shall take effect July 1, 2023.