

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN	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

1 Committee/Subcommittee hearing bill: Children, Families &
2 Seniors Subcommittee
3 Representative Trabulsy offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

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

11 39.001 Purposes and intent; personnel standards and
12 screening.—

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

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

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

24 (10) PLAN FOR COMPREHENSIVE APPROACH.—

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

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

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

58 39.00145 Records concerning children.—

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

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

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67 the child's caregiver, guardian ad litem, or attorney ad litem,
68 if appointed.

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

75 (c) If a child or the child's caregiver, guardian ad
76 litem, or attorney ad litem, if appointed, requests access to
77 the child's case record, any person or entity that fails to
78 provide any record in the case record under assertion of a claim
79 of exemption from the public records requirements of chapter
80 119, or fails to provide access within a reasonable time, is
81 subject to sanctions and penalties under s. 119.10.

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

88 Section 3. Paragraph (a) of subsection (2) of section
89 39.00146, Florida Statutes, is amended to read:

90 39.00146 Case record face sheet.—

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

97 (a) General case information, including, but not limited
98 to:

- 99 1. The child's name and date of birth;
100 2. The current county of residence and the county of
101 residence at the time of the referral;
102 3. The reason for the referral and any family safety
103 concerns;
104 4. The personal identifying information of the parents or
105 legal custodians who had custody of the child at the time of the
106 referral, including name, date of birth, and county of
107 residence;
108 5. The date of removal from the home; and
109 6. The name and contact information of the attorney or
110 attorneys assigned to the case in all capacities, including the
111 attorney or attorneys that represent the department and the
112 parents, and the name and contact information for the guardian
113 ad litem, if one has been appointed.

114 Section 4. Paragraph (b) of subsection (2) of section
115 39.0016, Florida Statutes, is amended to read:

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116 39.0016 Education of abused, neglected, and abandoned
117 children; agency agreements; children having or suspected of
118 having a disability.—

119 (2) AGENCY AGREEMENTS.—

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

127 1. A requirement that the department shall:

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

134 b. Notify the school and school district in which a child
135 known to the department is enrolled of the name and phone number
136 of the child known to the department caregiver and caseworker
137 for child safety purposes.

138 c. Establish a protocol for the department to share
139 information about a child known to the department with the
140 school district, consistent with the Family Educational Rights

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141 and Privacy Act, since the sharing of information will assist
142 each agency in obtaining education and related services for the
143 benefit of the child. The protocol must require the district
144 school boards or other local educational entities to access the
145 department's Florida Safe Families Network to obtain information
146 about children known to the department, consistent with the
147 Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. s.
148 1232g.

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

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

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

159 a. Provide the department with a general listing of the
160 services and information available from the district school
161 board to facilitate educational access for a child known to the
162 department.

163 b. Identify all educational and other services provided by
164 the school and school district which the school district

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165 believes are reasonably necessary to meet the educational needs
166 of a child known to the department.

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

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

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

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190 department who has or is suspected of having a disability may
191 include:

192 a. Referral for screening.

193 b. Sharing of evaluations between the school district and
194 the department where appropriate.

195 c. Provision of education and related services appropriate
196 for the needs and abilities of the child known to the
197 department.

198 d. Coordination of services and plans between the school
199 and the residential setting to avoid duplication or conflicting
200 service plans.

201 e. Appointment of a surrogate parent, consistent with the
202 Individuals with Disabilities Education Act and pursuant to
203 subsection (3), for educational purposes for a child known to
204 the department who qualifies.

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

210 Section 5. Present subsections (8) through (30) of section
211 39.01, Florida Statutes, are redesignated as subsections (9)
212 through (31), respectively, present subsections (31) through
213 (87) of that section are redesignated as subsections (34)
214 through (90), respectively, new subsections (8), (32) and (33)

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215 are added to that section, and present subsections (9), (36),
216 and (58) of that section are amended, to read:

217 39.01 Definitions.—When used in this chapter, unless the
218 context otherwise requires:

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

223 (10)~~(9)~~ "Caregiver" means the parent, legal custodian,
224 permanent guardian, adult household member, or other person
225 responsible for a child's welfare as defined in subsection (57)
226 ~~(54)~~.

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

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240 child, and serves until the jurisdiction of the court over the
241 child terminates or until excused by the court.

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

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

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

261 Section 6. Section 39.013, Florida Statutes, is amended to
262 read:

263 39.013 Procedures and jurisdiction; right to counsel;
264 guardian ad litem.-

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265 (1) All procedures, including petitions, pleadings,
266 subpoenas, summonses, and hearings, in this chapter shall be
267 conducted according to the Florida Rules of Juvenile Procedure
268 unless otherwise provided by law. Parents must be informed by
269 the court of their right to counsel in dependency proceedings at
270 each stage of the dependency proceedings. Parents who are unable
271 to afford counsel must be appointed counsel.

272 (2) The circuit court has exclusive original jurisdiction
273 of all proceedings under this chapter, of a child voluntarily
274 placed with a licensed child-caring agency, a licensed child-
275 placing agency, or the department, and of the adoption of
276 children whose parental rights have been terminated under this
277 chapter. Jurisdiction attaches when the initial shelter
278 petition, dependency petition, or termination of parental rights
279 petition, or a petition for an injunction to prevent child abuse
280 issued pursuant to s. 39.504, is filed or when a child is taken
281 into the custody of the department. The circuit court may assume
282 jurisdiction over any such proceeding regardless of whether the
283 child was in the physical custody of both parents, was in the
284 sole legal or physical custody of only one parent, caregiver, or
285 some other person, or was not in the physical or legal custody
286 of any person when the event or condition occurred that brought
287 the child to the attention of the court. When the court obtains
288 jurisdiction of any child who has been found to be dependent,
289 the court shall retain jurisdiction, unless relinquished by its

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290 order, until the child reaches 21 years of age, or 22 years of
291 age if the child has a disability, with the following
292 exceptions:

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

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

298 (c) If a young adult petitions the court at any time
299 before his or her 19th birthday requesting the court's continued
300 jurisdiction, the juvenile court may retain jurisdiction under
301 this chapter for a period not to exceed 1 year following the
302 young adult's 18th birthday for the purpose of determining
303 whether appropriate services that were required to be provided
304 to the young adult before reaching 18 years of age have been
305 provided.

306 (d) If a petition for special immigrant juvenile status
307 and an application for adjustment of status have been filed on
308 behalf of a foster child and the petition and application have
309 not been granted by the time the child reaches 18 years of age,
310 the court may retain jurisdiction over the dependency case
311 solely for the purpose of allowing the continued consideration
312 of the petition and application by federal authorities. Review
313 hearings for the child shall be set solely for the purpose of
314 determining the status of the petition and application. The

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315 court's jurisdiction terminates upon the final decision of the
316 federal authorities. Retention of jurisdiction in this instance
317 does not affect the services available to a young adult under s.
318 409.1451. The court may not retain jurisdiction of the case
319 after the immigrant child's 22nd birthday.

320 (3) When a child is under the jurisdiction of the circuit
321 court pursuant to this chapter, the circuit court assigned to
322 handle dependency matters may exercise the general and equitable
323 jurisdiction over guardianship proceedings under chapter 744 and
324 proceedings for temporary custody of minor children by extended
325 family under chapter 751.

326 (4) Orders entered pursuant to this chapter which affect
327 the placement of, access to, parental time with, adoption of, or
328 parental rights and responsibilities for a minor child shall
329 take precedence over other orders entered in civil actions or
330 proceedings. However, if the court has terminated jurisdiction,
331 the order may be subsequently modified by a court of competent
332 jurisdiction in any other civil action or proceeding affecting
333 placement of, access to, parental time with, adoption of, or
334 parental rights and responsibilities for the same minor child.

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

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

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

344 (8) For any child who remains in the custody of the
345 department, the court shall, within the month which constitutes
346 the beginning of the 6-month period before the child's 18th
347 birthday, hold a hearing to review the progress of the child
348 while in the custody of the department.

349 (9)(a) At each stage of the proceedings under this
350 chapter, the court shall advise the parents of the right to
351 counsel. The court shall appoint counsel for indigent parents.
352 The court shall ascertain whether the right to counsel is
353 understood. When right to counsel is waived, the court shall
354 determine whether the waiver is knowing and intelligent. The
355 court shall enter its findings in writing with respect to the
356 appointment or waiver of counsel for indigent parents or the
357 waiver of counsel by nonindigent parents.

358 (b) Once counsel has entered an appearance or been
359 appointed by the court to represent the parent of the child, the
360 attorney shall continue to represent the parent throughout the
361 proceedings. If the attorney-client relationship is
362 discontinued, the court shall advise the parent of the right to

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363 have new counsel retained or appointed for the remainder of the
364 proceedings.

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

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

371 3. If a waiver of counsel is accepted at any hearing or
372 proceeding, the offer of assistance of counsel must be renewed
373 by the court at each subsequent stage of the proceedings at
374 which the parent appears without counsel.

375 (d) This subsection does not apply to any parent who has
376 voluntarily executed a written surrender of the child and
377 consents to the entry of a court order terminating parental
378 rights.

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

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

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388 (12) The department shall be represented by counsel in
389 each dependency proceeding. Through its attorneys, the
390 department shall make recommendations to the court on issues
391 before the court and may support its recommendations through
392 testimony and other evidence by its own employees, employees of
393 sheriff's offices providing child protection services, employees
394 of its contractors, employees of its contractor's
395 subcontractors, or from any other relevant source.

396 (13) The court may appoint an attorney ad litem for a
397 child if the court believes the child is in need of such
398 representation and determines the child has a rational and
399 factual understanding of the proceedings and sufficient present
400 ability to consult with a lawyer with a reasonable degree of
401 rational understanding.

402 Section 7. Section 39.01305, Florida Statutes, is amended
403 to read:

404 39.01305 Appointment of an attorney ad litem for a
405 dependent child ~~with certain special needs.~~—

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

407 ~~1.~~ all children in proceedings under this chapter have
408 important interests at stake, such as health, safety, and well-
409 being and the need to obtain permanency. While all children are
410 represented by the Statewide Guardian ad Litem Office using a
411 best interest standard of decisionmaking and advocacy in

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412 proceedings under this chapter, some children may also need
413 representation by an attorney at litem

414 ~~2. A dependent child who has certain special needs has a~~
415 ~~particular need for an attorney to represent the dependent child~~
416 ~~in proceedings under this chapter, as well as in fair hearings~~
417 ~~and appellate proceedings, so that the attorney may address the~~
418 ~~child's medical and related needs and the services and supports~~
419 ~~necessary for the child to live successfully in the community.~~

420 ~~(b) The Legislature recognizes the existence of~~
421 ~~organizations that provide attorney representation to children~~
422 ~~in certain jurisdictions throughout the state. Further, the~~
423 ~~statewide Guardian Ad Litem Program provides best interest~~
424 ~~representation for dependent children in every jurisdiction in~~
425 ~~accordance with state and federal law. The Legislature,~~
426 ~~therefore, does not intend that funding provided for~~
427 ~~representation under this section supplant proven and existing~~
428 ~~organizations representing children. Instead, the Legislature~~
429 ~~intends that funding provided for representation under this~~
430 ~~section be an additional resource for the representation of more~~
431 ~~children in these jurisdictions, to the extent necessary to meet~~
432 ~~the requirements of this chapter, with the cooperation of~~
433 ~~existing local organizations or through the expansion of those~~
434 ~~organizations. The Legislature encourages the expansion of pro~~
435 ~~bono representation for children. This section is not intended~~

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436 ~~to limit the ability of a pro bono attorney to appear on behalf~~
437 ~~of a child.~~

438 (2) The court may appoint an attorney ad litem for a child
439 if the court believes the child is in need of such
440 representation and determines the child has a rational and
441 factual understanding of the proceedings and sufficient present
442 ability to consult with a lawyer with a reasonable degree of
443 rational understanding ~~As used in this section, the term~~
444 ~~"dependent child" means a child who is subject to any proceeding~~
445 ~~under this chapter. The term does not require that a child be~~
446 ~~adjudicated dependent for purposes of this section.~~

447 (3) ~~An attorney shall be appointed for a dependent child~~
448 ~~who:~~

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

451 ~~(b) Is prescribed a psychotropic medication but declines~~
452 ~~assent to the psychotropic medication;~~

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

455 ~~(d) Is being placed in a residential treatment center or~~
456 ~~being considered for placement in a residential treatment~~
457 ~~center; or~~

458 ~~(e) Is a victim of human trafficking as defined in s.~~
459 ~~787.06(2)(d).~~

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460 ~~(4)~~(a) Before a court may appoint an attorney ad litem,
461 who may be compensated pursuant to this section, the court must
462 request a recommendation from the Statewide Guardian ad Litem
463 Office for an attorney who is willing to represent a child
464 without additional compensation. If such an attorney is
465 available within 15 days after the court's request, the court
466 must appoint that attorney. However, the court may appoint a
467 compensated attorney within the 15-day period if the Statewide
468 Guardian ad Litem Office informs the court that it will not be
469 able to recommend an attorney within that time period.

470 (b) A court order appointing an attorney ad litem under
471 this section must be in writing ~~After an attorney is appointed,~~
472 ~~the appointment continues in effect until the attorney is~~
473 ~~allowed to withdraw or is discharged by the court or until the~~
474 ~~ease is dismissed. The court must discharge an attorney ad litem~~
475 ~~who is appointed under this section if the need for the~~
476 ~~representation is resolved to represent the child shall provide~~
477 ~~the complete range of legal services, from the removal from home~~
478 ~~or from the initial appointment through all available appellate~~
479 ~~proceedings. With the permission of the court, the attorney ad~~
480 ~~litem for the dependent child may arrange for supplemental or~~
481 separate counsel to represent the child in appellate
482 proceedings. ~~A court order appointing an attorney under this~~
483 ~~section must be in writing.~~

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484 ~~(4)-(5)~~ Unless the attorney ad litem has agreed to provide
485 pro bono services, an appointed attorney ad litem or
486 organization must be adequately compensated. All appointed
487 attorneys ad litem and organizations, including pro bono
488 attorneys, must be provided with access to funding for expert
489 witnesses, depositions, and other due process costs of
490 litigation. Payment of attorney fees and case-related due
491 process costs are subject to appropriations and review by the
492 Justice Administrative Commission for reasonableness. The
493 Justice Administrative Commission shall contract with attorneys
494 ad litem appointed by the court. Attorney fees may not exceed
495 \$1,000 per child per year.

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

500 ~~(7) The department may adopt rules to administer this
501 section.~~

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

505 ~~(5)-(9)~~ Implementation of this section is subject to
506 appropriations expressly made for that purpose.

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

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

512 39.0132 Oaths, records, and confidential information.—

513 (3) The clerk shall keep all court records required by
514 this chapter separate from other records of the circuit court.
515 All court records required by this chapter shall not be open to
516 inspection by the public. All records shall be inspected only
517 upon order of the court by persons deemed by the court to have a
518 proper interest therein, except that, subject to the provisions
519 of s. 63.162, a child, ~~and~~ the parents of the child and their
520 attorneys, the guardian ad litem, criminal conflict and civil
521 regional counsels, law enforcement agencies, ~~and~~ the department
522 and its designees, and the attorney ad litem, if one has been
523 appointed, shall always have the right to inspect and copy any
524 official record pertaining to the child. The Justice
525 Administrative Commission may inspect court dockets required by
526 this chapter as necessary to audit compensation of court-
527 appointed attorneys ad litem. If the docket is insufficient for
528 purposes of the audit, the commission may petition the court for
529 additional documentation as necessary and appropriate. The court
530 may permit authorized representatives of recognized
531 organizations compiling statistics for proper purposes to

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532 inspect and make abstracts from official records, under whatever
533 conditions upon their use and disposition the court may deem
534 proper, and may punish by contempt proceedings any violation of
535 those conditions.

536 Section 10. Paragraph (a) of subsection (3) of section
537 39.0136, Florida Statutes, is amended to read:

538 39.0136 Time limitations; continuances.—

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

540 (a) Periods of delay resulting from a continuance granted
541 at the request of the child's counsel or the child's guardian ad
542 litem or attorney ad litem, if appointed, ~~if the child is of~~
543 ~~sufficient capacity to express reasonable consent, at the~~
544 ~~request or with the consent of the child.~~ The court must
545 consider the best interests of the child when determining
546 periods of delay under this section.

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

549 39.0139 Visitation or other contact; restrictions.—

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

554 (a) Prior to the hearing, the court shall appoint ~~an~~
555 ~~attorney ad litem or~~ a guardian ad litem for the child if one
556 has not already been appointed. The guardian ad litem and any

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557 attorney ad litem, if ~~or guardian ad litem~~ appointed, shall have
558 special training in the dynamics of child sexual abuse.

559 (b) At the hearing, the court may receive and rely upon
560 any relevant and material evidence submitted to the extent of
561 its probative value, including written and oral reports or
562 recommendations from the Child Protection Team, the child's
563 therapist, the child's guardian ad litem, or the child's
564 attorney ad litem, if appointed, even if these reports,
565 recommendations, and evidence may not be admissible under the
566 rules of evidence.

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

569 39.202 Confidentiality of reports and records in cases of
570 child abuse or neglect; exception.—

571 (2) Except as provided in subsection (4), access to such
572 records, excluding the name of, or other identifying information
573 with respect to, the reporter which shall be released only as
574 provided in subsection (5), shall be granted only to the
575 following persons, officials, and agencies:

576 (d) The parent or legal custodian of any child who is
577 alleged to have been abused, abandoned, or neglected, ~~and~~ the
578 child, and the guardian ad litem, any attorney ad litem, if
579 appointed, or ~~and their attorneys, including~~ any attorney
580 representing a child in civil or criminal proceedings. This
581 access shall be made available no later than 60 days after the

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582 department receives the initial report of abuse, neglect, or
583 abandonment. However, any information otherwise made
584 confidential or exempt by law shall not be released pursuant to
585 this paragraph.

586 (t) Persons with whom the department is seeking to place
587 the child or to whom placement has been granted, including
588 foster parents for whom an approved home study has been
589 conducted, the designee of a licensed child-caring agency as
590 defined in s. 39.01 ~~s. 39.01(41)~~, an approved relative or
591 nonrelative with whom a child is placed pursuant to s. 39.402,
592 preadoptive parents for whom a favorable preliminary adoptive
593 home study has been conducted, adoptive parents, or an adoption
594 entity acting on behalf of preadoptive or adoptive parents.

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

597 39.302 Protective investigations of institutional child
598 abuse, abandonment, or neglect.—

599 (1) The department shall conduct a child protective
600 investigation of each report of institutional child abuse,
601 abandonment, or neglect. Upon receipt of a report that alleges
602 that an employee or agent of the department, or any other entity
603 or person covered by s. 39.01(39) or (57) ~~s. 39.01(36) or (54)~~,
604 acting in an official capacity, has committed an act of child
605 abuse, abandonment, or neglect, the department shall initiate a
606 child protective investigation within the timeframe established

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607 | under s. 39.101(2) and notify the appropriate state attorney,
608 | law enforcement agency, and licensing agency, which shall
609 | immediately conduct a joint investigation, unless independent
610 | investigations are more feasible. When conducting investigations
611 | or having face-to-face interviews with the child, investigation
612 | visits shall be unannounced unless it is determined by the
613 | department or its agent that unannounced visits threaten the
614 | safety of the child. If a facility is exempt from licensing, the
615 | department shall inform the owner or operator of the facility of
616 | the report. Each agency conducting a joint investigation is
617 | entitled to full access to the information gathered by the
618 | department in the course of the investigation. A protective
619 | investigation must include an interview with the child's parent
620 | or legal guardian. The department shall make a full written
621 | report to the state attorney within 3 business days after making
622 | the oral report. A criminal investigation shall be coordinated,
623 | whenever possible, with the child protective investigation of
624 | the department. Any interested person who has information
625 | regarding the offenses described in this subsection may forward
626 | a statement to the state attorney as to whether prosecution is
627 | warranted and appropriate. Within 15 days after the completion
628 | of the investigation, the state attorney shall report the
629 | findings to the department and shall include in the report a
630 | determination of whether or not prosecution is justified and
631 | appropriate in view of the circumstances of the specific case.

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

635 39.402 Placement in a shelter.—

636 (11)

637 (b) The court shall request that the parents consent to
638 provide access to the child's medical records and provide
639 information to the court, the department or its contract
640 agencies, ~~and any~~ the guardian ad litem, and the ~~or~~ attorney ad
641 litem for the child, if appointed. If a parent is unavailable or
642 unable to consent or withholds consent and the court determines
643 access to the records and information is necessary to provide
644 services to the child, the court shall issue an order granting
645 access. The court may also order the parents to provide all
646 known medical information to the department and to any others
647 granted access under this subsection.

648 (c) The court shall request that the parents consent to
649 provide access to the child's child care records, early
650 education program records, or other educational records and
651 provide information to the court, the department or its contract
652 agencies, the ~~and any~~ guardian ad litem, and the ~~or~~ attorney ad
653 litem for the child, if appointed. If a parent is unavailable or
654 unable to consent or withholds consent and the court determines
655 access to the records and information is necessary to provide

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656 services to the child, the court shall issue an order granting
657 access.

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

659 (a) Periods of delay resulting from a continuance granted
660 at the request or with the consent of the child's ~~counsel or the~~
661 ~~child's~~ guardian ad litem, or attorney ad litem if one has been
662 appointed by the court, ~~or, if the child is of sufficient~~
663 ~~capacity to express reasonable consent, at the request or with~~
664 ~~the consent of the child's attorney or the child's guardian ad~~
665 ~~litem, if one has been appointed by the court, and the child.~~

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

668 39.4022 Multidisciplinary teams; staffings; assessments;
669 report.—

670 (4) PARTICIPANTS.—

671 (a) Collaboration among diverse individuals who are part
672 of the child's network is necessary to make the most informed
673 decisions possible for the child. A diverse team is preferable
674 to ensure that the necessary combination of technical skills,
675 cultural knowledge, community resources, and personal
676 relationships is developed and maintained for the child and
677 family. The participants necessary to achieve an appropriately
678 diverse team for a child may vary by child and may include
679 extended family, friends, neighbors, coaches, clergy, coworkers,
680 or others the family identifies as potential sources of support.

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- 681 1. Each multidisciplinary team staffing must invite the
682 following members:
- 683 a. The child, unless he or she is not of an age or
684 capacity to participate in the team, and the child's guardian ad
685 litem;
- 686 b. The child's family members and other individuals
687 identified by the family as being important to the child,
688 provided that a parent who has a no contact order or injunction,
689 is alleged to have sexually abused the child, or is subject to a
690 termination of parental rights may not participate;
- 691 c. The current caregiver, provided the caregiver is not a
692 parent who meets the criteria of one of the exceptions under
693 sub-subparagraph b.;
- 694 d. A representative from the department other than the
695 Children's Legal Services attorney, when the department is
696 directly involved in the goal identified by the staffing;
- 697 e. A representative from the community-based care lead
698 agency, when the lead agency is directly involved in the goal
699 identified by the staffing;
- 700 f. The case manager for the child, or his or her case
701 manager supervisor; and
- 702 g. A representative from the Department of Juvenile
703 Justice, if the child is dually involved with both the
704 department and the Department of Juvenile Justice.

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705 2. The multidisciplinary team must make reasonable efforts
706 to have all mandatory invitees attend. However, the
707 multidisciplinary team staffing may not be delayed if the
708 invitees in subparagraph 1. fail to attend after being provided
709 reasonable opportunities.

710 (b) Based on the particular goal the multidisciplinary
711 team staffing identifies as the purpose of convening the
712 staffing as provided under subsection (5), the department or
713 lead agency may also invite to the meeting other professionals,
714 including, but not limited to:

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

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

717 ~~3.~~ A school personnel representative who has direct
718 contact with the child;

719 ~~3.4.~~ A therapist or other behavioral health professional,
720 if applicable;

721 ~~4.5.~~ A mental health professional with expertise in
722 sibling bonding, if the department or lead agency deems such
723 expert is necessary; or

724 ~~5.6.~~ Other community providers of services to the child or
725 stakeholders, when applicable.

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

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729 39.4023 Placement and education transitions; transition
730 plans.—

731 (3) PLACEMENT TRANSITIONS.—

732 (d) *Transition planning*.—

733 1. If the supportive services provided pursuant to
734 paragraph (c) have not been successful to make the maintenance
735 of the placement suitable or if there are other circumstances
736 that require the child to be moved, the department or the
737 community-based care lead agency must convene a
738 multidisciplinary team staffing as required under s. 39.4022
739 before the child's placement is changed, or within 72 hours of
740 moving the child in an emergency situation, for the purpose of
741 developing an appropriate transition plan.

742 2. A placement change may occur immediately in an
743 emergency situation without convening a multidisciplinary team
744 staffing. However, a multidisciplinary team staffing must be
745 held within 72 hours after the emergency situation arises.

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

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

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

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

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

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

762 f. The attorney for the department.

763 4. The transition plan must be developed through
764 cooperation among the persons included in subparagraph 3., and
765 such persons must share any relevant information necessary for
766 its development. Subject to the child's needs and preferences,
767 the transition plan must meet the requirements of s.

768 409.1415(2)(b)8. and exclude any placement changes that occur
769 between 7 p.m. and 8 a.m.

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

774 (4) EDUCATION TRANSITIONS.—

775 (c) *Minimizing school changes.*—

776 1. Every effort must be made to keep a child in the school
777 of origin if it is in the child's best interest. Any placement

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778 decision must include thoughtful consideration of which school a
779 child will attend if a school change is necessary.

780 2. Members of a multidisciplinary team staffing convened
781 for a purpose other than a school change must determine the
782 child's best interest regarding remaining in the school or
783 program of origin if the child's educational options are
784 affected by any other decision being made by the
785 multidisciplinary team.

786 3. The determination of whether it is in the child's best
787 interest to remain in the school of origin, and if not, of which
788 school the child will attend in the future, must be made in
789 consultation with the following individuals, including, but not
790 limited to, the child; the parents; the caregiver; the child
791 welfare professional; the guardian ad litem, ~~if appointed~~; the
792 educational surrogate, if appointed; child care and educational
793 staff, including teachers and guidance counselors; and the
794 school district representative or foster care liaison. A
795 multidisciplinary team member may contact any of these
796 individuals in advance of a multidisciplinary team staffing to
797 obtain his or her recommendation. An individual may remotely
798 attend the multidisciplinary team staffing if one of the
799 identified goals is related to determining an educational
800 placement. The multidisciplinary team may rely on a report from
801 the child's current school or program district and, if
802 applicable, any other school district being considered for the

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803 educational placement if the required school personnel are not
804 available to attend the multidisciplinary team staffing in
805 person or remotely.

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

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

813 b. The preference of the child's parents or legal
814 guardians.

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

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

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

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

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

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

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

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

838 j. The availability of extracurricular activities
839 important to the child.

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

844 l. The child's permanency goal and timeframe for achieving
845 permanency.

846 m. The child's history of school transfers and how such
847 transfers have impacted the child academically, emotionally, and
848 behaviorally.

849 n. The length of the commute to the school or program from
850 the child's home or placement and how such commute would impact
851 the child.

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852 o. The length of time the child has attended the school or
853 program of origin.

854 5. The cost of transportation cannot be a factor in making
855 a best interest determination.

856 Section 17. Paragraph (f) of subsection (3) of section
857 39.407, Florida Statutes, is amended to read:

858 39.407 Medical, psychiatric, and psychological examination
859 and treatment of child; physical, mental, or substance abuse
860 examination of person with or requesting child custody.—

861 (3)

862 (f)1. The department shall fully inform the court of the
863 child's medical and behavioral status as part of the social
864 services report prepared for each judicial review hearing held
865 for a child for whom psychotropic medication has been prescribed
866 or provided under this subsection. As a part of the information
867 provided to the court, the department shall furnish copies of
868 all pertinent medical records concerning the child which have
869 been generated since the previous hearing. On its own motion or
870 on good cause shown by any party, including any guardian ad
871 litem, ~~attorney,~~ or attorney ad litem, if appointed ~~who has been~~
872 ~~appointed to represent the child or the child's interests,~~ the
873 court may review the status more frequently than required in
874 this subsection.

875 2. The court may, in the best interests of the child,
876 order the department to obtain a medical opinion addressing

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877 whether the continued use of the medication under the
878 circumstances is safe and medically appropriate.

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

881 39.4085 Goals for dependent children; responsibilities;
882 education.—

883 (1) The Legislature finds that the design and delivery of
884 child welfare services should be directed by the principle that
885 the health and safety of children, including the freedom from
886 abuse, abandonment, or neglect, is of paramount concern and,
887 therefore, establishes the following goals for children in
888 shelter or foster care:

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

895 (t) To have a guardian ad litem appointed ~~to represent,~~
896 ~~within reason, their best interests~~ and, if appropriate, an
897 attorney ad litem ~~appointed to represent their legal interests;~~
898 the guardian ad litem and attorney ad litem, if appointed, shall
899 have immediate and unlimited access to the children they
900 represent.

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

904
905 This subsection establishes goals and not rights. This
906 subsection does not require the delivery of any particular
907 service or level of service in excess of existing
908 appropriations. A person does not have a cause of action against
909 the state or any of its subdivisions, agencies, contractors,
910 subcontractors, or agents, based upon the adoption of or failure
911 to provide adequate funding for the achievement of these goals
912 by the Legislature. This subsection does not require the
913 expenditure of funds to meet the goals established in this
914 subsection except those funds specifically appropriated for such
915 purpose.

916 Section 19. Paragraph (c) of subsection (1) of section
917 39.521, Florida Statutes, is amended to read:

918 39.521 Disposition hearings; powers of disposition.—

919 (1) A disposition hearing shall be conducted by the court,
920 if the court finds that the facts alleged in the petition for
921 dependency were proven in the adjudicatory hearing, or if the
922 parents or legal custodians have consented to the finding of
923 dependency or admitted the allegations in the petition, have
924 failed to appear for the arraignment hearing after proper

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925 notice, or have not been located despite a diligent search
926 having been conducted.

927 (c) When any child is adjudicated by a court to be
928 dependent, the court having jurisdiction of the child has the
929 power by order to:

930 1. Require the parent and, when appropriate, the legal
931 guardian or the child to participate in treatment and services
932 identified as necessary. The court may require the person who
933 has custody or who is requesting custody of the child to submit
934 to a mental health or substance abuse disorder assessment or
935 evaluation. The order may be made only upon good cause shown and
936 pursuant to notice and procedural requirements provided under
937 the Florida Rules of Juvenile Procedure. The mental health
938 assessment or evaluation must be administered by a qualified
939 professional as defined in s. 39.01, and the substance abuse
940 assessment or evaluation must be administered by a qualified
941 professional as defined in s. 397.311. The court may also
942 require such person to participate in and comply with treatment
943 and services identified as necessary, including, when
944 appropriate and available, participation in and compliance with
945 a mental health court program established under chapter 394 or a
946 treatment-based drug court program established under s. 397.334.
947 Adjudication of a child as dependent based upon evidence of harm
948 as defined in s. 39.01 ~~s. 39.01(34)(g)~~ demonstrates good cause,
949 and the court shall require the parent whose actions caused the

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950 harm to submit to a substance abuse disorder assessment or
951 evaluation and to participate and comply with treatment and
952 services identified in the assessment or evaluation as being
953 necessary. In addition to supervision by the department, the
954 court, including the mental health court program or the
955 treatment-based drug court program, may oversee the progress and
956 compliance with treatment by a person who has custody or is
957 requesting custody of the child. The court may impose
958 appropriate available sanctions for noncompliance upon a person
959 who has custody or is requesting custody of the child or make a
960 finding of noncompliance for consideration in determining
961 whether an alternative placement of the child is in the child's
962 best interests. Any order entered under this subparagraph may be
963 made only upon good cause shown. This subparagraph does not
964 authorize placement of a child with a person seeking custody of
965 the child, other than the child's parent or legal custodian, who
966 requires mental health or substance abuse disorder treatment.

967 2. Require, if the court deems necessary, the parties to
968 participate in dependency mediation.

969 3. Require placement of the child either under the
970 protective supervision of an authorized agent of the department
971 in the home of one or both of the child's parents or in the home
972 of a relative of the child or another adult approved by the
973 court, or in the custody of the department. Protective
974 supervision continues until the court terminates it or until the

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975 child reaches the age of 18, whichever date is first. Protective
976 supervision shall be terminated by the court whenever the court
977 determines that permanency has been achieved for the child,
978 whether with a parent, another relative, or a legal custodian,
979 and that protective supervision is no longer needed. The
980 termination of supervision may be with or without retaining
981 jurisdiction, at the court's discretion, and shall in either
982 case be considered a permanency option for the child. The order
983 terminating supervision by the department must set forth the
984 powers of the custodian of the child and include the powers
985 ordinarily granted to a guardian of the person of a minor unless
986 otherwise specified. Upon the court's termination of supervision
987 by the department, further judicial reviews are not required if
988 permanency has been established for the child.

989 4. Determine whether the child has a strong attachment to
990 the prospective permanent guardian and whether such guardian has
991 a strong commitment to permanently caring for the child.

992 Section 20. Paragraph (c) of subsection (3) of section
993 39.522, Florida Statutes, is amended to read:

994 39.522 Postdisposition change of custody.—

995 (3)

996 (c)1. The department or community-based care lead agency
997 must notify a current caregiver who has been in the physical
998 custody placement for at least 9 consecutive months and who
999 meets all the established criteria in paragraph (b) of an intent

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1000 to change the physical custody of the child, and a
1001 multidisciplinary team staffing must be held in accordance with
1002 ss. 39.4022 and 39.4023 at least 21 days before the intended
1003 date for the child's change in physical custody, unless there is
1004 an emergency situation as defined in s. 39.4022(2)(b). If there
1005 is not a unanimous consensus decision reached by the
1006 multidisciplinary team, the department's official position must
1007 be provided to the parties within the designated time period as
1008 provided for in s. 39.4022.

1009 2. A caregiver who objects to the department's official
1010 position on the change in physical custody must notify the court
1011 and the department or community-based care lead agency of his or
1012 her objection and the intent to request an evidentiary hearing
1013 in writing in accordance with this section within 5 days after
1014 receiving notice of the department's official position provided
1015 under subparagraph 1. The transition of the child to the new
1016 caregiver may not begin before the expiration of the 5-day
1017 period within which the current caregiver may object.

1018 3. Upon the department or community-based care lead agency
1019 receiving written notice of the caregiver's objection, the
1020 change to the child's physical custody must be placed in
1021 abeyance and the child may not be transitioned to a new physical
1022 placement without a court order, unless there is an emergency
1023 situation as defined in s. 39.4022(2)(b).

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1024 4. Within 7 days after receiving written notice from the
1025 caregiver, the court must conduct an initial case status
1026 hearing, at which time the court must:

1027 a. Grant party status to the current caregiver who is
1028 seeking permanent custody and has maintained physical custody of
1029 that child for at least 9 continuous months for the limited
1030 purpose of filing a motion for a hearing on the objection and
1031 presenting evidence pursuant to this subsection;

1032 ~~b. Appoint an attorney for the child who is the subject of~~
1033 ~~the permanent custody proceeding, in addition to the guardian ad~~
1034 ~~litem, if one is appointed;~~

1035 ~~e.~~ Advise the caregiver of his or her right to retain
1036 counsel for purposes of the evidentiary hearing; and

1037 ~~c.d.~~ Appoint a court-selected neutral and independent
1038 licensed professional with expertise in the science and research
1039 of child-parent bonding.

1040 Section 21. Paragraph (c) of subsection (1) and paragraph
1041 (c) of subsection (3) of section 39.6012, Florida Statutes, are
1042 amended to read:

1043 39.6012 Case plan tasks; services.—

1044 (1) The services to be provided to the parent and the
1045 tasks that must be completed are subject to the following:

1046 (c) If there is evidence of harm as defined in s. 39.01 ~~s.~~
1047 ~~39.01(34)(g)~~, the case plan must include as a required task for
1048 the parent whose actions caused the harm that the parent submit

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1049 to a substance abuse disorder assessment or evaluation and
1050 participate and comply with treatment and services identified in
1051 the assessment or evaluation as being necessary.

1052 (3) In addition to any other requirement, if the child is
1053 in an out-of-home placement, the case plan must include:

1054 (c) When appropriate, for a child who is 13 years of age
1055 or older, a written description of the programs and services
1056 that will help the child prepare for the transition from foster
1057 care to independent living. The written description must include
1058 age-appropriate activities for the child's development of
1059 relationships, coping skills, and emotional well-being.

1060 Section 22. Section 39.6036, Florida Statutes, is created
1061 to read:

1062 39.6036 Supportive adults for youth transitioning out of
1063 foster care.-

1064 (1) The Legislature finds that a committed, caring adult
1065 provides a lifeline for youth transitioning out of foster care
1066 to live independently. Accordingly, it is the intent of the
1067 Legislature that the Statewide Guardian ad Litem Office help
1068 youth connect with supportive adults, with the hope of creating
1069 an ongoing relationship that lasts into adulthood.

1070 (2) The Statewide Guardian ad Litem Office shall work with
1071 youth transitioning out of foster care to identify at least one
1072 supportive adult with whom the youth can enter into a formal
1073 agreement for an ongoing relationship, and to document such

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1074 agreement in the youth's court file. If the youth cannot
1075 identify a supportive adult, the Statewide Guardian ad Litem
1076 Office shall work in coordination with the Office of Continuing
1077 Care to identify at least one supportive adult with whom the
1078 youth can enter into a formal agreement for an ongoing
1079 relationship, and to document such agreement in the youth's
1080 court file.

1081 Section 23. Paragraph (c) of subsection (10) of section
1082 39.621, Florida Statutes, is amended to read:

1083 39.621 Permanency determination by the court.-

1084 (10) The permanency placement is intended to continue
1085 until the child reaches the age of majority and may not be
1086 disturbed absent a finding by the court that the circumstances
1087 of the permanency placement are no longer in the best interest
1088 of the child.

1089 (c) The court shall base its decision concerning any
1090 motion by a parent for reunification or increased contact with a
1091 child on the effect of the decision on the safety, well-being,
1092 and physical and emotional health of the child. Factors that
1093 must be considered and addressed in the findings of fact of the
1094 order on the motion must include:

1095 1. The compliance or noncompliance of the parent with the
1096 case plan;

1097 2. The circumstances which caused the child's dependency
1098 and whether those circumstances have been resolved;

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- 1099 3. The stability and longevity of the child's placement;
1100 4. The preferences of the child, if the child is of
1101 sufficient age and understanding to express a preference;
1102 5. The recommendation of the current custodian; and
1103 6. Any ~~The~~ recommendation of the guardian ad litem, ~~if one~~
1104 ~~has been appointed.~~

1105 Section 24. Subsection (2) of section 39.6241, Florida
1106 Statutes, is amended to read:

1107 39.6241 Another planned permanent living arrangement.—
1108 (2) The department and the guardian ad litem must provide
1109 the court with a recommended list and description of services
1110 needed by the child, such as independent living services and
1111 medical, dental, educational, or psychological referrals, and a
1112 recommended list and description of services needed by his or
1113 her caregiver. The guardian ad litem must also advise the court
1114 whether the child has been connected with a supportive adult
1115 and, if the child has been connected with a supportive adult,
1116 whether the child has entered into a formal agreement with the
1117 adult. If the child has entered into such agreement, as required
1118 in s. 39.6036, the guardian ad litem must ensure the agreement
1119 is documented in the court file.

1120 Section 25. Paragraphs (b) and (f) of subsection (1),
1121 paragraph (c) of subsection (2), subsection (3), and paragraph
1122 (e) of subsection (4) of section 39.701, Florida Statutes, are
1123 amended to read:

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1124 39.701 Judicial review.—

1125 (1) GENERAL PROVISIONS.—

1126 (b)1. The court shall retain jurisdiction over a child
1127 returned to his or her parents for a minimum period of 6 months
1128 following the reunification, but, at that time, based on a
1129 report of the social service agency and the guardian ad litem,
1130 ~~if one has been appointed,~~ and any other relevant factors, the
1131 court shall make a determination as to whether supervision by
1132 the department and the court's jurisdiction shall continue or be
1133 terminated.

1134 2. Notwithstanding subparagraph 1., the court must retain
1135 jurisdiction over a child if the child is placed in the home
1136 with a parent or caregiver with an in-home safety plan and such
1137 safety plan remains necessary for the child to reside safely in
1138 the home.

1139 (f) Notice of a judicial review hearing or a citizen
1140 review panel hearing, and a copy of the motion for judicial
1141 review, if any, must be served by the clerk of the court upon
1142 all of the following persons, if available to be served,
1143 regardless of whether the person was present at the previous
1144 hearing at which the date, time, and location of the hearing was
1145 announced:

1146 1. The social service agency charged with the supervision
1147 of care, custody, or guardianship of the child, if that agency
1148 is not the movant.

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1149 2. The foster parent or legal custodian in whose home the
1150 child resides.

1151 3. The parents.

1152 4. The guardian ad litem for the child, ~~or the~~
1153 ~~representative of the guardian ad litem program if the program~~
1154 ~~has been appointed.~~

1155 5. The attorney ad litem for the child, if appointed.

1156 6. The child, if the child is 13 years of age or older.

1157 7. Any preadoptive parent.

1158 8. Such other persons as the court may direct.

1159 (2) REVIEW HEARINGS FOR CHILDREN YOUNGER THAN 18 YEARS OF
1160 AGE.—

1161 (c) *Review determinations.*—The court and any citizen
1162 review panel shall take into consideration the information
1163 contained in the social services study and investigation and all
1164 medical, psychological, and educational records that support the
1165 terms of the case plan; testimony by the social services agency,
1166 the parent, the foster parent or caregiver, the guardian ad
1167 litem or surrogate parent for educational decisionmaking if one
1168 has been appointed for the child, and any other person deemed
1169 appropriate; and any relevant and material evidence submitted to
1170 the court, including written and oral reports to the extent of
1171 their probative value. These reports and evidence may be
1172 received by the court in its effort to determine the action to
1173 be taken with regard to the child and may be relied upon to the

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1174 extent of their probative value, even though not competent in an
1175 adjudicatory hearing. In its deliberations, the court and any
1176 citizen review panel shall seek to determine:

1177 1. If the parent was advised of the right to receive
1178 assistance from any person or social service agency in the
1179 preparation of the case plan.

1180 2. If the parent has been advised of the right to have
1181 counsel present at the judicial review or citizen review
1182 hearings. If not so advised, the court or citizen review panel
1183 shall advise the parent of such right.

1184 3. If a guardian ad litem needs to be appointed for the
1185 child in a case in which a guardian ad litem has not previously
1186 been appointed ~~or if there is a need to continue a guardian ad~~
1187 ~~litem in a case in which a guardian ad litem has been appointed.~~

1188 4. Who holds the rights to make educational decisions for
1189 the child. If appropriate, the court may refer the child to the
1190 district school superintendent for appointment of a surrogate
1191 parent or may itself appoint a surrogate parent under the
1192 Individuals with Disabilities Education Act and s. 39.0016.

1193 5. The compliance or lack of compliance of all parties
1194 with applicable items of the case plan, including the parents'
1195 compliance with child support orders.

1196 6. The compliance or lack of compliance with a visitation
1197 contract between the parent and the social service agency for
1198 contact with the child, including the frequency, duration, and

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1199 results of the parent-child visitation and the reason for any
1200 noncompliance.

1201 7. The frequency, kind, and duration of contacts among
1202 siblings who have been separated during placement, as well as
1203 any efforts undertaken to reunite separated siblings if doing so
1204 is in the best interests of the child.

1205 8. The compliance or lack of compliance of the parent in
1206 meeting specified financial obligations pertaining to the care
1207 of the child, including the reason for failure to comply, if
1208 applicable.

1209 9. Whether the child is receiving safe and proper care
1210 according to s. 39.6012, including, but not limited to, the
1211 appropriateness of the child's current placement, including
1212 whether the child is in a setting that is as family-like and as
1213 close to the parent's home as possible, consistent with the
1214 child's best interests and special needs, and including
1215 maintaining stability in the child's educational placement, as
1216 documented by assurances from the community-based care lead
1217 agency that:

1218 a. The placement of the child takes into account the
1219 appropriateness of the current educational setting and the
1220 proximity to the school in which the child is enrolled at the
1221 time of placement.

1222 b. The community-based care lead agency has coordinated
1223 with appropriate local educational agencies to ensure that the

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1224 child remains in the school in which the child is enrolled at
1225 the time of placement.

1226 10. A projected date likely for the child's return home or
1227 other permanent placement.

1228 11. When appropriate, the basis for the unwillingness or
1229 inability of the parent to become a party to a case plan. The
1230 court and the citizen review panel shall determine if the
1231 efforts of the social service agency to secure party
1232 participation in a case plan were sufficient.

1233 12. For a child who has reached 13 years of age but is not
1234 yet 18 years of age, the adequacy of the child's preparation for
1235 adulthood and independent living. For a child who is 15 years of
1236 age or older, the court shall determine if appropriate steps are
1237 being taken for the child to obtain a driver license or
1238 learner's driver license.

1239 13. If amendments to the case plan are required.
1240 Amendments to the case plan must be made under s. 39.6013.

1241 14. If the parents and caregivers have developed a
1242 productive relationship that includes meaningful communication
1243 and mutual support.

1244 (3) REVIEW HEARINGS FOR CHILDREN 16 AND 17 YEARS OF AGE.—
1245 At each review hearing held under this subsection, the court
1246 shall give the child and the guardian ad litem the opportunity
1247 to address the court and provide any information relevant to the
1248 child's best interest, particularly in relation to independent

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1249 living transition services. The foster parent ~~or~~ legal
1250 custodian, ~~or guardian ad litem~~ may also provide any information
1251 relevant to the child's best interest to the court. In addition
1252 to the review and report required under paragraphs (1)(a), ~~and~~
1253 (2)(a), and s. 39.822(2)(a)2., respectively, the court shall:

1254 (a) Inquire about the life skills the child has acquired
1255 and whether those services are age appropriate, at the first
1256 judicial review hearing held subsequent to the child's 16th
1257 birthday. At the judicial review hearing, the department shall
1258 provide the court with a report that includes specific
1259 information related to the life skills that the child has
1260 acquired since the child's 13th birthday or since the date the
1261 child came into foster care, whichever came later. For any child
1262 who may meet the requirements for appointment of a guardian
1263 advocate under s. 393.12 or a guardian under chapter 744, the
1264 updated case plan must be developed in a face-to-face conference
1265 with the child, if appropriate; the child's attorney ad litem,
1266 if appointed; ~~the any court-appointed~~ guardian ad litem; the
1267 temporary custodian of the child; and the parent of the child,
1268 if the parent's rights have not been terminated.

1269 (b) The court shall hold a judicial review hearing within
1270 90 days after a child's 17th birthday. The court shall issue an
1271 order, separate from the order on judicial review, that the
1272 disability of nonage of the child has been removed under ss.
1273 743.044-743.047 for any disability that the court finds is in

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1274 the child's best interest to remove. The department shall
1275 include in the social study report for the first judicial review
1276 that occurs after the child's 17th birthday written verification
1277 that the child has:

1278 1. A current Medicaid card and all necessary information
1279 concerning the Medicaid program sufficient to prepare the child
1280 to apply for coverage upon reaching the age of 18, if such
1281 application is appropriate.

1282 2. A certified copy of the child's birth certificate and,
1283 if the child does not have a valid driver license, a Florida
1284 identification card issued under s. 322.051.

1285 3. A social security card and information relating to
1286 social security insurance benefits if the child is eligible for
1287 those benefits. If the child has received such benefits and they
1288 are being held in trust for the child, a full accounting of
1289 these funds must be provided and the child must be informed as
1290 to how to access those funds.

1291 4. All relevant information related to the Road-to-
1292 Independence Program under s. 409.1451, including, but not
1293 limited to, eligibility requirements, information on
1294 participation, and assistance in gaining admission to the
1295 program. If the child is eligible for the Road-to-Independence
1296 Program, he or she must be advised that he or she may continue
1297 to reside with the licensed family home or group care provider
1298 with whom the child was residing at the time the child attained

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1299 his or her 18th birthday, in another licensed family home, or
1300 with a group care provider arranged by the department.

1301 5. An open bank account or the identification necessary to
1302 open a bank account and to acquire essential banking and
1303 budgeting skills.

1304 6. Information on public assistance and how to apply for
1305 public assistance.

1306 7. A clear understanding of where he or she will be living
1307 on his or her 18th birthday, how living expenses will be paid,
1308 and the educational program or school in which he or she will be
1309 enrolled.

1310 8. Information related to the ability of the child to
1311 remain in care until he or she reaches 21 years of age under s.
1312 39.013.

1313 9. A letter providing the dates that the child is under
1314 the jurisdiction of the court.

1315 10. A letter stating that the child is in compliance with
1316 financial aid documentation requirements.

1317 11. The child's educational records.

1318 12. The child's entire health and mental health records.

1319 13. The process for accessing the child's case file.

1320 14. A statement encouraging the child to attend all
1321 judicial review hearings.

1322 15. Information on how to obtain a driver license or
1323 learner's driver license.

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1324 (c) At the first judicial review hearing held subsequent
1325 to the child's 17th birthday, if the court determines pursuant
1326 to chapter 744 that there is a good faith basis to believe that
1327 the child qualifies for appointment of a guardian advocate,
1328 limited guardian, or plenary guardian for the child and that no
1329 less restrictive decisionmaking assistance will meet the child's
1330 needs:

1331 1. The department shall complete a multidisciplinary
1332 report which must include, but is not limited to, a psychosocial
1333 evaluation and educational report if such a report has not been
1334 completed within the previous 2 years.

1335 2. The department shall identify one or more individuals
1336 who are willing to serve as the guardian advocate under s.
1337 393.12 or as the plenary or limited guardian under chapter 744.
1338 Any other interested parties or participants may make efforts to
1339 identify such a guardian advocate, limited guardian, or plenary
1340 guardian. The child's biological or adoptive family members,
1341 including the child's parents if the parents' rights have not
1342 been terminated, may not be considered for service as the
1343 plenary or limited guardian unless the court enters a written
1344 order finding that such an appointment is in the child's best
1345 interests.

1346 3. Proceedings may be initiated within 180 days after the
1347 child's 17th birthday for the appointment of a guardian
1348 advocate, plenary guardian, or limited guardian for the child in

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1349 a separate proceeding in the court division with jurisdiction
1350 over guardianship matters and pursuant to chapter 744. The
1351 Legislature encourages the use of pro bono representation to
1352 initiate proceedings under this section.

1353 4. In the event another interested party or participant
1354 initiates proceedings for the appointment of a guardian
1355 advocate, plenary guardian, or limited guardian for the child,
1356 the department shall provide all necessary documentation and
1357 information to the petitioner to complete a petition under s.
1358 393.12 or chapter 744 within 45 days after the first judicial
1359 review hearing after the child's 17th birthday.

1360 5. Any proceedings seeking appointment of a guardian
1361 advocate or a determination of incapacity and the appointment of
1362 a guardian must be conducted in a separate proceeding in the
1363 court division with jurisdiction over guardianship matters and
1364 pursuant to chapter 744.

1365 (d) If the court finds at the judicial review hearing
1366 after the child's 17th birthday that the department has not met
1367 its obligations to the child as stated in this part, in the
1368 written case plan, or in the provision of independent living
1369 services, the court may issue an order directing the department
1370 to show cause as to why it has not done so. If the department
1371 cannot justify its noncompliance, the court may give the
1372 department 30 days within which to comply. If the department

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1373 fails to comply within 30 days, the court may hold the
1374 department in contempt.

1375 (e) If necessary, the court may review the status of the
1376 child more frequently during the year before the child's 18th
1377 birthday. At the last review hearing before the child reaches 18
1378 years of age, and in addition to the requirements of subsection
1379 (2), the court shall:

1380 1. Address whether the child plans to remain in foster
1381 care, and, if so, ensure that the child's transition plan
1382 includes a plan for meeting one or more of the criteria
1383 specified in s. 39.6251 and determine whether the child has
1384 entered into a formal agreement for an ongoing relationship with
1385 a supportive adult.

1386 2. Ensure that the transition plan includes a supervised
1387 living arrangement under s. 39.6251.

1388 3. Ensure the child has been informed of:

1389 a. The right to continued support and services from the
1390 department and the community-based care lead agency.

1391 b. The right to request termination of dependency
1392 jurisdiction and be discharged from foster care.

1393 c. The opportunity to reenter foster care under s.
1394 39.6251.

1395 4. Ensure that the child, if he or she requests
1396 termination of dependency jurisdiction and discharge from foster
1397 care, has been informed of:

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1398 a. Services or benefits for which the child may be
1399 eligible based on his or her former placement in foster care,
1400 including, but not limited to, the assistance of the Office of
1401 Continuing Care under s. 414.56.

1402 b. Services or benefits that may be lost through
1403 termination of dependency jurisdiction.

1404 c. Other federal, state, local, or community-based
1405 services or supports available to him or her.

1406 (4) REVIEW HEARINGS FOR YOUNG ADULTS IN FOSTER CARE.—
1407 During each period of time that a young adult remains in foster
1408 care, the court shall review the status of the young adult at
1409 least every 6 months and must hold a permanency review hearing
1410 at least annually.

1411 (e) Notwithstanding the provisions of this subsection, if
1412 a young adult has chosen to remain in extended foster care after
1413 he or she has reached 18 years of age, the department may not
1414 close a case and the court may not terminate jurisdiction until
1415 the court finds, following a hearing, that the following
1416 criteria have been met:

1417 1. Attendance of the young adult at the hearing; or

1418 2. Findings by the court that:

1419 a. The young adult has been informed by the department of
1420 his or her right to attend the hearing and has provided written
1421 consent to waive this right; and

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1422 b. The young adult has been informed of the potential
1423 negative effects of early termination of care, the option to
1424 reenter care before reaching 21 years of age, the procedure for,
1425 and limitations on, reentering care, and the availability of
1426 alternative services, and has signed a document attesting that
1427 he or she has been so informed and understands these provisions;
1428 or

1429 c. The young adult has voluntarily left the program, has
1430 not signed the document in sub-subparagraph b., and is unwilling
1431 to participate in any further court proceeding.

1432 3. In all permanency hearings or hearings regarding the
1433 transition of the young adult from care to independent living,
1434 the court shall consult with the young adult regarding the
1435 proposed permanency plan, case plan, and individual education
1436 plan for the young adult and ensure that he or she has
1437 understood the conversation. The court shall inquire of the
1438 young adult regarding his or her relationship with the
1439 supportive adult with whom the young adult has entered into a
1440 formal agreement for an ongoing relationship, if such agreement
1441 exists.

1442 Section 26. Paragraph (a) of subsection (3) of section
1443 39.801, Florida Statutes, is amended to read:

1444 39.801 Procedures and jurisdiction; notice; service of
1445 process.-

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1446 (3) Before the court may terminate parental rights, in
1447 addition to the other requirements set forth in this part, the
1448 following requirements must be met:

1449 (a) Notice of the date, time, and place of the advisory
1450 hearing for the petition to terminate parental rights and a copy
1451 of the petition must be personally served upon the following
1452 persons, specifically notifying them that a petition has been
1453 filed:

- 1454 1. The parents of the child.
- 1455 2. The legal custodians of the child.
- 1456 3. If the parents who would be entitled to notice are dead
1457 or unknown, a living relative of the child, unless upon diligent
1458 search and inquiry no such relative can be found.
- 1459 4. Any person who has physical custody of the child.
- 1460 5. Any grandparent entitled to priority for adoption under
1461 s. 63.0425.
- 1462 6. Any prospective parent who has been identified under s.
1463 39.503 or s. 39.803, unless a court order has been entered
1464 pursuant to s. 39.503(4) or (9) or s. 39.803(4) or (9) which
1465 indicates no further notice is required. Except as otherwise
1466 provided in this section, if there is not a legal father, notice
1467 of the petition for termination of parental rights must be
1468 provided to any known prospective father who is identified under
1469 oath before the court or who is identified by a diligent search
1470 of the Florida Putative Father Registry. Service of the notice

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1471 of the petition for termination of parental rights is not
1472 required if the prospective father executes an affidavit of
1473 nonpaternity or a consent to termination of his parental rights
1474 which is accepted by the court after notice and opportunity to
1475 be heard by all parties to address the best interests of the
1476 child in accepting such affidavit.

1477 7. The guardian ad litem for the child ~~or the~~
1478 ~~representative of the guardian ad litem program, if the program~~
1479 ~~has been appointed.~~

1480

1481 The document containing the notice to respond or appear must
1482 contain, in type at least as large as the type in the balance of
1483 the document, the following or substantially similar language:

1484 "FAILURE TO PERSONALLY APPEAR AT THIS ADVISORY HEARING
1485 CONSTITUTES CONSENT TO THE TERMINATION OF PARENTAL RIGHTS OF
1486 THIS CHILD (OR CHILDREN). IF YOU FAIL TO APPEAR ON THE DATE AND
1487 TIME SPECIFIED, YOU MAY LOSE ALL LEGAL RIGHTS AS A PARENT TO THE
1488 CHILD OR CHILDREN NAMED IN THE PETITION ATTACHED TO THIS
1489 NOTICE."

1490 Section 27. Subsection (2) of section 39.807, Florida
1491 Statutes, is amended to read:

1492 39.807 Right to counsel; guardian ad litem.—

1493 (2)(a) The court shall appoint a guardian ad litem to
1494 represent ~~the best interest of~~ the child in any termination of

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1495 parental rights proceedings and shall ascertain at each stage of
1496 the proceedings whether a guardian ad litem has been appointed.

1497 (b) The guardian ad litem has the ~~following~~
1498 responsibilities and authorities listed in s. 39.822.÷

1499 ~~1. To investigate the allegations of the petition and any~~
1500 ~~subsequent matters arising in the case and,~~

1501 (c) Unless excused by the court, the guardian ad litem
1502 shall ~~to~~ file a written report. This report must include a
1503 statement of the wishes of the child and the recommendations of
1504 the guardian ad litem and must be provided to all parties and
1505 the court at least 72 hours before the disposition hearing.

1506 ~~2. To be present at all court hearings unless excused by~~
1507 ~~the court.~~

1508 ~~3. To represent the best interests of the child until the~~
1509 ~~jurisdiction of the court over the child terminates or until~~
1510 ~~excused by the court.~~

1511 ~~(c) A guardian ad litem is not required to post bond but~~
1512 ~~shall file an acceptance of the office.~~

1513 ~~(d) A guardian ad litem is entitled to receive service of~~
1514 ~~pleadings and papers as provided by the Florida Rules of~~
1515 ~~Juvenile Procedure.~~

1516 (d)-(e) This subsection does not apply to any voluntary
1517 relinquishment of parental rights proceeding.

1518 Section 28. Subsection (2) of section 39.808, Florida
1519 Statutes, is amended to read:

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1520 39.808 Advisory hearing; pretrial status conference.—

1521 (2) At the hearing the court shall inform the parties of
1522 their rights under s. 39.807, shall appoint counsel for the
1523 parties in accordance with legal requirements, and shall appoint
1524 a guardian ad litem to represent ~~the interests of~~ the child if
1525 one has not already been appointed.

1526 Section 29. Subsection (2) of section 39.815, Florida
1527 Statutes, is amended to read:

1528 39.815 Appeal.—

1529 (2) An attorney for the department shall represent the
1530 state upon appeal. When a notice of appeal is filed in the
1531 circuit court, the clerk shall notify the attorney for the
1532 department, together with the attorney for the parent, the
1533 guardian ad litem, and any attorney ad litem for the child, if
1534 appointed.

1535 Section 30. Section 39.820, Florida Statutes, is repealed.

1536 Section 31. Subsections (1) and (3) of section 39.821,
1537 Florida Statutes, are amended to read:

1538 39.821 Qualifications of guardians ad litem.—

1539 (1) Because of the special trust or responsibility placed
1540 in a guardian ad litem, the Statewide Guardian ad Litem Office
1541 ~~Program~~ may use any private funds collected by the office
1542 ~~program~~, or any state funds so designated, to conduct a security
1543 background investigation before certifying a volunteer to serve.
1544 A security background investigation must include, but need not

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1545 | be limited to, employment history checks, checks of references,
1546 | local criminal history records checks through local law
1547 | enforcement agencies, and statewide criminal history records
1548 | checks through the Department of Law Enforcement. Upon request,
1549 | an employer shall furnish a copy of the personnel record for the
1550 | employee or former employee who is the subject of a security
1551 | background investigation conducted under this section. The
1552 | information contained in the personnel record may include, but
1553 | need not be limited to, disciplinary matters and the reason why
1554 | the employee was terminated from employment. An employer who
1555 | releases a personnel record for purposes of a security
1556 | background investigation is presumed to have acted in good faith
1557 | and is not liable for information contained in the record
1558 | without a showing that the employer maliciously falsified the
1559 | record. A security background investigation conducted under this
1560 | section must ensure that a person is not certified as a guardian
1561 | ad litem if the person has an arrest awaiting final disposition
1562 | for, been convicted of, regardless of adjudication, entered a
1563 | plea of nolo contendere or guilty to, or been adjudicated
1564 | delinquent and the record has not been sealed or expunged for,
1565 | any offense prohibited under the provisions listed in s. 435.04.
1566 | All applicants must undergo a level 2 background screening
1567 | pursuant to chapter 435 before being certified to serve as a
1568 | guardian ad litem. In analyzing and evaluating the information
1569 | obtained in the security background investigation, the office

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1570 ~~program~~ must give particular emphasis to past activities
1571 involving children, including, but not limited to, child-related
1572 criminal offenses or child abuse. The ~~program~~ Statewide Guardian
1573 ad Litem Office has sole discretion in determining whether to
1574 certify a person based on his or her security background
1575 investigation. The information collected pursuant to the
1576 security background investigation is confidential and exempt
1577 from s. 119.07(1).

1578 (3) It is a misdemeanor of the first degree, punishable as
1579 provided in s. 775.082 or s. 775.083, for any person to
1580 willfully, knowingly, or intentionally fail, by false statement,
1581 misrepresentation, impersonation, or other fraudulent means, to
1582 disclose in any application for a volunteer position or for paid
1583 employment with the Statewide Guardian ad Litem Office Program,
1584 any material fact used in making a determination as to the
1585 applicant's qualifications for such position.

1586 Section 32. Section 39.822, Florida Statutes, is amended
1587 to read:

1588 39.822 Appointment of guardian ad litem for abused,
1589 abandoned, or neglected child.—

1590 (1) A guardian ad litem shall be appointed by the court at
1591 the earliest possible time to represent the child in any child
1592 abuse, abandonment, or neglect judicial proceeding, whether
1593 civil or criminal. A guardian ad litem is a fiduciary and shall

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1594 provide independent representation of the child using a best
1595 interest standard of decisionmaking and advocacy.

1596 (2)(a) The guardian ad litem has the following
1597 responsibilities:

1598 1. To be present at all court hearings unless excused by
1599 the court.

1600 2. To investigate issues related to the best interest of
1601 the child who is the subject of the appointment, review all
1602 disposition recommendations and changes in placement, and,
1603 unless excused by the court, file written reports and
1604 recommendations in accordance with law.

1605 3. To represent the child until the court's jurisdiction
1606 over the child terminates or until excused by the court.

1607 4. To advocate for the child's participation in the
1608 proceedings and report the child's wishes to the court to the
1609 extent the child has the ability and desire to express his or
1610 her preferences.

1611 5. To perform such other duties as are consistent with the
1612 scope of the appointment.

1613 (b) Guardians ad litem shall have immediate and unlimited
1614 access to the children they represent.

1615 (c) A guardian ad litem is not required to post bond but
1616 must file an acceptance of the appointment.

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1617 (d) A guardian ad litem is entitled to receive service of
1618 pleadings and papers as provided by the Florida Rules of
1619 Juvenile Procedure.

1620 (3) Any person participating in a civil or criminal
1621 judicial proceeding resulting from such appointment shall be
1622 presumed prima facie to be acting in good faith and in so doing
1623 shall be immune from any liability, civil or criminal, that
1624 otherwise might be incurred or imposed.

1625 (4)~~(2)~~ In those cases in which the parents are financially
1626 able, the parent or parents of the child shall reimburse the
1627 court, in part or in whole, for the cost of provision of
1628 guardian ad litem representation services. Reimbursement to the
1629 individual providing guardian ad litem services shall not be
1630 contingent upon successful collection by the court from the
1631 parent or parents.

1632 (5)~~(3)~~ Upon presentation by a guardian ad litem of a court
1633 order appointing the guardian ad litem:

1634 (a) An agency, as defined in chapter 119, shall allow the
1635 guardian ad litem to inspect and copy records related to the
1636 best interests of the child who is the subject of the
1637 appointment, including, but not limited to, records made
1638 confidential or exempt from s. 119.07(1) or s. 24(a), Art. I of
1639 the State Constitution. The guardian ad litem shall maintain the
1640 confidential or exempt status of any records shared by an agency
1641 under this paragraph.

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1642 (b) A person or organization, other than an agency under
1643 paragraph (a), shall allow the guardian ad litem to inspect and
1644 copy any records related to the best interests of the child who
1645 is the subject of the appointment, including, but not limited
1646 to, confidential records.

1647
1648 For the purposes of this subsection, the term "records related
1649 to the best interests of the child" includes, but is not limited
1650 to, medical, mental health, substance abuse, child care,
1651 education, law enforcement, court, social services, and
1652 financial records.

1653 ~~(4) The guardian ad litem or the program representative~~
1654 ~~shall review all disposition recommendations and changes in~~
1655 ~~placements, and must be present at all critical stages of the~~
1656 ~~dependency proceeding or submit a written report of~~
1657 ~~recommendations to the court. Written reports must be filed with~~
1658 ~~the court and served on all parties whose whereabouts are known~~
1659 ~~at least 72 hours prior to the hearing.~~

1660 Section 33. Subsection (4) of section 39.827, Florida
1661 Statutes, is amended to read:

1662 39.827 Hearing for appointment of a guardian advocate.—

1663 (4) The hearing under this section shall remain
1664 confidential and closed to the public. The clerk shall keep all
1665 court records required by this part separate from other records
1666 of the circuit court. All court records required by this part

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1667 shall be confidential and exempt from the provisions of s.
1668 119.07(1). All records shall be inspected only upon order of the
1669 court by persons deemed by the court to have a proper interest
1670 therein, except that a child and the parents or custodians of
1671 the child and their attorneys, the guardian ad litem, and the
1672 department and its designees, and the attorney ad litem, if
1673 appointed, shall always have the right to inspect and copy any
1674 official record pertaining to the child. The court may permit
1675 authorized representatives of recognized organizations compiling
1676 statistics for proper purposes to inspect and make abstracts
1677 from official records, under whatever conditions upon their use
1678 and disposition the court may deem proper, and may punish by
1679 contempt proceedings any violation of those conditions. All
1680 information obtained pursuant to this part in the discharge of
1681 official duty by any judge, employee of the court, or authorized
1682 agent of the department shall be confidential and exempt from
1683 the provisions of s. 119.07(1) and shall not be disclosed to
1684 anyone other than the authorized personnel of the court or the
1685 department and its designees, except upon order of the court.

1686 Section 34. Paragraphs (a), (b), and (d) of subsection (1)
1687 and subsection (2) of section 39.8296, Florida Statutes, are
1688 amended to read:

1689 39.8296 Statewide Guardian ad Litem Office; legislative
1690 findings and intent; creation; appointment of executive
1691 director; duties of office.-

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1692 (1) LEGISLATIVE FINDINGS AND INTENT.—

1693 (a) The Legislature finds that for the past 20 years, the
1694 Guardian ad Litem Program has been the only mechanism for best
1695 interest representation for children in Florida who are involved
1696 in dependency proceedings.

1697 (b) The Legislature also finds that while the Guardian ad
1698 Litem Program has been supervised by court administration within
1699 the circuit courts since the program's inception, there is a
1700 perceived conflict of interest created by the supervision of
1701 program staff by the judges before whom they appear.

1702 (d) It is therefore the intent of the Legislature to place
1703 the Guardian ad Litem Program in an appropriate place and
1704 provide a statewide infrastructure to increase functioning and
1705 standardization among the local programs currently operating in
1706 the 20 judicial circuits.

1707 (2) STATEWIDE GUARDIAN AD LITEM OFFICE.—There is created a
1708 Statewide Guardian ad Litem Office within the Justice
1709 Administrative Commission. The Justice Administrative Commission
1710 shall provide administrative support and service to the office
1711 to the extent requested by the executive director within the
1712 available resources of the commission. The Statewide Guardian ad
1713 Litem Office is not subject to control, supervision, or
1714 direction by the Justice Administrative Commission in the
1715 performance of its duties, but the employees of the office are

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1716 governed by the classification plan and salary and benefits plan
1717 approved by the Justice Administrative Commission.

1718 (a) The head of the Statewide Guardian ad Litem Office is
1719 the executive director, who shall be appointed by the Governor
1720 from a list of a minimum of three eligible applicants submitted
1721 by a Guardian ad Litem Qualifications Committee. The Guardian ad
1722 Litem Qualifications Committee shall be composed of five
1723 persons, two persons appointed by the Governor, two persons
1724 appointed by the Chief Justice of the Supreme Court, and one
1725 person appointed by the Statewide Guardian ad Litem Office
1726 ~~Association~~. The committee shall provide for statewide
1727 advertisement and the receiving of applications for the position
1728 of executive director. The Governor shall appoint an executive
1729 director from among the recommendations, or the Governor may
1730 reject the nominations and request the submission of new
1731 nominees. The executive director must have knowledge in
1732 dependency law and knowledge of social service delivery systems
1733 available to meet the needs of children who are abused,
1734 neglected, or abandoned. The executive director shall serve on a
1735 full-time basis and shall personally, or through representatives
1736 of the office, carry out the purposes and functions of the
1737 Statewide Guardian ad Litem Office in accordance with state and
1738 federal law and Florida's long-established policy of
1739 prioritizing children's best interests. The executive director
1740 shall report to the Governor. The executive director shall serve

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1741 a 3-year term, subject to removal for cause by the Governor. Any
1742 person appointed to serve as the executive director may be
1743 permitted to serve more than one term, without the necessity of
1744 convening the Guardian ad Litem Qualifications Committee.

1745 (b) The Statewide Guardian ad Litem Office shall, within
1746 available resources, have oversight responsibilities for and
1747 provide technical assistance to all guardian ad litem and
1748 attorney ad litem programs located within the judicial circuits.

1749 1. The office shall identify the resources required to
1750 implement methods of collecting, reporting, and tracking
1751 reliable and consistent case data.

1752 2. The office shall review the current guardian ad litem
1753 offices ~~programs~~ in Florida and other states.

1754 3. The office, in consultation with local guardian ad
1755 litem offices, shall develop statewide performance measures and
1756 standards.

1757 4. The office shall develop and maintain a guardian ad
1758 litem training program, ~~which shall include, but is not limited~~
1759 ~~to, training on the recognition of and responses to head trauma~~
1760 ~~and brain injury in a child under 6 years of age. The office~~
1761 ~~shall establish a curriculum committee to develop the training~~
1762 ~~program specified in this subparagraph. The curriculum committee~~
1763 ~~shall include, but not be limited to, dependency judges,~~
1764 ~~directors of circuit guardian ad litem programs, active~~
1765 ~~certified guardians ad litem, a mental health professional who~~

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1766 ~~specializes in the treatment of children, a member of a child~~
1767 ~~advocacy group, a representative of a domestic violence advocacy~~
1768 ~~group, an individual with a degree in social work, and a social~~
1769 ~~worker experienced in working with victims and perpetrators of~~
1770 ~~child abuse. The training program shall be updated regularly.~~

1771 5. The office shall review the various methods of funding
1772 guardian ad litem offices ~~programs~~, maximize the use of those
1773 funding sources to the extent possible, and review the kinds of
1774 services being provided by circuit guardian ad litem offices
1775 ~~programs~~.

1776 6. The office shall determine the feasibility or
1777 desirability of new concepts of organization, administration,
1778 financing, or service delivery designed to preserve the civil
1779 and constitutional rights and fulfill other needs of dependent
1780 children.

1781 7. The office shall ensure that all children have an
1782 attorney assigned to their case and, within available resources,
1783 be represented using multidisciplinary teams that may include
1784 volunteers, pro bono attorneys, social workers, and mentors.

1785 8. The office shall provide oversight and technical
1786 assistance to attorneys ad litem, including but not limited to:

1787 a. Developing an attorney ad litem training program in
1788 collaboration with dependency court stakeholders, including, but
1789 not limited to, dependency judges, representatives from legal
1790 aid providing attorney ad litem representation, and an attorney

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1791 ad litem appointed from a registry maintained by the chief
1792 judge. The program shall be updated regularly with or without
1793 convening the stakeholders group;

1794 b. Offering consultation and technical assistance to chief
1795 judges in maintaining attorney registries for attorneys ad
1796 litem; and

1797 c. Assisting with recruitment, training, and mentoring of
1798 attorneys ad litem as needed.

1799 9. In an effort to promote normalcy and establish trust
1800 between a ~~court-appointed volunteer~~ guardian ad litem and a
1801 child alleged to be abused, abandoned, or neglected under this
1802 chapter, a guardian ad litem may transport a child. However, a
1803 guardian ad litem ~~volunteer~~ may not be required by a guardian ad
1804 litem circuit office ~~or directed by the program or~~ ordered by a
1805 court to transport a child.

1806 10.8. The office shall submit to the Governor, the
1807 President of the Senate, the Speaker of the House of
1808 Representatives, and the Chief Justice of the Supreme Court an
1809 interim report describing the progress of the office in meeting
1810 the goals as described in this section. The office shall submit
1811 to the Governor, the President of the Senate, the Speaker of the
1812 House of Representatives, and the Chief Justice of the Supreme
1813 Court a proposed plan including alternatives for meeting the
1814 state's guardian ad litem and attorney ad litem needs. This plan
1815 may include recommendations for less than the entire state, may

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1816 include a phase-in system, and shall include estimates of the
1817 cost of each of the alternatives. Each year the office shall
1818 provide a status report and provide further recommendations to
1819 address the need for guardian ad litem services and related
1820 issues.

1821 Section 35. Subsections (1), (3), and (4) of section
1822 39.8297, Florida Statutes, are amended to read:

1823 39.8297 County funding for guardian ad litem employees.-

1824 (1) A county and the executive director of the Statewide
1825 Guardian ad Litem Office may enter into an agreement by which
1826 the county agrees to provide funds to the local guardian ad
1827 litem office in order to employ persons who will assist in the
1828 operation of the guardian ad litem office ~~program~~ in the county.

1829 (3) Persons employed under this section may not be counted
1830 in a formula or similar process used by the Statewide Guardian
1831 ad Litem Office to measure personnel needs of a judicial
1832 circuit's guardian ad litem office ~~program~~.

1833 (4) Agreements created pursuant to this section do not
1834 obligate the state to allocate funds to a county to employ
1835 persons in the guardian ad litem office ~~program~~.

1836 Section 36. Section 39.8298, Florida Statutes, is amended
1837 to read:

1838 39.8298 Guardian ad Litem state direct-support
1839 organization and local direct-support organizations.-

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1840 (1) AUTHORITY.—The Statewide Guardian ad Litem Office
1841 created under s. 39.8296 is authorized to create a state direct-
1842 support organization and create or designate local direct-
1843 support organizations. The executive director of the Statewide
1844 Guardian ad Litem Office is responsible for designating local
1845 direct-support organizations under this subsection.

1846 (a) The state direct-support organization and the local
1847 direct-support organizations must be a Florida corporations
1848 ~~corporation~~ not for profit, incorporated under the provisions of
1849 chapter 617. The state direct-support organization and the local
1850 direct-support organization are ~~shall be~~ exempt from paying fees
1851 under s. 617.0122.

1852 (b) The state direct-support organization and each local
1853 direct-support organization shall be organized and operated to
1854 conduct programs and activities; raise funds; request and
1855 receive grants, gifts, and bequests of moneys; acquire, receive,
1856 hold, invest, and administer, in their ~~its~~ own name, securities,
1857 funds, objects of value, or other property, real or personal;
1858 and make expenditures to or for the direct or indirect benefit
1859 of the Statewide Guardian ad Litem Office, including the local
1860 guardian ad litem offices.

1861 (c) If the executive director of the Statewide Guardian ad
1862 Litem Office determines the state direct-support organization or
1863 a local direct-support organization is operating in a manner
1864 that is inconsistent with the goals and purposes of the

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1865 Statewide Guardian ad Litem Office or not acting in the best
1866 interest of the state, the executive director may terminate the
1867 contract and thereafter the organization may not use the name of
1868 the Statewide Guardian ad Litem Office.

1869 (2) CONTRACT.—The state direct-support organization and
1870 the local direct-support organizations shall operate under a
1871 written contract with the Statewide Guardian ad Litem Office.
1872 The written contract must, at a minimum, provide for:

1873 (a) Approval of the articles of incorporation and bylaws
1874 of the direct-support organization by the executive director of
1875 the Statewide Guardian ad Litem Office.

1876 (b) Submission of an annual budget for the approval by the
1877 executive director of the Statewide Guardian ad Litem Office.

1878 (c) The reversion without penalty to the Statewide
1879 Guardian ad Litem Office, or to the state if the Statewide
1880 Guardian ad Litem Office ceases to exist, of all moneys and
1881 property held in trust by the state direct-support organization
1882 for the Statewide Guardian ad Litem Office if the direct-support
1883 organization ceases to exist or if the contract is terminated.

1884 (d) The fiscal year of the state direct-support
1885 organization and the local direct-support organizations, which
1886 must begin July 1 of each year and end June 30 of the following
1887 year.

1888 (e) The disclosure of material provisions of the contract
1889 and the distinction between the Statewide Guardian ad Litem

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1890 Office and the state direct-support organization or a local
1891 direct-support organization to donors of gifts, contributions,
1892 or bequests, as well as on all promotional and fundraising
1893 publications.

1894 (3) BOARD OF DIRECTORS.—The executive director of the
1895 Statewide Guardian ad Litem Office shall appoint a board of
1896 directors for the state direct-support organization. The
1897 executive director may designate employees of the Statewide
1898 Guardian ad Litem Office to serve on the board of directors of
1899 the state direct-support organization or a local direct-support
1900 organization. Members of the board of the state direct-support
1901 organization or a local direct-support organization shall serve
1902 at the pleasure of the executive director.

1903 (4) USE OF PROPERTY AND SERVICES.—The executive director
1904 of the Statewide Guardian ad Litem Office:

1905 (a) May authorize the use of facilities and property other
1906 than money that are owned by the Statewide Guardian ad Litem
1907 Office to be used by the state direct-support organization or
1908 local direct-support organization.

1909 (b) May authorize the use of personal services provided by
1910 employees of the Statewide Guardian ad Litem Office to be used
1911 by the state direct-support organization or a local direct-
1912 support organization. For the purposes of this section, the term
1913 "personal services" includes full-time personnel and part-time
1914 personnel as well as payroll processing.

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1915 (c) May prescribe the conditions by which the direct-
1916 support organization or a local direct-support organization may
1917 use property, facilities, or personal services of the office or
1918 the state direct-support organization.

1919 (d) Shall not authorize the use of property, facilities,
1920 or personal services by ~~of~~ the state direct-support organization
1921 or a local direct-support organization if the organization does
1922 not provide equal employment opportunities to all persons,
1923 regardless of race, color, religion, sex, age, or national
1924 origin.

1925 (5) MONEYS.—Moneys of the state direct-support
1926 organization or a local direct-support organization must ~~may~~ be
1927 held in a separate depository account in the name of the direct-
1928 support organization and subject to the provisions of the
1929 contract with the Statewide Guardian ad Litem Office.

1930 (6) ANNUAL AUDIT.—The state direct-support organization
1931 and a local direct-support organization shall provide for an
1932 annual financial audit in accordance with s. 215.981.

1933 (7) LIMITS ON DIRECT-SUPPORT ORGANIZATIONS ~~ORGANIZATION~~.—
1934 The state direct-support organization and a local direct-support
1935 organization shall not exercise any power under s. 617.0302(12)
1936 or (16). No state employee shall receive compensation from the
1937 state direct-support organization or local direct-support
1938 organization for service on the board of directors or for
1939 services rendered to the direct-support organization.

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1940 Section 37. Paragraph (d) of subsection (4) of section
1941 119.071, Florida Statutes, is amended to read:

1942 119.071 General exemptions from inspection or copying of
1943 public records.—

1944 (4) AGENCY PERSONNEL INFORMATION.—

1945 (d)1. For purposes of this paragraph, the term:

1946 a. "Home addresses" means the dwelling location at which
1947 an individual resides and includes the physical address, mailing
1948 address, street address, parcel identification number, plot
1949 identification number, legal property description, neighborhood
1950 name and lot number, GPS coordinates, and any other descriptive
1951 property information that may reveal the home address.

1952 b. "Telephone numbers" includes home telephone numbers,
1953 personal cellular telephone numbers, personal pager telephone
1954 numbers, and telephone numbers associated with personal
1955 communications devices.

1956 2.a. The home addresses, telephone numbers, dates of
1957 birth, and photographs of active or former sworn law enforcement
1958 personnel or of active or former civilian personnel employed by
1959 a law enforcement agency, including correctional and
1960 correctional probation officers, personnel of the Department of
1961 Children and Families whose duties include the investigation of
1962 abuse, neglect, exploitation, fraud, theft, or other criminal
1963 activities, personnel of the Department of Health whose duties
1964 are to support the investigation of child abuse or neglect, and

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1965 personnel of the Department of Revenue or local governments
1966 whose responsibilities include revenue collection and
1967 enforcement or child support enforcement; the names, home
1968 addresses, telephone numbers, photographs, dates of birth, and
1969 places of employment of the spouses and children of such
1970 personnel; and the names and locations of schools and day care
1971 facilities attended by the children of such personnel are exempt
1972 from s. 119.07(1) and s. 24(a), Art. I of the State
1973 Constitution.

1974 b. The home addresses, telephone numbers, dates of birth,
1975 and photographs of current or former nonsworn investigative
1976 personnel of the Department of Financial Services whose duties
1977 include the investigation of fraud, theft, workers' compensation
1978 coverage requirements and compliance, other related criminal
1979 activities, or state regulatory requirement violations; the
1980 names, home addresses, telephone numbers, dates of birth, and
1981 places of employment of the spouses and children of such
1982 personnel; and the names and locations of schools and day care
1983 facilities attended by the children of such personnel are exempt
1984 from s. 119.07(1) and s. 24(a), Art. I of the State
1985 Constitution.

1986 c. The home addresses, telephone numbers, dates of birth,
1987 and photographs of current or former nonsworn investigative
1988 personnel of the Office of Financial Regulation's Bureau of
1989 Financial Investigations whose duties include the investigation

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1990 of fraud, theft, other related criminal activities, or state
1991 regulatory requirement violations; the names, home addresses,
1992 telephone numbers, dates of birth, and places of employment of
1993 the spouses and children of such personnel; and the names and
1994 locations of schools and day care facilities attended by the
1995 children of such personnel are exempt from s. 119.07(1) and s.
1996 24(a), Art. I of the State Constitution.

1997 d. The home addresses, telephone numbers, dates of birth,
1998 and photographs of current or former firefighters certified in
1999 compliance with s. 633.408; the names, home addresses, telephone
2000 numbers, photographs, dates of birth, and places of employment
2001 of the spouses and children of such firefighters; and the names
2002 and locations of schools and day care facilities attended by the
2003 children of such firefighters are exempt from s. 119.07(1) and
2004 s. 24(a), Art. I of the State Constitution.

2005 e. The home addresses, dates of birth, and telephone
2006 numbers of current or former justices of the Supreme Court,
2007 district court of appeal judges, circuit court judges, and
2008 county court judges; the names, home addresses, telephone
2009 numbers, dates of birth, and places of employment of the spouses
2010 and children of current or former justices and judges; and the
2011 names and locations of schools and day care facilities attended
2012 by the children of current or former justices and judges are
2013 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2014 Constitution.

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2015 f. The home addresses, telephone numbers, dates of birth,
2016 and photographs of current or former state attorneys, assistant
2017 state attorneys, statewide prosecutors, or assistant statewide
2018 prosecutors; the names, home addresses, telephone numbers,
2019 photographs, dates of birth, and places of employment of the
2020 spouses and children of current or former state attorneys,
2021 assistant state attorneys, statewide prosecutors, or assistant
2022 statewide prosecutors; and the names and locations of schools
2023 and day care facilities attended by the children of current or
2024 former state attorneys, assistant state attorneys, statewide
2025 prosecutors, or assistant statewide prosecutors are exempt from
2026 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

2027 g. The home addresses, dates of birth, and telephone
2028 numbers of general magistrates, special magistrates, judges of
2029 compensation claims, administrative law judges of the Division
2030 of Administrative Hearings, and child support enforcement
2031 hearing officers; the names, home addresses, telephone numbers,
2032 dates of birth, and places of employment of the spouses and
2033 children of general magistrates, special magistrates, judges of
2034 compensation claims, administrative law judges of the Division
2035 of Administrative Hearings, and child support enforcement
2036 hearing officers; and the names and locations of schools and day
2037 care facilities attended by the children of general magistrates,
2038 special magistrates, judges of compensation claims,
2039 administrative law judges of the Division of Administrative

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2040 Hearings, and child support enforcement hearing officers are
2041 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2042 Constitution.

2043 h. The home addresses, telephone numbers, dates of birth,
2044 and photographs of current or former human resource, labor
2045 relations, or employee relations directors, assistant directors,
2046 managers, or assistant managers of any local government agency
2047 or water management district whose duties include hiring and
2048 firing employees, labor contract negotiation, administration, or
2049 other personnel-related duties; the names, home addresses,
2050 telephone numbers, dates of birth, and places of employment of
2051 the spouses and children of such personnel; and the names and
2052 locations of schools and day care facilities attended by the
2053 children of such personnel are exempt from s. 119.07(1) and s.
2054 24(a), Art. I of the State Constitution.

2055 i. The home addresses, telephone numbers, dates of birth,
2056 and photographs of current or former code enforcement officers;
2057 the names, home addresses, telephone numbers, dates of birth,
2058 and places of employment of the spouses and children of such
2059 personnel; and the names and locations of schools and day care
2060 facilities attended by the children of such personnel are exempt
2061 from s. 119.07(1) and s. 24(a), Art. I of the State
2062 Constitution.

2063 j. The home addresses, telephone numbers, places of
2064 employment, dates of birth, and photographs of current or former

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2065 guardians ad litem, as defined in s. 39.01 ~~s. 39.820~~; the names,
2066 home addresses, telephone numbers, dates of birth, and places of
2067 employment of the spouses and children of such persons; and the
2068 names and locations of schools and day care facilities attended
2069 by the children of such persons are exempt from s. 119.07(1) and
2070 s. 24(a), Art. I of the State Constitution.

2071 k. The home addresses, telephone numbers, dates of birth,
2072 and photographs of current or former juvenile probation
2073 officers, juvenile probation supervisors, detention
2074 superintendents, assistant detention superintendents, juvenile
2075 justice detention officers I and II, juvenile justice detention
2076 officer supervisors, juvenile justice residential officers,
2077 juvenile justice residential officer supervisors I and II,
2078 juvenile justice counselors, juvenile justice counselor
2079 supervisors, human services counselor administrators, senior
2080 human services counselor administrators, rehabilitation
2081 therapists, and social services counselors of the Department of
2082 Juvenile Justice; the names, home addresses, telephone numbers,
2083 dates of birth, and places of employment of spouses and children
2084 of such personnel; and the names and locations of schools and
2085 day care facilities attended by the children of such personnel
2086 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2087 Constitution.

2088 l. The home addresses, telephone numbers, dates of birth,
2089 and photographs of current or former public defenders, assistant

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2090 public defenders, criminal conflict and civil regional counsel,
2091 and assistant criminal conflict and civil regional counsel; the
2092 names, home addresses, telephone numbers, dates of birth, and
2093 places of employment of the spouses and children of current or
2094 former public defenders, assistant public defenders, criminal
2095 conflict and civil regional counsel, and assistant criminal
2096 conflict and civil regional counsel; and the names and locations
2097 of schools and day care facilities attended by the children of
2098 current or former public defenders, assistant public defenders,
2099 criminal conflict and civil regional counsel, and assistant
2100 criminal conflict and civil regional counsel are exempt from s.
2101 119.07(1) and s. 24(a), Art. I of the State Constitution.

2102 m. The home addresses, telephone numbers, dates of birth,
2103 and photographs of current or former investigators or inspectors
2104 of the Department of Business and Professional Regulation; the
2105 names, home addresses, telephone numbers, dates of birth, and
2106 places of employment of the spouses and children of such current
2107 or former investigators and inspectors; and the names and
2108 locations of schools and day care facilities attended by the
2109 children of such current or former investigators and inspectors
2110 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2111 Constitution.

2112 n. The home addresses, telephone numbers, and dates of
2113 birth of county tax collectors; the names, home addresses,
2114 telephone numbers, dates of birth, and places of employment of

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2115 the spouses and children of such tax collectors; and the names
2116 and locations of schools and day care facilities attended by the
2117 children of such tax collectors are exempt from s. 119.07(1) and
2118 s. 24(a), Art. I of the State Constitution.

2119 o. The home addresses, telephone numbers, dates of birth,
2120 and photographs of current or former personnel of the Department
2121 of Health whose duties include, or result in, the determination
2122 or adjudication of eligibility for social security disability
2123 benefits, the investigation or prosecution of complaints filed
2124 against health care practitioners, or the inspection of health
2125 care practitioners or health care facilities licensed by the
2126 Department of Health; the names, home addresses, telephone
2127 numbers, dates of birth, and places of employment of the spouses
2128 and children of such personnel; and the names and locations of
2129 schools and day care facilities attended by the children of such
2130 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
2131 the State Constitution.

2132 p. The home addresses, telephone numbers, dates of birth,
2133 and photographs of current or former impaired practitioner
2134 consultants who are retained by an agency or current or former
2135 employees of an impaired practitioner consultant whose duties
2136 result in a determination of a person's skill and safety to
2137 practice a licensed profession; the names, home addresses,
2138 telephone numbers, dates of birth, and places of employment of
2139 the spouses and children of such consultants or their employees;

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2140 and the names and locations of schools and day care facilities
2141 attended by the children of such consultants or employees are
2142 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2143 Constitution.

2144 q. The home addresses, telephone numbers, dates of birth,
2145 and photographs of current or former emergency medical
2146 technicians or paramedics certified under chapter 401; the
2147 names, home addresses, telephone numbers, dates of birth, and
2148 places of employment of the spouses and children of such
2149 emergency medical technicians or paramedics; and the names and
2150 locations of schools and day care facilities attended by the
2151 children of such emergency medical technicians or paramedics are
2152 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2153 Constitution.

2154 r. The home addresses, telephone numbers, dates of birth,
2155 and photographs of current or former personnel employed in an
2156 agency's office of inspector general or internal audit
2157 department whose duties include auditing or investigating waste,
2158 fraud, abuse, theft, exploitation, or other activities that
2159 could lead to criminal prosecution or administrative discipline;
2160 the names, home addresses, telephone numbers, dates of birth,
2161 and places of employment of spouses and children of such
2162 personnel; and the names and locations of schools and day care
2163 facilities attended by the children of such personnel are exempt

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2164 from s. 119.07(1) and s. 24(a), Art. I of the State
2165 Constitution.

2166 s. The home addresses, telephone numbers, dates of birth,
2167 and photographs of current or former directors, managers,
2168 supervisors, nurses, and clinical employees of an addiction
2169 treatment facility; the home addresses, telephone numbers,
2170 photographs, dates of birth, and places of employment of the
2171 spouses and children of such personnel; and the names and
2172 locations of schools and day care facilities attended by the
2173 children of such personnel are exempt from s. 119.07(1) and s.
2174 24(a), Art. I of the State Constitution. For purposes of this
2175 sub-subparagraph, the term "addiction treatment facility" means
2176 a county government, or agency thereof, that is licensed
2177 pursuant to s. 397.401 and provides substance abuse prevention,
2178 intervention, or clinical treatment, including any licensed
2179 service component described in s. 397.311(26).

2180 t. The home addresses, telephone numbers, dates of birth,
2181 and photographs of current or former directors, managers,
2182 supervisors, and clinical employees of a child advocacy center
2183 that meets the standards of s. 39.3035(2) and fulfills the
2184 screening requirement of s. 39.3035(3), and the members of a
2185 Child Protection Team as described in s. 39.303 whose duties
2186 include supporting the investigation of child abuse or sexual
2187 abuse, child abandonment, child neglect, and child exploitation
2188 or to provide services as part of a multidisciplinary case

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2189 review team; the names, home addresses, telephone numbers,
2190 photographs, dates of birth, and places of employment of the
2191 spouses and children of such personnel and members; and the
2192 names and locations of schools and day care facilities attended
2193 by the children of such personnel and members are exempt from s.
2194 119.07(1) and s. 24(a), Art. I of the State Constitution.

2195 u. The home addresses, telephone numbers, places of
2196 employment, dates of birth, and photographs of current or former
2197 staff and domestic violence advocates, as defined in s.
2198 90.5036(1)(b), of domestic violence centers certified by the
2199 Department of Children and Families under chapter 39; the names,
2200 home addresses, telephone numbers, places of employment, dates
2201 of birth, and photographs of the spouses and children of such
2202 personnel; and the names and locations of schools and day care
2203 facilities attended by the children of such personnel are exempt
2204 from s. 119.07(1) and s. 24(a), Art. I of the State
2205 Constitution.

2206 3. An agency that is the custodian of the information
2207 specified in subparagraph 2. and that is not the employer of the
2208 officer, employee, justice, judge, or other person specified in
2209 subparagraph 2. must maintain the exempt status of that
2210 information only if the officer, employee, justice, judge, other
2211 person, or employing agency of the designated employee submits a
2212 written and notarized request for maintenance of the exemption
2213 to the custodial agency. The request must state under oath the

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2214 statutory basis for the individual's exemption request and
2215 confirm the individual's status as a party eligible for exempt
2216 status.

2217 4.a. A county property appraiser, as defined in s.
2218 192.001(3), or a county tax collector, as defined in s.
2219 192.001(4), who receives a written and notarized request for
2220 maintenance of the exemption pursuant to subparagraph 3. must
2221 comply by removing the name of the individual with exempt status
2222 and the instrument number or Official Records book and page
2223 number identifying the property with the exempt status from all
2224 publicly available records maintained by the property appraiser
2225 or tax collector. For written requests received on or before
2226 July 1, 2021, a county property appraiser or county tax
2227 collector must comply with this sub-subparagraph by October 1,
2228 2021. A county property appraiser or county tax collector may
2229 not remove the street address, legal description, or other
2230 information identifying real property within the agency's
2231 records so long as a name or personal information otherwise
2232 exempt from inspection and copying pursuant to this section are
2233 not associated with the property or otherwise displayed in the
2234 public records of the agency.

2235 b. Any information restricted from public display,
2236 inspection, or copying under sub-subparagraph a. must be
2237 provided to the individual whose information was removed.

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2238 5. An officer, an employee, a justice, a judge, or other
2239 person specified in subparagraph 2. may submit a written request
2240 for the release of his or her exempt information to the
2241 custodial agency. The written request must be notarized and must
2242 specify the information to be released and the party authorized
2243 to receive the information. Upon receipt of the written request,
2244 the custodial agency must release the specified information to
2245 the party authorized to receive such information.

2246 6. The exemptions in this paragraph apply to information
2247 held by an agency before, on, or after the effective date of the
2248 exemption.

2249 7. Information made exempt under this paragraph may be
2250 disclosed pursuant to s. 28.2221 to a title insurer authorized
2251 pursuant to s. 624.401 and its affiliates as defined in s.
2252 624.10; a title insurance agent or title insurance agency as
2253 defined in s. 626.841(1) or (2), respectively; or an attorney
2254 duly admitted to practice law in this state and in good standing
2255 with The Florida Bar.

2256 8. The exempt status of a home address contained in the
2257 Official Records is maintained only during the period when a
2258 protected party resides at the dwelling location. Upon
2259 conveyance of real property after October 1, 2021, and when such
2260 real property no longer constitutes a protected party's home
2261 address as defined in sub-subparagraph 1.a., the protected party
2262 must submit a written request to release the removed information

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2263 to the county recorder. The written request to release the
2264 removed information must be notarized, must confirm that a
2265 protected party's request for release is pursuant to a
2266 conveyance of his or her dwelling location, and must specify the
2267 Official Records book and page, instrument number, or clerk's
2268 file number for each document containing the information to be
2269 released.

2270 9. Upon the death of a protected party as verified by a
2271 certified copy of a death certificate or court order, any party
2272 can request the county recorder to release a protected
2273 decedent's removed information unless there is a related request
2274 on file with the county recorder for continued removal of the
2275 decedent's information or unless such removal is otherwise
2276 prohibited by statute or by court order. The written request to
2277 release the removed information upon the death of a protected
2278 party must attach the certified copy of a death certificate or
2279 court order and must be notarized, must confirm the request for
2280 release is due to the death of a protected party, and must
2281 specify the Official Records book and page number, instrument
2282 number, or clerk's file number for each document containing the
2283 information to be released. A fee may not be charged for the
2284 release of any document pursuant to such request.

2285 10. This paragraph is subject to the Open Government
2286 Sunset Review Act in accordance with s. 119.15 and shall stand

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2287 repealed on October 2, 2024, unless reviewed and saved from
2288 repeal through reenactment by the Legislature.

2289 Section 38. Subsection (4) of section 322.09, Florida
2290 Statutes, is amended to read:

2291 322.09 Application of minors; responsibility for
2292 negligence or misconduct of minor.—

2293 (4) Notwithstanding subsections (1) and (2), if a
2294 caregiver of a minor who is under the age of 18 years and is in
2295 out-of-home care as defined in s. 39.01 ~~s. 39.01(55)~~, an
2296 authorized representative of a residential group home at which
2297 such a minor resides, the caseworker at the agency at which the
2298 state has placed the minor, or a guardian ad litem specifically
2299 authorized by the minor's caregiver to sign for a learner's
2300 driver license signs the minor's application for a learner's
2301 driver license, that caregiver, group home representative,
2302 caseworker, or guardian ad litem does not assume any obligation
2303 or become liable for any damages caused by the negligence or
2304 willful misconduct of the minor by reason of having signed the
2305 application. Before signing the application, the caseworker,
2306 authorized group home representative, or guardian ad litem shall
2307 notify the caregiver or other responsible party of his or her
2308 intent to sign and verify the application.

2309 Section 39. Paragraph (p) of subsection (4) of section
2310 394.495, Florida Statutes, is amended to read:

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2311 394.495 Child and adolescent mental health system of care;
2312 programs and services.—

2313 (4) The array of services may include, but is not limited
2314 to:

2315 (p) Trauma-informed services for children who have
2316 suffered sexual exploitation as defined in s. 39.01 ~~s.~~
2317 ~~39.01(77)(g)~~.

2318 Section 40. Section 627.746, Florida Statutes, is amended
2319 to read:

2320 627.746 Coverage for minors who have a learner's driver
2321 license; additional premium prohibited.—An insurer that issues
2322 an insurance policy on a private passenger motor vehicle to a
2323 named insured who is a caregiver of a minor who is under the age
2324 of 18 years and is in out-of-home care as defined in s. 39.01 ~~s.~~
2325 ~~39.01(55)~~ may not charge an additional premium for coverage of
2326 the minor while the minor is operating the insured vehicle, for
2327 the period of time that the minor has a learner's driver
2328 license, until such time as the minor obtains a driver license.

2329 Section 41. Paragraph (b) of subsection (9) of section
2330 768.28, Florida Statutes, is amended to read:

2331 768.28 Waiver of sovereign immunity in tort actions;
2332 recovery limits; civil liability for damages caused during a
2333 riot; limitation on attorney fees; statute of limitations;
2334 exclusions; indemnification; risk management programs.—

2335 (9)

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2336 (b) As used in this subsection, the term:
2337 1. "Employee" includes any volunteer firefighter.
2338 2. "Officer, employee, or agent" includes, but is not
2339 limited to, any health care provider when providing services
2340 pursuant to s. 766.1115; any nonprofit independent college or
2341 university located and chartered in this state which owns or
2342 operates an accredited medical school, and its employees or
2343 agents, when providing patient services pursuant to paragraph
2344 (10) (f); any public defender or her or his employee or agent,
2345 including an assistant public defender or an investigator; and
2346 any member of a Child Protection Team, as defined in s. 39.01 ~~s.~~
2347 ~~39.01(13)~~, when carrying out her or his duties as a team member
2348 under the control, direction, and supervision of the state or
2349 any of its agencies or subdivisions.

2350 Section 42. Paragraph (c) of subsection (1) of section
2351 934.255, Florida Statutes, is amended to read:
2352 934.255 Subpoenas in investigations of sexual offenses.—
2353 (1) As used in this section, the term:
2354 (c) "Sexual abuse of a child" means a criminal offense
2355 based on any conduct described in s. 39.01 ~~s. 39.01(77)~~.

2356 Section 43. Subsection (5) of section 960.065, Florida
2357 Statutes, is amended to read:
2358 960.065 Eligibility for awards.—
2359 (5) A person is not ineligible for an award pursuant to
2360 paragraph (2) (a), paragraph (2) (b), or paragraph (2) (c) if that

Amendment No.

2361 person is a victim of sexual exploitation of a child as defined
2362 in s. 39.01 ~~s. 39.01(77)(g)~~.

2363 Section 44. Section 1009.898, Florida Statutes, is created
2364 to read:

2365 1009.898 Pathway to Prosperity grants.-

2366 (1) The Pathway to Prosperity program shall administer the
2367 following grants for youth and young adults aging out of foster
2368 care:

2369 (a) For financial literacy instruction, with curriculum
2370 developed by the Department of Financial Services.

2371 (b) For SAT and ACT preparation, including one-on-one
2372 support and fee waivers for the examination.

2373 (c) For youth and young adults planning to pursue trade
2374 careers or paid apprenticeships.

2375 (2) If a youth who is aging out of foster care is
2376 reunited with his or her parents, the grants remain available
2377 for the youth for 6 months after reunification with the parents.

2378 Section 45. The Division of Law Revision is requested to
2379 prepare a reviser's bill for the 2024 Regular Session of the
2380 Legislature to substitute the term "Statewide Guardian Ad Litem
2381 Office" for the term "Statewide Guardian ad Litem Office"
2382 throughout the Florida Statutes.

2383 Section 46. This act shall take effect July 1, 2023.

2384 -----
2385 -----

Amendment No.

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

Remove everything before the enacting clause and insert:
An act relating to dependent children; amending s. 39.001, F.S.;
revising the purposes of ch. 39, F.S.; revising the entities
involved in the state plan for the promotion of adoption,
support of adoptive families, and prevention of abuse,
abandonment, and neglect of children; amending s. 39.00145,
F.S.; clarifying the persons who may have access to records
concerning a child; amending s. 39.00146, F.S.; revising the
general information included on a child's face sheet; amending
s. 39.0016, F.S.; revising requirements for agency agreements
between the Department of Children and Families and district
school boards; amending s. 39.01, F.S.; defining terms and
revising definitions; amending s. 39.013, F.S.; requiring the
court to appoint a guardian ad litem at the earliest possible
time to represent a child for specified proceedings; authorizing
the court to appoint an attorney ad litem under certain
circumstances; amending s. 39.01305, F.S.; revising legislative
findings; authorizing the court to appoint an attorney ad litem
under certain circumstances; deleting the definition of the term
"dependent child"; deleting the requirement that an attorney be
appointed for a dependent child under certain circumstances;
requiring a court order appointing an attorney ad litem to be in
writing; requiring the court to discharge an attorney ad litem
under certain circumstances; authorizing an attorney ad litem to

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 875 (2023)

Amendment No.

2411 arrange for supplemental or separate counsel under certain
2412 circumstances; conforming provisions to changes made in the act;
2413 deleting a requirement that the department adopt certain
2414 procedures; deleting the department's authorization to adopt
2415 certain rules; deleting construction; providing applicability;
2416 amending s. 39.0132, F.S.; revising persons who have access to
2417 inspect and copy certain records; amending s. 39.0136, F.S.;;
2418 revising persons who may request a continuance in certain
2419 circumstances; amending s. 39.0139, F.S.;; conforming provisions
2420 to changes made by the act; amending s. 39.202, F.S.;; clarifying
2421 provisions governing persons who are granted access to certain
2422 records; conforming a cross-reference; amending s. 39.302, F.S.;;
2423 conforming cross-references; amending s. 39.402, F.S.;;
2424 conforming provisions to changes made by the act; deleting
2425 provisions relating to a child's consent to certain time
2426 limitations; amending s. 39.4022, F.S.;; revising participants
2427 that must be invited to a multidisciplinary team staffing;
2428 conforming provisions to changes made by the act; amending ss.
2429 39.4023 and 39.407, F.S.;; conforming provisions to changes made
2430 by the act; amending s. 39.4085, F.S.;; revising legislative
2431 findings; conforming provisions to changes made the act;
2432 amending s. 39.521, F.S.;; conforming a cross-reference; amending
2433 s. 39.522, F.S.;; conforming provisions to changes made by the
2434 act; amending s. 39.6012, F.S.;; conforming a cross-reference;
2435 modifying requirements for the case plans for children in out-

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 875 (2023)

Amendment No.

2436 of-home placements; creating s. 39.6036, F.S.; providing
2437 legislative findings and intent; requiring the Statewide
2438 Guardian ad Litem Office to work with certain youth to identify
2439 at least one supportive adult to enter into a specified formal
2440 agreement; requiring the Statewide Guardian ad Litem Office to
2441 ensure that such agreement is documented in the youth's court
2442 file; requiring the Statewide Guardian ad Litem Office to work
2443 in coordination with the Office of Continuing Care for a
2444 specified purpose; requiring that any agreement with a
2445 supportive adult be documented in the youth's court file;
2446 amending s. 39.621, F.S.; conforming provisions to changes made
2447 the act; amending s. 39.6241, F.S.; requiring a guardian ad
2448 litem to advise the court regarding certain information and
2449 ensure a certain agreement has been filed with the court;
2450 amending s. 39.701, F.S.; conforming changes made by the act;
2451 requiring the court to give a guardian ad litem the opportunity
2452 to address the court during judicial review hearings for
2453 children 16 and 17 years of age; revising the determinations
2454 that must be made at the final judicial review hearing before a
2455 child reaches 18 years of age; requiring the court to determine
2456 whether a child has entered into a formal agreement for an
2457 ongoing relationship with a supportive adult during certain
2458 judicial review hearings; requiring the court to inquire of a
2459 young adult transitioning from foster care to independent living
2460 regarding his or her relationship with a supportive adult during

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 875 (2023)

Amendment No.

2461 certain judicial review hearings; amending s. 39.801, F.S.;

2462 conforming provisions to changes made by the act; amending s.

2463 39.807, F.S.; revising a guardian ad litem's responsibilities

2464 and authorities; deleting provisions relating to a guardian ad

2465 litem's bond and service of pleadings and papers; amending s.

2466 39.808, F.S.; conforming provisions to changes made by the act;

2467 amending s. 39.815, F.S.; conforming provisions to changes made

2468 by the act; repealing s. 39.820, F.S., relating to definitions

2469 of the terms "guardian ad litem" and "guardian advocate";

2470 amending s. 39.821, F.S.; making technical changes; amending s.

2471 39.822, F.S.; specifying that a guardian ad litem is a

2472 fiduciary; requiring a guardian ad litem to provide certain

2473 representation; specifying the responsibilities of a guardian ad

2474 litem; requiring that guardians ad litem have certain access to

2475 the children they represent; specifying that a guardian ad litem

2476 is not required to post bond but must file an acceptance of the

2477 appointment; specifying that a guardian ad litem is entitled to

2478 receive service of certain pleadings and papers; clarifying a

2479 provision relating to parental reimbursement of guardian ad

2480 litem representation; amending s. 39.827, F.S.; revising persons

2481 authorized to inspect and copy certain records; amending s.

2482 39.8296, F.S.; making technical changes; revising the duties and

2483 appointment of the executive director of the Statewide Guardian

2484 ad Litem Office; revising the office's responsibilities;

2485 amending s. 39.8297, F.S.; conforming provisions to changes made

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2486 by the act; amending s. 39.8298, F.S.; authorizing the Statewide
2487 Guardian ad Litem Office to create or designate local direct-
2488 support organizations; authorizing the executive director to
2489 designate such organizations; conforming provisions to changes
2490 made by the act; requiring certain moneys to be held in a
2491 separate depository account; amending ss. 119.071, 322.09,
2492 394.495, 627.746, 768.28, 934.255, and 960.065, F.S.; conforming
2493 cross-references; creating s. 1009.898, F.S.; authorizing the
2494 Pathway to Prosperity program to provide certain grants to youth
2495 and young adults aging out of foster care; specifying that
2496 grants remain available for a certain timeframe for youth aging
2497 out of foster care who have reunited with parents; providing a
2498 directive to the Division of Law Revision; providing an
2499 effective date.

2500