



26 conforming provisions to changes made by the act;  
27 providing applicability; amending s. 39.0132, F.S.;  
28 authorizing a child's attorney ad litem to inspect  
29 certain records; amending s. 39.0136, F.S.; revising  
30 the parties who may request a continuance in a  
31 proceeding; amending s. 39.0139, F.S.; conforming  
32 provisions to changes made by the act; amending s.  
33 39.202, F.S.; requiring that certain confidential  
34 records be released to the guardian ad litem and  
35 attorney ad litem; conforming a cross-reference;  
36 amending s. 39.402, F.S.; requiring parents to consent  
37 to provide certain information to the guardian ad  
38 litem and attorney ad litem; conforming provisions to  
39 changes made by the act; amending s. 39.4022, F.S.;  
40 revising the participants who must be invited to a  
41 multidisciplinary team staffing; amending s. 39.4023,  
42 F.S.; requiring notice of a multidisciplinary team  
43 staffing be provided to a child's guardian ad litem  
44 and attorney ad litem; conforming provisions to  
45 changes made by the act; amending s. 39.407, F.S.;  
46 conforming provisions to changes made by the act;  
47 amending s. 39.4085, F.S.; providing a goal of  
48 permanency; conforming provisions to changes made by  
49 the act; amending s. 39.522, F.S.; conforming  
50 provisions to changes made by the act; amending s.

51 39.6012, F.S.; requiring a case plan to include  
52 written descriptions of certain activities; conforming  
53 a cross-reference; creating s. 39.6036, F.S.;  
54 providing legislative findings and intent; requiring  
55 the Statewide Guardian ad Litem Office to work with  
56 certain children to identify a supportive adult to  
57 enter into a specified agreement; requiring such  
58 agreement be documented in the child's court file;  
59 requiring the office to coordinate with the Office of  
60 Continuing Care for a specified purpose; amending s.  
61 39.621, F.S.; conforming provisions to changes made by  
62 the act; amending s. 39.6241, F.S.; requiring a  
63 guardian ad litem to advise the court regarding  
64 certain information and to ensure a certain agreement  
65 has been documented in the child's court file;  
66 amending s. 39.701, F.S.; requiring certain notice be  
67 given to an attorney ad litem; requiring a court to  
68 give a guardian ad litem an opportunity to address the  
69 court in certain proceedings; requiring the court to  
70 inquire and determine if a child has a certain  
71 agreement documented in his or her court file at a  
72 specified hearing; conforming provisions to changes  
73 made by the act; amending s. 39.801, F.S.; conforming  
74 provisions to changes made by the act; amending s.  
75 39.807, F.S.; requiring a court to appoint a guardian

76 ad litem to represent the child; revising a guardian  
77 ad litem's responsibilities and authorities; deleting  
78 provisions relating to bonds and service of pleadings  
79 or papers; amending s. 39.808, F.S.; conforming  
80 provisions to changes made by the act; amending s.  
81 39.815, F.S.; conforming provisions to changes made by  
82 the act; repealing s. 39.820, F.S., relating to  
83 definitions of the terms "guardian ad litem" and  
84 "guardian advocate"; amending s. 39.821, F.S.;  
85 conforming provisions to changes made by the act;  
86 amending s. 39.822, F.S.; providing that a guardian ad  
87 litem is a fiduciary and must provide independent  
88 representation to a child; revising responsibilities  
89 of a guardian ad litem; requiring that guardians ad  
90 litem have certain access to the children the  
91 guardians ad litem represent; providing actions that a  
92 guardian ad litem does or does not have to fulfill;  
93 amending s. 39.827, F.S.; authorizing a child's  
94 guardian ad litem and attorney ad litem to inspect  
95 certain records; amending s. 39.8296, F.S.; revising  
96 the duties and appointment of the executive director  
97 of the Statewide Guardian ad Litem Office; requiring  
98 the training program for guardians ad litem to be  
99 updated regularly; requiring the office to provide  
100 oversight and technical assistance to attorneys ad

101 litem; specifying certain requirements of the office;  
 102 amending s. 39.8297, F.S.; conforming provisions to  
 103 changes made by the act; amending s. 39.8298, F.S.;  
 104 authorizing the executive director of the Statewide  
 105 Guardian ad Litem Office to create or designate local  
 106 direct-support organizations; providing  
 107 responsibilities for the executive director of the  
 108 office; requiring that certain moneys be held in a  
 109 separate depository account; conforming provisions to  
 110 changes made by the act; creating s. 1009.898, F.S.;  
 111 authorizing the Pathway to Prosperity program to  
 112 provide certain grants to youth and young adults who  
 113 are aging out of foster care; requiring grants to  
 114 extend for a certain period of time after a recipient  
 115 is reunited with his or her parents; amending ss.  
 116 39.302, 39.521, 119.071, 322.09, 394.495, 627.746,  
 117 768.28, 934.255, and 960.065, F.S.; conforming cross-  
 118 references; providing a directive to the Division of  
 119 Law Revision; providing an effective date;

120

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

122

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

126 39.001 Purposes and intent; personnel standards and  
 127 screening.—

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

129 (j) To ensure that, when reunification or adoption is not  
 130 possible, the child will be prepared for alternative permanency  
 131 goals or placements, to include, but not be limited to, long-  
 132 term foster care, independent living, custody to a relative on a  
 133 permanent basis with or without legal guardianship, or custody  
 134 to a foster parent or legal custodian on a permanent basis with  
 135 or without legal guardianship. Permanency for a child who is  
 136 transitioning from foster care to independent living includes  
 137 naturally occurring, lifelong, kin-like connections between the  
 138 child and a supportive adult.

139 (10) PLAN FOR COMPREHENSIVE APPROACH.—

140 (a) The office shall develop a state plan for the  
 141 promotion of adoption, support of adoptive families, and  
 142 prevention of abuse, abandonment, and neglect of children. The  
 143 Department of Children and Families, the Department of  
 144 Corrections, the Department of Education, the Department of  
 145 Health, the Department of Juvenile Justice, the Department of  
 146 Law Enforcement, the Statewide Guardian ad Litem Office, and the  
 147 Agency for Persons with Disabilities shall participate and fully  
 148 cooperate in the development of the state plan at both the state  
 149 and local levels. Furthermore, appropriate local agencies and  
 150 organizations shall be provided an opportunity to participate in

151 the development of the state plan at the local level.  
152 Appropriate local groups and organizations shall include, but  
153 not be limited to, community mental health centers; circuit  
154 guardian ad litem offices ~~programs for children under the~~  
155 ~~circuit court~~; the school boards of the local school districts;  
156 the Florida local advocacy councils; community-based care lead  
157 agencies; private or public organizations or programs with  
158 recognized expertise in working with child abuse prevention  
159 programs for children and families; private or public  
160 organizations or programs with recognized expertise in working  
161 with children who are sexually abused, physically abused,  
162 emotionally abused, abandoned, or neglected and with expertise  
163 in working with the families of such children; private or public  
164 programs or organizations with expertise in maternal and infant  
165 health care; multidisciplinary Child Protection Teams; child day  
166 care centers; law enforcement agencies; and the circuit courts,  
167 ~~when guardian ad litem programs are not available in the local~~  
168 ~~area~~. The state plan to be provided to the Legislature and the  
169 Governor shall include, as a minimum, the information required  
170 of the various groups in paragraph (b).

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

173 39.00145 Records concerning children.—

174 (2) Notwithstanding any other provision of this chapter,  
175 all records in a child's case record must be made available for

176 inspection, upon request, to the child who is the subject of the  
177 case record and to the child's caregiver, guardian ad litem, or  
178 attorney ad litem, if one is appointed.

179 (a) A complete and accurate copy of any record in a  
180 child's case record must be provided, upon request and at no  
181 cost, to the child who is the subject of the case record and to  
182 the child's caregiver, guardian ad litem, or attorney ad litem,  
183 if one is appointed.

184 (b) The department shall release the information in a  
185 manner and setting that are appropriate to the age and maturity  
186 of the child and the nature of the information being released,  
187 which may include the release of information in a therapeutic  
188 setting, if appropriate. This paragraph does not deny the child  
189 access to his or her records.

190 (c) If a child or the child's caregiver, guardian ad  
191 litem, or attorney ad litem, if one is appointed, requests  
192 access to the child's case record, any person or entity that  
193 fails to provide any record in the case record under assertion  
194 of a claim of exemption from the public records requirements of  
195 chapter 119, or fails to provide access within a reasonable  
196 time, is subject to sanctions and penalties under s. 119.10.

197 (d) For the purposes of this subsection, the term  
198 "caregiver" is limited to parents, legal custodians, permanent  
199 guardians, or foster parents; employees of a residential home,  
200 institution, facility, or agency at which the child resides; and



201 other individuals legally responsible for a child's welfare in a  
 202 residential setting.

203 Section 3. Paragraph (a) of subsection (2) of section  
 204 39.00146, Florida Statutes, is amended to read:

205 39.00146 Case record face sheet.—

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

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

214 1. The child's name and date of birth .~~;~~

215 2. The current county of residence and the county of  
 216 residence at the time of the referral .~~;~~

217 3. The reason for the referral and any family safety  
 218 concerns .~~;~~

219 4. The personal identifying information of the parents or  
 220 legal custodians who had custody of the child at the time of the  
 221 referral, including name, date of birth, and county of  
 222 residence .~~;~~

223 5. The date of removal from the home .~~;~~ ~~and~~

224 6. The name and contact information of the attorney or  
 225 attorneys assigned to the case in all capacities, including the

226 attorney or attorneys that represent the department and the  
 227 parents, and the guardian ad litem, ~~if one has been appointed.~~

228 Section 4. Paragraph (b) of subsection (2) of section  
 229 39.0016, Florida Statutes, is amended to read:

230 39.0016 Education of abused, neglected, and abandoned  
 231 children; agency agreements; children having or suspected of  
 232 having a disability.—

233 (2) AGENCY AGREEMENTS.—

234 (b) The department shall enter into agreements with  
 235 district school boards or other local educational entities  
 236 regarding education and related services for children known to  
 237 the department who are of school age and children known to the  
 238 department who are younger than school age but who would  
 239 otherwise qualify for services from the district school board.  
 240 Such agreements must ~~shall~~ include, but are not limited to:

241 1. A requirement that the department shall:

242 a. Ensure that children known to the department are  
 243 enrolled in school or in the best educational setting that meets  
 244 the needs of the child. The agreement must ~~shall~~ provide for  
 245 continuing the enrollment of a child known to the department at  
 246 the school of origin when possible if it is in the best interest  
 247 of the child, with the goal of minimal disruption of education.

248 b. Notify the school and school district in which a child  
 249 known to the department is enrolled of the name and phone number  
 250 of the child known to the department caregiver and caseworker

251 | for child safety purposes.

252 |       c. Establish a protocol for the department to share  
 253 | information about a child known to the department with the  
 254 | school district, consistent with the Family Educational Rights  
 255 | and Privacy Act, since the sharing of information will assist  
 256 | each agency in obtaining education and related services for the  
 257 | benefit of the child. The protocol must require the district  
 258 | school boards or other local educational entities to access the  
 259 | department's Florida Safe Families Network to obtain information  
 260 | about children known to the department, consistent with the  
 261 | Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. s.  
 262 | 1232g.

263 |       d. Notify the school district of the department's case  
 264 | planning for a child known to the department, both at the time  
 265 | of plan development and plan review. Within the plan development  
 266 | or review process, the school district may provide information  
 267 | regarding the child known to the department if the school  
 268 | district deems it desirable and appropriate.

269 |       e. Show no prejudice against a caregiver who desires to  
 270 | educate at home a child placed in his or her home through the  
 271 | child welfare system.

272 |       2. A requirement that the district school board shall:

273 |       a. Provide the department with a general listing of the  
 274 | services and information available from the district school  
 275 | board to facilitate educational access for a child known to the

276 department.

277       b. Identify all educational and other services provided by  
 278 the school and school district which the school district  
 279 believes are reasonably necessary to meet the educational needs  
 280 of a child known to the department.

281       c. Determine whether transportation is available for a  
 282 child known to the department when such transportation will  
 283 avoid a change in school assignment due to a change in  
 284 residential placement. Recognizing that continued enrollment in  
 285 the same school throughout the time the child known to the  
 286 department is in out-of-home care is preferable unless  
 287 enrollment in the same school would be unsafe or otherwise  
 288 impractical, the department, the district school board, and the  
 289 Department of Education shall assess the availability of  
 290 federal, charitable, or grant funding for such transportation.

291       d. Provide individualized student intervention or an  
 292 individual educational plan when a determination has been made  
 293 through legally appropriate criteria that intervention services  
 294 are required. The intervention or individual educational plan  
 295 must include strategies to enable the child known to the  
 296 department to maximize the attainment of educational goals.

297       3. A requirement that the department and the district  
 298 school board shall cooperate in accessing the services and  
 299 supports needed for a child known to the department who has or  
 300 is suspected of having a disability to receive an appropriate

301 education consistent with the Individuals with Disabilities  
302 Education Act and state implementing laws, rules, and  
303 assurances. Coordination of services for a child known to the  
304 department who has or is suspected of having a disability may  
305 include:

- 306 a. Referral for screening.
- 307 b. Sharing of evaluations between the school district and  
308 the department where appropriate.
- 309 c. Provision of education and related services appropriate  
310 for the needs and abilities of the child known to the  
311 department.
- 312 d. Coordination of services and plans between the school  
313 and the residential setting to avoid duplication or conflicting  
314 service plans.
- 315 e. Appointment of a surrogate parent, consistent with the  
316 Individuals with Disabilities Education Act and pursuant to  
317 subsection (3), for educational purposes for a child known to  
318 the department who qualifies.
- 319 f. For each child known to the department 14 years of age  
320 and older, transition planning by the department and all  
321 providers, including the department's independent living program  
322 staff and the guardian ad litem of the child, to meet the  
323 requirements of the local school district for educational  
324 purposes.

325 Section 5. Subsections (8) through (30) and (31) through

326 (87) of section 39.01, Florida Statutes, are renumbered as  
327 subsections (9) through (31) and (34) through (90),  
328 respectively, present subsections (9), (36), and (58) are  
329 amended, and new subsections (8), (32), and (33) are added to  
330 that section, to read:

331 39.01 Definitions.—When used in this chapter, unless the  
332 context otherwise requires:

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

337 (10)~~(9)~~ "Caregiver" means the parent, legal custodian,  
338 permanent guardian, adult household member, or other person  
339 responsible for a child's welfare as defined in subsection  
340 (57)~~(54)~~.

341 (32) "Guardian ad litem" means a person or entity that is  
342 a fiduciary appointed by the court to represent a child in any  
343 civil, criminal, or administrative proceeding to which the child  
344 is a party, including, but not limited to, under this chapter,  
345 which uses a best interest standard for decisionmaking and  
346 advocacy. For purposes of this chapter, the term includes, but  
347 is not limited to, the Statewide Guardian ad Litem Office, which  
348 includes all circuit guardian ad litem offices and the duly  
349 certified volunteers, staff, and attorneys assigned by the  
350 Statewide Guardian ad Litem Office to represent children; a

351 court-appointed attorney; or a responsible adult who is  
 352 appointed by the court. A guardian ad litem is a party to the  
 353 judicial proceeding as a representative of the child and serves  
 354 until the jurisdiction of the court over the child terminates or  
 355 until excused by the court.

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

359 (39)~~(36)~~ "Institutional child abuse or neglect" means  
 360 situations of known or suspected child abuse or neglect in which  
 361 the person allegedly perpetrating the child abuse or neglect is  
 362 an employee of a public or private school, public or private day  
 363 care center, residential home, institution, facility, or agency  
 364 or any other person at such institution responsible for the  
 365 child's welfare as defined in subsection (57)~~(54)~~.

366 (61)~~(58)~~ "Party" means the parent or parents of the child,  
 367 the petitioner, the department, the guardian ad litem ~~or the~~  
 368 ~~representative of the guardian ad litem program when the program~~  
 369 ~~has been appointed~~, and the child. The presence of the child may  
 370 be excused by order of the court when presence would not be in  
 371 the child's best interest. Notice to the child may be excused by  
 372 order of the court when the age, capacity, or other condition of  
 373 the child is such that the notice would be meaningless or  
 374 detrimental to the child.

375 Section 6. Subsection (11) of section 39.013, Florida

376 Statutes, is amended and subsection (13) is added to that  
 377 section, to read:

378 39.013 Procedures and jurisdiction; right to counsel;  
 379 guardian ad litem and attorney ad litem.—

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

386 (13) The court may appoint an attorney ad litem for a  
 387 child if the court believes the child is in need of such  
 388 representation and determines that the child has a rational and  
 389 factual understanding of the proceedings and sufficient present  
 390 ability to consult with an attorney with a reasonable degree of  
 391 rational understanding.

392 Section 7. Section 39.01305, Florida Statutes, is amended  
 393 to read:

394 39.01305 Appointment of an attorney ad litem for a  
 395 dependent child ~~with certain special needs.~~—

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

397 ~~1.~~ all children in proceedings under this chapter have  
 398 important interests at stake, such as health, safety, and well-  
 399 being and the need to obtain permanency. While such children are  
 400 represented by the Statewide Guardian ad Litem Office using a



401 best interest standard of decisionmaking and advocacy, some  
402 children may also need representation by an attorney ad litem in  
403 proceedings under this chapter.

404 (2) The court may appoint an attorney ad litem for a child  
405 if the court believes the child is in need of such  
406 representation and determines that the child has a rational and  
407 factual understanding of the proceedings and sufficient present  
408 ability to consult with an attorney with a reasonable degree of  
409 rational understanding.

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

416 ~~(b) The Legislature recognizes the existence of~~  
417 ~~organizations that provide attorney representation to children~~  
418 ~~in certain jurisdictions throughout the state. Further, the~~  
419 ~~statewide Guardian Ad Litem Program provides best interest~~  
420 ~~representation for dependent children in every jurisdiction in~~  
421 ~~accordance with state and federal law. The Legislature,~~  
422 ~~therefore, does not intend that funding provided for~~  
423 ~~representation under this section supplant proven and existing~~  
424 ~~organizations representing children. Instead, the Legislature~~  
425 ~~intends that funding provided for representation under this~~

426 ~~section be an additional resource for the representation of more~~  
427 ~~children in these jurisdictions, to the extent necessary to meet~~  
428 ~~the requirements of this chapter, with the cooperation of~~  
429 ~~existing local organizations or through the expansion of those~~  
430 ~~organizations. The Legislature encourages the expansion of pro~~  
431 ~~bono representation for children. This section is not intended~~  
432 ~~to limit the ability of a pro bono attorney to appear on behalf~~  
433 ~~of a child.~~

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

438 ~~(3) An attorney shall be appointed for a dependent child~~  
439 ~~who:~~

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

442 ~~(b) Is prescribed a psychotropic medication but declines~~  
443 ~~assent to the psychotropic medication;~~

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

446 ~~(d) Is being placed in a residential treatment center or~~  
447 ~~being considered for placement in a residential treatment~~  
448 ~~center; or~~

449 ~~(e) Is a victim of human trafficking as defined in s.~~  
450 ~~787.06(2) (d).~~

451 ~~(3)(a)-(4)(a)~~ Before a court may appoint an attorney ad  
452 litem, who may be compensated pursuant to this section, the  
453 court must request a recommendation from the Statewide Guardian  
454 ad Litem Office for an attorney who is willing to represent a  
455 child without additional compensation. If such an attorney is  
456 available within 15 days after the court's request, the court  
457 must appoint that attorney. However, the court may appoint a  
458 compensated attorney within the 15-day period if the Statewide  
459 Guardian ad Litem Office informs the court that the office is  
460 unable ~~it will not be able~~ to recommend an attorney within that  
461 time period.

462 (b) A court order appointing ~~After~~ an attorney ad litem  
463 under this section must be in writing. ~~is appointed, the~~  
464 ~~appointment continues in effect until the attorney is allowed to~~  
465 ~~withdraw or is discharged by~~ The court must discharge ~~or until~~  
466 ~~the case is dismissed.~~ an attorney ad litem who is appointed  
467 under this section if the need for such representation is  
468 resolved ~~to represent the child shall provide the complete range~~  
469 ~~of legal services, from the removal from home or from the~~  
470 ~~initial appointment through all available appellate proceedings.~~  
471 With the permission of the court, the attorney ad litem ~~for the~~  
472 ~~dependent child~~ may arrange for supplemental or separate counsel  
473 to represent the child in appellate proceedings. ~~A court order~~  
474 ~~appointing an attorney under this section must be in writing.~~

475 ~~(4)-(5)~~ Unless the attorney ad litem has agreed to provide

476 pro bono services, an appointed attorney ad litem or  
 477 organization must be adequately compensated. All appointed  
 478 attorneys ad litem and organizations, including pro bono  
 479 attorneys, must be provided with access to funding for expert  
 480 witnesses, depositions, and other due process costs of  
 481 litigation. Payment of attorney fees and case-related due  
 482 process costs are subject to appropriations and review by the  
 483 Justice Administrative Commission for reasonableness. The  
 484 Justice Administrative Commission shall contract with attorneys  
 485 ad litem appointed by the court. Attorney fees may not exceed  
 486 \$1,000 per child per year.

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

491 ~~(7) The department may adopt rules to administer this~~  
 492 ~~section.~~

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

496 (5)-(9) Implementation of this section is subject to  
 497 appropriations expressly made for that purpose.

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

501           Section 9. Subsection (3) of section 39.0132, Florida  
 502 Statutes, is amended to read:  
 503           39.0132 Oaths, records, and confidential information.—  
 504           (3) The clerk shall keep all court records required by  
 505 this chapter separate from other records of the circuit court.  
 506 All court records required by this chapter may ~~shall~~ not be open  
 507 to inspection by the public. All records may ~~shall~~ be inspected  
 508 only upon order of the court by persons deemed by the court to  
 509 have a proper interest therein, except that, subject to ~~the~~  
 510 ~~provisions of~~ s. 63.162, a child, and the parents of the child  
 511 and their attorneys, the guardian ad litem, criminal conflict  
 512 and civil regional counsels, law enforcement agencies, ~~and~~ the  
 513 department and its designees, and the attorney ad litem, if one  
 514 is appointed, ~~shall~~ always have the right to inspect and copy  
 515 any official record pertaining to the child. The Justice  
 516 Administrative Commission may inspect court dockets required by  
 517 this chapter as necessary to audit compensation of court-  
 518 appointed attorneys ad litem. If the docket is insufficient for  
 519 purposes of the audit, the commission may petition the court for  
 520 additional documentation as necessary and appropriate. The court  
 521 may permit authorized representatives of recognized  
 522 organizations compiling statistics for proper purposes to  
 523 inspect and make abstracts from official records, under whatever  
 524 conditions upon their use and disposition the court may deem  
 525 proper, and may punish by contempt proceedings any violation of

526 those conditions.

527 Section 10. Paragraph (a) of subsection (3) of section  
528 39.0136, Florida Statutes, is amended to read:

529 39.0136 Time limitations; continuances.—

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

531 (a) Periods of delay resulting from a continuance granted  
532 at the request of the child's counsel, ~~or the child's~~ guardian  
533 ad litem, or attorney ad litem, if one is appointed, ~~if the~~  
534 ~~child is of sufficient capacity to express reasonable consent,~~  
535 ~~at the request or with the consent of the child.~~ The court must  
536 consider the best interests of the child when determining  
537 periods of delay under this section.

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

540 39.0139 Visitation or other contact; restrictions.—

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

545 (a) Before ~~Prior to~~ the hearing, the court shall appoint  
546 ~~an attorney ad litem or~~ a guardian ad litem for the child if one  
547 has not already been appointed. The guardian ad litem and Any  
548 attorney ad litem, if one is ~~or guardian ad litem~~ appointed,  
549 must ~~shall~~ have special training in the dynamics of child sexual  
550 abuse.

551 (b) At the hearing, the court may receive and rely upon  
 552 any relevant and material evidence submitted to the extent of  
 553 its probative value, including written and oral reports or  
 554 recommendations from the Child Protection Team, the child's  
 555 therapist, the child's guardian ad litem, or the child's  
 556 attorney ad litem, if one is appointed, even if these reports,  
 557 recommendations, and evidence may not be admissible under the  
 558 rules of evidence.

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

561 39.202 Confidentiality of reports and records in cases of  
 562 child abuse or neglect; exception.—

563 (2) Except as provided in subsection (4), access to such  
 564 records, excluding the name of, or other identifying information  
 565 with respect to, the reporter which may only ~~shall~~ be released  
 566 ~~only~~ as provided in subsection (5), may only ~~shall~~ be granted  
 567 ~~only~~ to the following persons, officials, and agencies:

568 (d) The parent or legal custodian of any child who is  
 569 alleged to have been abused, abandoned, or neglected; the child;  
 570 the guardian ad litem; the attorney ad litem, if one is  
 571 appointed; or, ~~and the child, and their attorneys, including any~~  
 572 attorney representing a child in civil or criminal proceedings.  
 573 This access must ~~shall~~ be made available no later than 60 days  
 574 after the department receives the initial report of abuse,  
 575 neglect, or abandonment. However, any information otherwise made

576 confidential or exempt by law may ~~shall~~ not be released pursuant  
 577 to this paragraph.

578 (t) Persons with whom the department is seeking to place  
 579 the child or to whom placement has been granted, including  
 580 foster parents for whom an approved home study has been  
 581 conducted, the designee of a licensed child-caring agency as  
 582 defined in s. 39.01 ~~s. 39.01(41)~~, an approved relative or  
 583 nonrelative with whom a child is placed pursuant to s. 39.402,  
 584 preadoptive parents for whom a favorable preliminary adoptive  
 585 home study has been conducted, adoptive parents, or an adoption  
 586 entity acting on behalf of preadoptive or adoptive parents.

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

590 39.402 Placement in a shelter.-

591 (11)

592 (b) The court shall request that the parents consent to  
 593 provide access to the child's medical records and provide  
 594 information to the court, the department or its contract  
 595 agencies, and the ~~any~~ guardian ad litem and ~~or~~ attorney ad  
 596 litem, if one is appointed, for the child. If a parent is  
 597 unavailable or unable to consent or withholds consent and the  
 598 court determines access to the records and information is  
 599 necessary to provide services to the child, the court shall  
 600 issue an order granting access. The court may also order the



601 parents to provide all known medical information to the  
 602 department and to any others granted access under this  
 603 subsection.

604 (c) The court shall request that the parents consent to  
 605 provide access to the child's child care records, early  
 606 education program records, or other educational records and  
 607 provide information to the court, the department or its contract  
 608 agencies, and the any guardian ad litem and ~~or~~ attorney ad  
 609 litem, if one is appointed, for the child. If a parent is  
 610 unavailable or unable to consent or withholds consent and the  
 611 court determines access to the records and information is  
 612 necessary to provide services to the child, the court shall  
 613 issue an order granting access.

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

615 (a) Periods of delay resulting from a continuance granted  
 616 at the request or with the consent of the child's ~~counsel or the~~  
 617 ~~child's~~ guardian ad litem or attorney ad litem, if one is ~~has~~  
 618 ~~been~~ appointed by the court, ~~or, if the child is of sufficient~~  
 619 ~~capacity to express reasonable consent, at the request or with~~  
 620 ~~the consent of the child's attorney or the child's guardian ad~~  
 621 ~~litem, if one has been appointed by the court, and the child.~~

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

624 39.4022 Multidisciplinary teams; staffings; assessments;  
 625 report.-

626 (4) PARTICIPANTS.—

627 (a) Collaboration among diverse individuals who are part  
628 of the child's network is necessary to make the most informed  
629 decisions possible for the child. A diverse team is preferable  
630 to ensure that the necessary combination of technical skills,  
631 cultural knowledge, community resources, and personal  
632 relationships is developed and maintained for the child and  
633 family. The participants necessary to achieve an appropriately  
634 diverse team for a child may vary by child and may include  
635 extended family, friends, neighbors, coaches, clergy, coworkers,  
636 or others the family identifies as potential sources of support.

637 1. Each multidisciplinary team staffing must invite the  
638 following members:

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

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

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

650 d. A representative from the department other than the

651 Children's Legal Services attorney, when the department is  
652 directly involved in the goal identified by the staffing;

653 e. A representative from the community-based care lead  
654 agency, when the lead agency is directly involved in the goal  
655 identified by the staffing;

656 f. The case manager for the child, or his or her case  
657 manager supervisor; and

658 g. A representative from the Department of Juvenile  
659 Justice, if the child is dually involved with both the  
660 department and the Department of Juvenile Justice.

661 2. The multidisciplinary team must make reasonable efforts  
662 to have all mandatory invitees attend. However, the  
663 multidisciplinary team staffing may not be delayed if the  
664 invitees in subparagraph 1. fail to attend after being provided  
665 reasonable opportunities.

666 (b) Based on the particular goal the multidisciplinary  
667 team staffing identifies as the purpose of convening the  
668 staffing as provided under subsection (5), the department or  
669 lead agency may also invite to the meeting other professionals,  
670 including, but not limited to:

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

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

673 2.3. A school personnel representative who has direct  
674 contact with the child;

675 3.4. A therapist or other behavioral health professional,

676 if applicable;

677 ~~4.5.~~ A mental health professional with expertise in  
678 sibling bonding, if the department or lead agency deems such  
679 expert is necessary; or

680 ~~5.6.~~ Other community providers of services to the child or  
681 stakeholders, when applicable.

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

685 39.4023 Placement and education transitions; transition  
686 plans.—

687 (3) PLACEMENT TRANSITIONS.—

688 (d) Transition planning.—

689 1. If the supportive services provided pursuant to  
690 paragraph (c) have not been successful to make the maintenance  
691 of the placement suitable or if there are other circumstances  
692 that require the child to be moved, the department or the  
693 community-based care lead agency must convene a  
694 multidisciplinary team staffing as required under s. 39.4022  
695 before the child's placement is changed, or within 72 hours of  
696 moving the child in an emergency situation, for the purpose of  
697 developing an appropriate transition plan.

698 2. A placement change may occur immediately in an  
699 emergency situation without convening a multidisciplinary team  
700 staffing. However, a multidisciplinary team staffing must be

701 held within 72 hours after the emergency situation arises.

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

709 a. The child, unless he or she, due to age or capacity, is  
 710 unable to comprehend the written notice, which will necessitate  
 711 the department or lead agency to provide notice in an age-  
 712 appropriate and capacity-appropriate alternative manner.~~;~~

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

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

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

716 e. The attorney ad litem for the child, if one is  
 717 appointed.~~;~~ ~~and~~

718 f. The attorney for the department.

719 4. The transition plan must be developed through  
 720 cooperation among the persons included in subparagraph 3., and  
 721 such persons must share any relevant information necessary for  
 722 its development. Subject to the child's needs and preferences,  
 723 the transition plan must meet the requirements of s.  
 724 409.1415(2)(b)8. and exclude any placement changes that occur  
 725 between 7 p.m. and 8 a.m.

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

730           (4) EDUCATION TRANSITIONS.—

731           (c) Minimizing school changes.—

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

736           2. Members of a multidisciplinary team staffing convened  
737 for a purpose other than a school change must determine the  
738 child's best interest regarding remaining in the school or  
739 program of origin if the child's educational options are  
740 affected by any other decision being made by the  
741 multidisciplinary team.

742           3. The determination of whether it is in the child's best  
743 interest to remain in the school of origin, and if not, of which  
744 school the child will attend in the future, must be made in  
745 consultation with the following individuals, including, but not  
746 limited to, the child; the parents; the caregiver; the child  
747 welfare professional; the guardian ad litem, ~~if appointed~~; the  
748 educational surrogate, if appointed; child care and educational  
749 staff, including teachers and guidance counselors; and the  
750 school district representative or foster care liaison. A

751 multidisciplinary team member may contact any of these  
752 individuals in advance of a multidisciplinary team staffing to  
753 obtain his or her recommendation. An individual may remotely  
754 attend the multidisciplinary team staffing if one of the  
755 identified goals is related to determining an educational  
756 placement. The multidisciplinary team may rely on a report from  
757 the child's current school or program district and, if  
758 applicable, any other school district being considered for the  
759 educational placement if the required school personnel are not  
760 available to attend the multidisciplinary team staffing in  
761 person or remotely.

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

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

769 b. The preference of the child's parents or legal  
770 guardians.

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

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

775 e. Whether the child is suspected of having a disability

776 | under the Individuals with Disabilities Education Act (IDEA) or  
 777 | s. 504 of the Rehabilitation Act of 1973, or has begun receiving  
 778 | interventions under this state's multitiered system of supports.

779 |       f. Whether the child has an evaluation pending for special  
 780 | education and related services under IDEA or s. 504 of the  
 781 | Rehabilitation Act of 1973.

782 |       g. Whether the child is a student with a disability under  
 783 | IDEA who is receiving special education and related services or  
 784 | a student with a disability under s. 504 of the Rehabilitation  
 785 | Act of 1973 who is receiving accommodations and services and, if  
 786 | so, whether those required services are available in a school or  
 787 | program other than the school or program of origin.

788 |       h. Whether the child is an English Language Learner  
 789 | student and is receiving language services and, if so, whether  
 790 | those required services are available in a school or program  
 791 | other than the school or program of origin.

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

794 |       j. The availability of extracurricular activities  
 795 | important to the child.

796 |       k. The child's known individualized educational plan or  
 797 | other medical and behavioral health needs and whether such plan  
 798 | or needs are able to be met at a school or program other than  
 799 | the school or program of origin.

800 |       l. The child's permanency goal and timeframe for achieving



801 permanency.

802 m. The child's history of school transfers and how such  
803 transfers have impacted the child academically, emotionally, and  
804 behaviorally.

805 n. The length of the commute to the school or program from  
806 the child's home or placement and how such commute would impact  
807 the child.

808 o. The length of time the child has attended the school or  
809 program of origin.

810 5. The cost of transportation cannot be a factor in making  
811 a best interest determination.

812 Section 16. Paragraph (f) of subsection (3) of section  
813 39.407, Florida Statutes, is amended to read:

814 39.407 Medical, psychiatric, and psychological examination  
815 and treatment of child; physical, mental, or substance abuse  
816 examination of person with or requesting child custody.—

817 (3)

818 (f)1. The department shall fully inform the court of the  
819 child's medical and behavioral status as part of the social  
820 services report prepared for each judicial review hearing held  
821 for a child for whom psychotropic medication has been prescribed  
822 or provided under this subsection. As a part of the information  
823 provided to the court, the department shall furnish copies of  
824 all pertinent medical records concerning the child which have  
825 been generated since the previous hearing. On its own motion or

826 on good cause shown by any party, including the ~~any~~ guardian ad  
 827 litem, ~~attorney,~~ or attorney ad litem, if one is ~~who has been~~  
 828 appointed ~~to represent the child or the child's interests,~~ the  
 829 court may review the status more frequently than required in  
 830 this subsection.

831 2. The court may, in the best interests of the child,  
 832 order the department to obtain a medical opinion addressing  
 833 whether the continued use of the medication under the  
 834 circumstances is safe and medically appropriate.

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

837 39.4085 Goals for dependent children; responsibilities;  
 838 education.—

839 (1) The Legislature finds that the design and delivery of  
 840 child welfare services should be directed by the principle that  
 841 the health and safety of children, including the freedom from  
 842 abuse, abandonment, or neglect, is of paramount concern and,  
 843 therefore, establishes the following goals for children in  
 844 shelter or foster care:

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

851 (t) To have a guardian ad litem appointed ~~to represent,~~  
 852 ~~within reason, their best interests~~ and, if appropriate, an  
 853 attorney ad litem ~~appointed to represent their legal interests;~~  
 854 the guardian ad litem and attorney ad litem, if one is  
 855 appointed, ~~shall~~ have immediate and unlimited access to the  
 856 children they represent.

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

860  
 861 This subsection establishes goals and not rights. This  
 862 subsection does not require the delivery of any particular  
 863 service or level of service in excess of existing  
 864 appropriations. A person does not have a cause of action against  
 865 the state or any of its subdivisions, agencies, contractors,  
 866 subcontractors, or agents, based upon the adoption of or failure  
 867 to provide adequate funding for the achievement of these goals  
 868 by the Legislature. This subsection does not require the  
 869 expenditure of funds to meet the goals established in this  
 870 subsection except those funds specifically appropriated for such  
 871 purpose.

872 Section 18. Paragraph (c) of subsection (3) of section  
 873 39.522, Florida Statutes, is amended to read:

874 39.522 Postdisposition change of custody.—

875 (3)

876 (c)1. The department or community-based care lead agency  
877 must notify a current caregiver who has been in the physical  
878 custody placement for at least 9 consecutive months and who  
879 meets all the established criteria in paragraph (b) of an intent  
880 to change the physical custody of the child, and a  
881 multidisciplinary team staffing must be held in accordance with  
882 ss. 39.4022 and 39.4023 at least 21 days before the intended  
883 date for the child's change in physical custody, unless there is  
884 an emergency situation as defined in s. 39.4022(2)(b). If there  
885 is not a unanimous consensus decision reached by the  
886 multidisciplinary team, the department's official position must  
887 be provided to the parties within the designated time period as  
888 provided for in s. 39.4022.

889 2. A caregiver who objects to the department's official  
890 position on the change in physical custody must notify the court  
891 and the department or community-based care lead agency of his or  
892 her objection and the intent to request an evidentiary hearing  
893 in writing in accordance with this section within 5 days after  
894 receiving notice of the department's official position provided  
895 under subparagraph 1. The transition of the child to the new  
896 caregiver may not begin before the expiration of the 5-day  
897 period within which the current caregiver may object.

898 3. Upon the department or community-based care lead agency  
899 receiving written notice of the caregiver's objection, the  
900 change to the child's physical custody must be placed in

901 abeyance and the child may not be transitioned to a new physical  
 902 placement without a court order, unless there is an emergency  
 903 situation as defined in s. 39.4022(2) (b) .

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

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

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

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

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

920 Section 19. Paragraph (c) of subsection (1) and paragraph  
 921 (c) of subsection (3) of section 39.6012, Florida Statutes, are  
 922 amended to read:

923 39.6012 Case plan tasks; services.—

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

926 (c) If there is evidence of harm as defined in s.  
 927 39.01(37)(g) ~~s. 39.01(34)(g)~~, the case plan must include as a  
 928 required task for the parent whose actions caused the harm that  
 929 the parent submit to a substance abuse disorder assessment or  
 930 evaluation and participate and comply with treatment and  
 931 services identified in the assessment or evaluation as being  
 932 necessary.

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

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

941 Section 20. Section 39.6036, Florida Statutes, is created  
 942 to read:

943 39.6036 Supportive adults for children transitioning out  
 944 of foster care.—

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

951       (2) The Statewide Guardian ad Litem Office shall work with  
952 a child who is transitioning out of foster care to identify at  
953 least one supportive adult with whom the child can enter into a  
954 formal agreement for an ongoing relationship and document such  
955 agreement in the child's court file. If the child cannot  
956 identify a supportive adult, the Statewide Guardian ad Litem  
957 Office shall work in coordination with the Office of Continuing  
958 Care to identify at least one supportive adult with whom the  
959 child can enter into a formal agreement for an ongoing  
960 relationship and document such agreement in the child's court  
961 file.

962       Section 21. Paragraph (c) of subsection (10) of section  
963 39.621, Florida Statutes, is amended to read:

964       39.621 Permanency determination by the court.—

965       (10) The permanency placement is intended to continue  
966 until the child reaches the age of majority and may not be  
967 disturbed absent a finding by the court that the circumstances  
968 of the permanency placement are no longer in the best interest  
969 of the child.

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

976 1. The compliance or noncompliance of the parent with the  
977 case plan;

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

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

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

983 5. The recommendation of the current custodian; and

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

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

988 39.6241 Another planned permanent living arrangement.—

989 (2) The department and the guardian ad litem must provide  
990 the court with a recommended list and description of services  
991 needed by the child, such as independent living services and  
992 medical, dental, educational, or psychological referrals, and a  
993 recommended list and description of services needed by his or  
994 her caregiver. The guardian ad litem must also advise the court  
995 whether the child has been connected with a supportive adult  
996 and, if the child has been connected with a supportive adult,  
997 whether the child has entered into a formal agreement with the  
998 adult. If the child has entered into a formal agreement pursuant  
999 to s. 39.6036, the guardian ad litem must ensure that the  
1000 agreement is documented in the child's court file.



1001 Section 23. Paragraphs (b) and (f) of subsection (1),  
 1002 paragraph (c) of subsection (2), subsection (3), and paragraph  
 1003 (e) of subsection (4) of section 39.701, Florida Statutes, are  
 1004 amended to read:

1005 39.701 Judicial review.—

1006 (1) GENERAL PROVISIONS.—

1007 (b)1. The court shall retain jurisdiction over a child  
 1008 returned to his or her parents for a minimum period of 6 months  
 1009 after ~~following~~ the reunification, but, at that time, based on a  
 1010 report of the social service agency and the guardian ad litem,  
 1011 ~~if one has been appointed,~~ and any other relevant factors, the  
 1012 court shall make a determination as to whether supervision by  
 1013 the department and the court's jurisdiction shall continue or be  
 1014 terminated.

1015 2. Notwithstanding subparagraph 1., the court must retain  
 1016 jurisdiction over a child if the child is placed in the home  
 1017 with a parent or caregiver with an in-home safety plan and such  
 1018 safety plan remains necessary for the child to reside safely in  
 1019 the home.

1020 (f) Notice of a judicial review hearing or a citizen  
 1021 review panel hearing, and a copy of the motion for judicial  
 1022 review, if any, must be served by the clerk of the court upon  
 1023 all of the following persons, if available to be served,  
 1024 regardless of whether the person was present at the previous  
 1025 hearing at which the date, time, and location of the hearing was

1026 announced:

1027 1. The social service agency charged with the supervision  
 1028 of care, custody, or guardianship of the child, if that agency  
 1029 is not the movant.

1030 2. The foster parent or legal custodian in whose home the  
 1031 child resides.

1032 3. The parents.

1033 4. The guardian ad litem for the child, ~~or the~~  
 1034 ~~representative of the guardian ad litem program if the program~~  
 1035 ~~has been appointed.~~

1036 5. The attorney ad litem for the child, if one is  
 1037 appointed.

1038 6. The child, if the child is 13 years of age or older.

1039 7. Any preadoptive parent.

1040 8. Such other persons as the court may direct.

1041 (2) REVIEW HEARINGS FOR CHILDREN YOUNGER THAN 18 YEARS OF  
 1042 AGE.—

1043 (c) Review determinations.—The court and any citizen  
 1044 review panel shall take into consideration the information  
 1045 contained in the social services study and investigation and all  
 1046 medical, psychological, and educational records that support the  
 1047 terms of the case plan; testimony by the social services agency,  
 1048 the parent, the foster parent or caregiver, the guardian ad  
 1049 litem, the ~~or~~ surrogate parent for educational decisionmaking if  
 1050 one has been appointed for the child, and any other person

1051 deemed appropriate; and any relevant and material evidence  
 1052 submitted to the court, including written and oral reports to  
 1053 the extent of their probative value. These reports and evidence  
 1054 may be received by the court in its effort to determine the  
 1055 action to be taken with regard to the child and may be relied  
 1056 upon to the extent of their probative value, even though not  
 1057 competent in an adjudicatory hearing. In its deliberations, the  
 1058 court and any citizen review panel shall seek to determine:

1059       1. If the parent was advised of the right to receive  
 1060 assistance from any person or social service agency in the  
 1061 preparation of the case plan.

1062       2. If the parent has been advised of the right to have  
 1063 counsel present at the judicial review or citizen review  
 1064 hearings. If not so advised, the court or citizen review panel  
 1065 shall advise the parent of such right.

1066       3. If a guardian ad litem needs to be appointed for the  
 1067 child in a case in which a guardian ad litem has not previously  
 1068 been appointed ~~or if there is a need to continue a guardian ad~~  
 1069 ~~litem in a case in which a guardian ad litem has been appointed.~~

1070       4. Who holds the rights to make educational decisions for  
 1071 the child. If appropriate, the court may refer the child to the  
 1072 district school superintendent for appointment of a surrogate  
 1073 parent or may itself appoint a surrogate parent under the  
 1074 Individuals with Disabilities Education Act and s. 39.0016.

1075       5. The compliance or lack of compliance of all parties

1076 with applicable items of the case plan, including the parents'  
 1077 compliance with child support orders.

1078 6. The compliance or lack of compliance with a visitation  
 1079 contract between the parent and the social service agency for  
 1080 contact with the child, including the frequency, duration, and  
 1081 results of the parent-child visitation and the reason for any  
 1082 noncompliance.

1083 7. The frequency, kind, and duration of contacts among  
 1084 siblings who have been separated during placement, as well as  
 1085 any efforts undertaken to reunite separated siblings if doing so  
 1086 is in the best interests of the child.

1087 8. The compliance or lack of compliance of the parent in  
 1088 meeting specified financial obligations pertaining to the care  
 1089 of the child, including the reason for failure to comply, if  
 1090 applicable.

1091 9. Whether the child is receiving safe and proper care  
 1092 according to s. 39.6012, including, but not limited to, the  
 1093 appropriateness of the child's current placement, including  
 1094 whether the child is in a setting that is as family-like and as  
 1095 close to the parent's home as possible, consistent with the  
 1096 child's best interests and special needs, and including  
 1097 maintaining stability in the child's educational placement, as  
 1098 documented by assurances from the community-based care lead  
 1099 agency that:

1100 a. The placement of the child takes into account the

1101 appropriateness of the current educational setting and the  
1102 proximity to the school in which the child is enrolled at the  
1103 time of placement.

1104       b. The community-based care lead agency has coordinated  
1105 with appropriate local educational agencies to ensure that the  
1106 child remains in the school in which the child is enrolled at  
1107 the time of placement.

1108       10. A projected date likely for the child's return home or  
1109 other permanent placement.

1110       11. When appropriate, the basis for the unwillingness or  
1111 inability of the parent to become a party to a case plan. The  
1112 court and the citizen review panel shall determine if the  
1113 efforts of the social service agency to secure party  
1114 participation in a case plan were sufficient.

1115       12. For a child who has reached 13 years of age but is not  
1116 yet 18 years of age, the adequacy of the child's preparation for  
1117 adulthood and independent living. For a child who is 15 years of  
1118 age or older, the court shall determine if appropriate steps are  
1119 being taken for the child to obtain a driver license or  
1120 learner's driver license.

1121       13. If amendments to the case plan are required.  
1122 Amendments to the case plan must be made under s. 39.6013.

1123       14. If the parents and caregivers have developed a  
1124 productive relationship that includes meaningful communication  
1125 and mutual support.

1126 (3) REVIEW HEARINGS FOR CHILDREN 16 AND 17 YEARS OF AGE.—  
1127 At each review hearing held under this subsection, the court  
1128 shall give the child and the guardian ad litem the opportunity  
1129 to address the court and provide any information relevant to the  
1130 child's best interest, particularly in relation to independent  
1131 living transition services. The foster parent or, legal  
1132 custodian, ~~or guardian ad litem~~ may also provide any information  
1133 relevant to the child's best interest to the court. In addition  
1134 to the review and report required under paragraphs (1)(a) and  
1135 (2)(a), respectively, and the review and report required under  
1136 s. 39.822(2)(a)2., the court shall:

1137 (a) Inquire about the life skills the child has acquired  
1138 and whether those services are age appropriate, at the first  
1139 judicial review hearing held subsequent to the child's 16th  
1140 birthday. At the judicial review hearing, the department shall  
1141 provide the court with a report that includes specific  
1142 information related to the life skills that the child has  
1143 acquired since the child's 13th birthday or since the date the  
1144 child came into foster care, whichever came later. For any child  
1145 who may meet the requirements for appointment of a guardian  
1146 advocate under s. 393.12 or a guardian under chapter 744, the  
1147 updated case plan must be developed in a face-to-face conference  
1148 with the child, if appropriate; the child's attorney ad litem,  
1149 if one is appointed; the child's ~~any court-appointed~~ guardian ad  
1150 litem; the temporary custodian of the child; and the parent of

1151 the child, if the parent's rights have not been terminated.

1152 (b) The court shall hold a judicial review hearing within  
1153 90 days after a child's 17th birthday. The court shall issue an  
1154 order, separate from the order on judicial review, that the  
1155 disability of nonage of the child has been removed under ss.  
1156 743.044-743.047 for any disability that the court finds is in  
1157 the child's best interest to remove. The department shall  
1158 include in the social study report for the first judicial review  
1159 that occurs after the child's 17th birthday written verification  
1160 that the child has:

1161 1. A current Medicaid card and all necessary information  
1162 concerning the Medicaid program sufficient to prepare the child  
1163 to apply for coverage upon reaching the age of 18, if such  
1164 application is appropriate.

1165 2. A certified copy of the child's birth certificate and,  
1166 if the child does not have a valid driver license, a Florida  
1167 identification card issued under s. 322.051.

1168 3. A social security card and information relating to  
1169 social security insurance benefits if the child is eligible for  
1170 those benefits. If the child has received such benefits and they  
1171 are being held in trust for the child, a full accounting of  
1172 these funds must be provided and the child must be informed as  
1173 to how to access those funds.

1174 4. All relevant information related to the Road-to-  
1175 Independence Program under s. 409.1451, including, but not

1176 | limited to, eligibility requirements, information on  
1177 | participation, and assistance in gaining admission to the  
1178 | program. If the child is eligible for the Road-to-Independence  
1179 | Program, he or she must be advised that he or she may continue  
1180 | to reside with the licensed family home or group care provider  
1181 | with whom the child was residing at the time the child attained  
1182 | his or her 18th birthday, in another licensed family home, or  
1183 | with a group care provider arranged by the department.

1184 |         5. An open bank account or the identification necessary to  
1185 | open a bank account and to acquire essential banking and  
1186 | budgeting skills.

1187 |         6. Information on public assistance and how to apply for  
1188 | public assistance.

1189 |         7. A clear understanding of where he or she will be living  
1190 | on his or her 18th birthday, how living expenses will be paid,  
1191 | and the educational program or school in which he or she will be  
1192 | enrolled.

1193 |         8. Information related to the ability of the child to  
1194 | remain in care until he or she reaches 21 years of age under s.  
1195 | 39.013.

1196 |         9. A letter providing the dates that the child is under  
1197 | the jurisdiction of the court.

1198 |         10. A letter stating that the child is in compliance with  
1199 | financial aid documentation requirements.

1200 |         11. The child's educational records.



1201 12. The child's entire health and mental health records.

1202 13. The process for accessing the child's case file.

1203 14. A statement encouraging the child to attend all  
1204 judicial review hearings.

1205 15. Information on how to obtain a driver license or  
1206 learner's driver license.

1207 (c) At the first judicial review hearing held subsequent  
1208 to the child's 17th birthday, if the court determines pursuant  
1209 to chapter 744 that there is a good faith basis to believe that  
1210 the child qualifies for appointment of a guardian advocate,  
1211 limited guardian, or plenary guardian for the child and that no  
1212 less restrictive decisionmaking assistance will meet the child's  
1213 needs:

1214 1. The department shall complete a multidisciplinary  
1215 report which must include, but is not limited to, a psychosocial  
1216 evaluation and educational report if such a report has not been  
1217 completed within the previous 2 years.

1218 2. The department shall identify one or more individuals  
1219 who are willing to serve as the guardian advocate under s.  
1220 393.12 or as the plenary or limited guardian under chapter 744.  
1221 Any other interested parties or participants may make efforts to  
1222 identify such a guardian advocate, limited guardian, or plenary  
1223 guardian. The child's biological or adoptive family members,  
1224 including the child's parents if the parents' rights have not  
1225 been terminated, may not be considered for service as the

1226 plenary or limited guardian unless the court enters a written  
1227 order finding that such an appointment is in the child's best  
1228 interests.

1229         3. Proceedings may be initiated within 180 days after the  
1230 child's 17th birthday for the appointment of a guardian  
1231 advocate, plenary guardian, or limited guardian for the child in  
1232 a separate proceeding in the court division with jurisdiction  
1233 over guardianship matters and pursuant to chapter 744. The  
1234 Legislature encourages the use of pro bono representation to  
1235 initiate proceedings under this section.

1236         4. In the event another interested party or participant  
1237 initiates proceedings for the appointment of a guardian  
1238 advocate, plenary guardian, or limited guardian for the child,  
1239 the department shall provide all necessary documentation and  
1240 information to the petitioner to complete a petition under s.  
1241 393.12 or chapter 744 within 45 days after the first judicial  
1242 review hearing after the child's 17th birthday.

1243         5. Any proceedings seeking appointment of a guardian  
1244 advocate or a determination of incapacity and the appointment of  
1245 a guardian must be conducted in a separate proceeding in the  
1246 court division with jurisdiction over guardianship matters and  
1247 pursuant to chapter 744.

1248         (d) If the court finds at the judicial review hearing  
1249 after the child's 17th birthday that the department has not met  
1250 its obligations to the child as stated in this part, in the

1251 written case plan, or in the provision of independent living  
1252 services, the court may issue an order directing the department  
1253 to show cause as to why it has not done so. If the department  
1254 cannot justify its noncompliance, the court may give the  
1255 department 30 days within which to comply. If the department  
1256 fails to comply within 30 days, the court may hold the  
1257 department in contempt.

1258 (e) If necessary, the court may review the status of the  
1259 child more frequently during the year before the child's 18th  
1260 birthday. At the last review hearing before the child reaches 18  
1261 years of age, and in addition to the requirements of subsection  
1262 (2), the court shall:

1263 1. Address whether the child plans to remain in foster  
1264 care, and, if so, ensure that the child's transition plan  
1265 includes a plan for meeting one or more of the criteria  
1266 specified in s. 39.6251 and determine if the child has entered  
1267 into a formal agreement for an ongoing relationship with a  
1268 supportive adult.

1269 2. Ensure that the transition plan includes a supervised  
1270 living arrangement under s. 39.6251.

1271 3. Ensure the child has been informed of:

1272 a. The right to continued support and services from the  
1273 department and the community-based care lead agency.

1274 b. The right to request termination of dependency  
1275 jurisdiction and be discharged from foster care.

1276 c. The opportunity to reenter foster care under s.  
 1277 39.6251.

1278 4. Ensure that the child, if he or she requests  
 1279 termination of dependency jurisdiction and discharge from foster  
 1280 care, has been informed of:

1281 a. Services or benefits for which the child may be  
 1282 eligible based on his or her former placement in foster care,  
 1283 including, but not limited to, the assistance of the Office of  
 1284 Continuing Care under s. 414.56.

1285 b. Services or benefits that may be lost through  
 1286 termination of dependency jurisdiction.

1287 c. Other federal, state, local, or community-based  
 1288 services or supports available to him or her.

1289 (4) REVIEW HEARINGS FOR YOUNG ADULTS IN FOSTER CARE.—  
 1290 During each period of time that a young adult remains in foster  
 1291 care, the court shall review the status of the young adult at  
 1292 least every 6 months and must hold a permanency review hearing  
 1293 at least annually.

1294 (e)1. Notwithstanding the provisions of this subsection,  
 1295 if a young adult has chosen to remain in extended foster care  
 1296 after he or she has reached 18 years of age, the department may  
 1297 not close a case and the court may not terminate jurisdiction  
 1298 until the court finds, following a hearing, that the following  
 1299 criteria have been met:

1300 a.1. Attendance of the young adult at the hearing; or

1301            ~~b.2.~~ Findings by the court that:

1302            ~~(I)a.~~ The young adult has been informed by the department

1303 of his or her right to attend the hearing and has provided

1304 written consent to waive this right; and

1305            ~~(II)b.~~ The young adult has been informed of the potential

1306 negative effects of early termination of care, the option to

1307 reenter care before reaching 21 years of age, the procedure for,

1308 and limitations on, reentering care, and the availability of

1309 alternative services, and has signed a document attesting that

1310 he or she has been so informed and understands these provisions;

1311 or

1312            ~~(III)e.~~ The young adult has voluntarily left the program,

1313 has not signed the document in sub-subparagraph b., and is

1314 unwilling to participate in any further court proceeding.

1315            ~~2.3.~~ In all permanency hearings or hearings regarding the

1316 transition of the young adult from care to independent living,

1317 the court shall consult with the young adult regarding the

1318 proposed permanency plan, case plan, and individual education

1319 plan for the young adult and ensure that he or she has

1320 understood the conversation. The court shall also inquire of the

1321 young adult regarding his or her relationship with the

1322 supportive adult with whom the young adult has entered into a

1323 formal agreement for an ongoing relationship, if such agreement

1324 exists.

1325            Section 24. Paragraph (a) of subsection (3) of section

1326 39.801, Florida Statutes, is amended to read:

1327 39.801 Procedures and jurisdiction; notice; service of  
 1328 process.—

1329 (3) Before the court may terminate parental rights, in  
 1330 addition to the other requirements set forth in this part, the  
 1331 following requirements must be met:

1332 (a) Notice of the date, time, and place of the advisory  
 1333 hearing for the petition to terminate parental rights and a copy  
 1334 of the petition must be personally served upon the following  
 1335 persons, specifically notifying them that a petition has been  
 1336 filed:

- 1337 1. The parents of the child.
- 1338 2. The legal custodians of the child.
- 1339 3. If the parents who would be entitled to notice are dead  
 1340 or unknown, a living relative of the child, unless upon diligent  
 1341 search and inquiry no such relative can be found.
- 1342 4. Any person who has physical custody of the child.
- 1343 5. Any grandparent entitled to priority for adoption under  
 1344 s. 63.0425.
- 1345 6. Any prospective parent who has been identified under s.  
 1346 39.503 or s. 39.803, unless a court order has been entered  
 1347 pursuant to s. 39.503(4) or (9) or s. 39.803(4) or (9) which  
 1348 indicates no further notice is required. Except as otherwise  
 1349 provided in this section, if there is not a legal father, notice  
 1350 of the petition for termination of parental rights must be

CS/CS/HB 875

2023

1351 provided to any known prospective father who is identified under  
1352 oath before the court or who is identified by a diligent search  
1353 of the Florida Putative Father Registry. Service of the notice  
1354 of the petition for termination of parental rights is not  
1355 required if the prospective father executes an affidavit of  
1356 nonpaternity or a consent to termination of his parental rights  
1357 which is accepted by the court after notice and opportunity to  
1358 be heard by all parties to address the best interests of the  
1359 child in accepting such affidavit.

1360         7. The guardian ad litem for the child ~~or the~~  
1361 ~~representative of the guardian ad litem program, if the program~~  
1362 ~~has been appointed.~~

1363  
1364 The document containing the notice to respond or appear must  
1365 contain, in type at least as large as the type in the balance of  
1366 the document, the following or substantially similar language:  
1367 "FAILURE TO PERSONALLY APPEAR AT THIS ADVISORY HEARING  
1368 CONSTITUTES CONSENT TO THE TERMINATION OF PARENTAL RIGHTS OF  
1369 THIS CHILD (OR CHILDREN). IF YOU FAIL TO APPEAR ON THE DATE AND  
1370 TIME SPECIFIED, YOU MAY LOSE ALL LEGAL RIGHTS AS A PARENT TO THE  
1371 CHILD OR CHILDREN NAMED IN THE PETITION ATTACHED TO THIS  
1372 NOTICE."

1373         Section 25. Subsection (2) of section 39.807, Florida  
1374 Statutes, is amended to read:

1375         39.807 Right to counsel; guardian ad litem.—

1376 (2) (a) The court shall appoint a guardian ad litem to  
 1377 represent the ~~best interest of the~~ child in any termination of  
 1378 parental rights proceedings and shall ascertain at each stage of  
 1379 the proceedings whether a guardian ad litem has been appointed.

1380 (b) The guardian ad litem has the ~~following~~  
 1381 responsibilities and authorities listed in s. 39.822.÷

1382 ~~1. To investigate the allegations of the petition and any~~  
 1383 ~~subsequent matters arising in the case and,~~

1384 (c) Unless excused by the court, the guardian ad litem  
 1385 must ~~to~~ file a written report. This report must include a  
 1386 statement of the wishes of the child and the recommendations of  
 1387 the guardian ad litem and must be provided to all parties and  
 1388 the court at least 72 hours before the disposition hearing.

1389 ~~2. To be present at all court hearings unless excused by~~  
 1390 ~~the court.~~

1391 ~~3. To represent the best interests of the child until the~~  
 1392 ~~jurisdiction of the court over the child terminates or until~~  
 1393 ~~excused by the court.~~

1394 ~~(c) A guardian ad litem is not required to post bond but~~  
 1395 ~~shall file an acceptance of the office.~~

1396 ~~(d) A guardian ad litem is entitled to receive service of~~  
 1397 ~~pleadings and papers as provided by the Florida Rules of~~  
 1398 ~~Juvenile Procedure.~~

1399 (d)(e) This subsection does not apply to any voluntary  
 1400 relinquishment of parental rights proceeding.



1401 Section 26. Subsection (2) of section 39.808, Florida  
 1402 Statutes, is amended to read:

1403 39.808 Advisory hearing; pretrial status conference.—

1404 (2) At the hearing the court shall inform the parties of  
 1405 their rights under s. 39.807, ~~shall~~ appoint counsel for the  
 1406 parties in accordance with legal requirements, and ~~shall~~ appoint  
 1407 a guardian ad litem to represent the ~~interests of the~~ child if  
 1408 one has not already been appointed.

1409 Section 27. Subsection (2) of section 39.815, Florida  
 1410 Statutes, is amended to read:

1411 39.815 Appeal.—

1412 (2) An attorney for the department shall represent the  
 1413 state upon appeal. When a notice of appeal is filed in the  
 1414 circuit court, the clerk shall notify the attorney for the  
 1415 department, ~~together with~~ the attorney for the parent, the  
 1416 guardian ad litem, and the any attorney ad litem for the child,  
 1417 if one is appointed.

1418 Section 28. Section 39.820, Florida Statutes, is repealed.

1419 Section 29. Subsections (1) and (3) of section 39.821,  
 1420 Florida Statutes, are amended to read:

1421 39.821 Qualifications of guardians ad litem.—

1422 (1) Because of the special trust or responsibility placed  
 1423 in a guardian ad litem, the Statewide Guardian ad Litem Office  
 1424 ~~Program~~ may use any private funds collected by the office  
 1425 ~~program~~, or any state funds so designated, to conduct a security

1426 background investigation before certifying a volunteer to serve.  
1427 A security background investigation must include, but need not  
1428 be limited to, employment history checks, checks of references,  
1429 local criminal history records checks through local law  
1430 enforcement agencies, and statewide criminal history records  
1431 checks through the Department of Law Enforcement. Upon request,  
1432 an employer shall furnish a copy of the personnel record for the  
1433 employee or former employee who is the subject of a security  
1434 background investigation conducted under this section. The  
1435 information contained in the personnel record may include, but  
1436 need not be limited to, disciplinary matters and the reason why  
1437 the employee was terminated from employment. An employer who  
1438 releases a personnel record for purposes of a security  
1439 background investigation is presumed to have acted in good faith  
1440 and is not liable for information contained in the record  
1441 without a showing that the employer maliciously falsified the  
1442 record. A security background investigation conducted under this  
1443 section must ensure that a person is not certified as a guardian  
1444 ad litem if the person has an arrest awaiting final disposition  
1445 for, been convicted of, regardless of adjudication, entered a  
1446 plea of nolo contendere or guilty to, or been adjudicated  
1447 delinquent and the record has not been sealed or expunged for,  
1448 any offense prohibited under the provisions listed in s. 435.04.  
1449 All applicants must undergo a level 2 background screening  
1450 pursuant to chapter 435 before being certified to serve as a

1451 guardian ad litem. In analyzing and evaluating the information  
1452 obtained in the security background investigation, the office  
1453 ~~program~~ must give particular emphasis to past activities  
1454 involving children, including, but not limited to, child-related  
1455 criminal offenses or child abuse. The office ~~program~~ has sole  
1456 discretion in determining whether to certify a person based on  
1457 his or her security background investigation. The information  
1458 collected pursuant to the security background investigation is  
1459 confidential and exempt from s. 119.07(1).

1460 (3) It is a misdemeanor of the first degree, punishable as  
1461 provided in s. 775.082 or s. 775.083, for any person to  
1462 willfully, knowingly, or intentionally fail, by false statement,  
1463 misrepresentation, impersonation, or other fraudulent means, to  
1464 disclose in any application for a volunteer position or for paid  
1465 employment with the Statewide Guardian ad Litem Office ~~Program~~,  
1466 any material fact used in making a determination as to the  
1467 applicant's qualifications for such position.

1468 Section 30. Section 39.822, Florida Statutes, is amended  
1469 to read:

1470 39.822 Appointment of guardian ad litem for abused,  
1471 abandoned, or neglected child.—

1472 (1) A guardian ad litem shall be appointed by the court at  
1473 the earliest possible time to represent the child in any child  
1474 abuse, abandonment, or neglect judicial proceeding, whether  
1475 civil or criminal. A guardian ad litem is a fiduciary and must

1476 provide independent representation of the child using a best  
1477 interest standard of decisionmaking and advocacy.

1478 (2) (a) A guardian ad litem must:

1479 1. Be present at all court hearings unless excused by the  
1480 court.

1481 2. Investigate issues related to the best interest of the  
1482 child who is the subject of the appointment, review all  
1483 disposition recommendations and changes in placement, and,  
1484 unless excused by the court, file written reports and  
1485 recommendations in accordance with general law.

1486 3. Represent the child until the court's jurisdiction over  
1487 the child terminates or until excused by the court.

1488 4. Advocate for the child's participation in the  
1489 proceedings and to report the child's preferences to the court,  
1490 to the extent the child has the ability and desire to express  
1491 his or her preferences.

1492 5. Perform such other duties that are consistent with the  
1493 scope of the appointment.

1494 (b) A guardian ad litem shall have immediate and unlimited  
1495 access to the children he or she represents.

1496 (c) A guardian ad litem is not required to post bond but  
1497 must file an acceptance of the appointment.

1498 (d) A guardian ad litem is entitled to receive service of  
1499 pleadings and papers as provided by the Florida Rules of  
1500 Juvenile Procedure.

1501           (3) Any person participating in a civil or criminal  
 1502 judicial proceeding resulting from such appointment shall be  
 1503 presumed prima facie to be acting in good faith and in so doing  
 1504 shall be immune from any liability, civil or criminal, that  
 1505 otherwise might be incurred or imposed.

1506           (4)~~(2)~~ In those cases in which the parents are financially  
 1507 able, the parent or parents of the child shall reimburse the  
 1508 court, in part or in whole, for the cost of provision of  
 1509 guardian ad litem representation ~~services~~. Reimbursement to the  
 1510 individual providing guardian ad litem services shall not be  
 1511 contingent upon successful collection by the court from the  
 1512 parent or parents.

1513           (5)~~(3)~~ Upon presentation by a guardian ad litem of a court  
 1514 order appointing the guardian ad litem:

1515           (a) An agency, as defined in chapter 119, shall allow the  
 1516 guardian ad litem to inspect and copy records related to the  
 1517 best interests of the child who is the subject of the  
 1518 appointment, including, but not limited to, records made  
 1519 confidential or exempt from s. 119.07(1) or s. 24(a), Art. I of  
 1520 the State Constitution. The guardian ad litem shall maintain the  
 1521 confidential or exempt status of any records shared by an agency  
 1522 under this paragraph.

1523           (b) A person or organization, other than an agency under  
 1524 paragraph (a), shall allow the guardian ad litem to inspect and  
 1525 copy any records related to the best interests of the child who

1526 is the subject of the appointment, including, but not limited  
 1527 to, confidential records.

1528  
 1529 For the purposes of this subsection, the term "records related  
 1530 to the best interests of the child" includes, but is not limited  
 1531 to, medical, mental health, substance abuse, child care,  
 1532 education, law enforcement, court, social services, and  
 1533 financial records.

1534 ~~(4) The guardian ad litem or the program representative~~  
 1535 ~~shall review all disposition recommendations and changes in~~  
 1536 ~~placements, and must be present at all critical stages of the~~  
 1537 ~~dependency proceeding or submit a written report of~~  
 1538 ~~recommendations to the court. Written reports must be filed with~~  
 1539 ~~the court and served on all parties whose whereabouts are known~~  
 1540 ~~at least 72 hours prior to the hearing.~~

1541 Section 31. Subsection (4) of section 39.827, Florida  
 1542 Statutes, is amended to read:

1543 39.827 Hearing for appointment of a guardian advocate.—

1544 (4) The hearing under this section must ~~shall~~ remain  
 1545 confidential and closed to the public. The clerk shall keep all  
 1546 court records required by this part separate from other records  
 1547 of the circuit court. All court records required by this part  
 1548 are ~~shall be~~ confidential and exempt from ~~the provisions of s.~~  
 1549 119.07(1). All records may only ~~shall~~ be inspected ~~only~~ upon  
 1550 order of the court by persons deemed by the court to have a

1551 proper interest therein, except that a child and the parents or  
 1552 custodians of the child and their attorneys, the guardian ad  
 1553 litem, and the department and its designees, and the attorney ad  
 1554 litem, if one is appointed, shall always have the right to  
 1555 inspect and copy any official record pertaining to the child.  
 1556 The court may permit authorized representatives of recognized  
 1557 organizations compiling statistics for proper purposes to  
 1558 inspect and make abstracts from official records, under whatever  
 1559 conditions upon their use and disposition the court may deem  
 1560 proper, and may punish by contempt proceedings any violation of  
 1561 those conditions. All information obtained pursuant to this part  
 1562 in the discharge of official duty by any judge, employee of the  
 1563 court, or authorized agent of the department is ~~shall be~~  
 1564 confidential and exempt from ~~the provisions of~~ s. 119.07(1) and  
 1565 may ~~shall~~ not be disclosed to anyone other than the authorized  
 1566 personnel of the court or the department and its designees,  
 1567 except upon order of the court.

1568 Section 32. Subsection (2) of section 39.8296, Florida  
 1569 Statutes, is amended to read:

1570 39.8296 Statewide Guardian ad Litem Office; legislative  
 1571 findings and intent; creation; appointment of executive  
 1572 director; duties of office.—

1573 (2) STATEWIDE GUARDIAN AD LITEM OFFICE.—There is created a  
 1574 Statewide Guardian ad Litem Office within the Justice  
 1575 Administrative Commission. The Justice Administrative Commission

1576 shall provide administrative support and service to the office  
 1577 to the extent requested by the executive director within the  
 1578 available resources of the commission. The Statewide Guardian ad  
 1579 Litem Office is not subject to control, supervision, or  
 1580 direction by the Justice Administrative Commission in the  
 1581 performance of its duties, but the employees of the office are  
 1582 governed by the classification plan and salary and benefits plan  
 1583 approved by the Justice Administrative Commission.

1584 (a) The head of the Statewide Guardian ad Litem Office is  
 1585 the executive director, who shall be appointed by the Governor  
 1586 from a list of a minimum of three eligible applicants submitted  
 1587 by a Guardian ad Litem Qualifications Committee. The Guardian ad  
 1588 Litem Qualifications Committee shall be composed of five  
 1589 persons, two persons appointed by the Governor, two persons  
 1590 appointed by the Chief Justice of the Supreme Court, and one  
 1591 person appointed by the Statewide Guardian ad Litem Office  
 1592 ~~Association~~. The committee shall provide for statewide  
 1593 advertisement and the receiving of applications for the position  
 1594 of executive director. The Governor shall appoint an executive  
 1595 director from among the recommendations, or the Governor may  
 1596 reject the nominations and request the submission of new  
 1597 nominees. The executive director must have knowledge in  
 1598 dependency law and knowledge of social service delivery systems  
 1599 available to meet the needs of children who are abused,  
 1600 neglected, or abandoned. The executive director shall serve on a



1601 full-time basis and shall personally, or through representatives  
 1602 of the office, carry out the purposes and functions of the  
 1603 Statewide Guardian ad Litem Office in accordance with state and  
 1604 federal law and the state's long-established policy of  
 1605 prioritizing children's best interests. The executive director  
 1606 shall report to the Governor. The executive director shall serve  
 1607 a 3-year term, subject to removal for cause by the Governor. Any  
 1608 person appointed to serve as the executive director may be  
 1609 permitted to serve more than one term without the necessity of  
 1610 convening the Guardian ad Litem Qualifications Committee.

1611 (b) The Statewide Guardian ad Litem Office shall, within  
 1612 available resources, have oversight responsibilities for and  
 1613 provide technical assistance to all guardian ad litem and  
 1614 attorney ad litem programs located within the judicial circuits.

1615 1. The office shall identify the resources required to  
 1616 implement methods of collecting, reporting, and tracking  
 1617 reliable and consistent case data.

1618 2. The office shall review the current guardian ad litem  
 1619 offices ~~programs~~ in Florida and other states.

1620 3. The office, in consultation with local guardian ad  
 1621 litem offices, shall develop statewide performance measures and  
 1622 standards.

1623 4. The office shall develop and maintain a guardian ad  
 1624 litem training program, which must be updated regularly, ~~which~~  
 1625 ~~shall include, but is not limited to, training on the~~

1626 ~~recognition of and responses to head trauma and brain injury in~~  
1627 ~~a child under 6 years of age. The office shall establish a~~  
1628 ~~curriculum committee to develop the training program specified~~  
1629 ~~in this subparagraph. The curriculum committee shall include,~~  
1630 ~~but not be limited to, dependency judges, directors of circuit~~  
1631 ~~guardian ad litem programs, active certified guardians ad litem,~~  
1632 ~~a mental health professional who specializes in the treatment of~~  
1633 ~~children, a member of a child advocacy group, a representative~~  
1634 ~~of a domestic violence advocacy group, an individual with a~~  
1635 ~~degree in social work, and a social worker experienced in~~  
1636 ~~working with victims and perpetrators of child abuse.~~

1637         5. The office shall review the various methods of funding  
1638 guardian ad litem offices ~~programs~~, maximize the use of those  
1639 funding sources to the extent possible, and review the kinds of  
1640 services being provided by circuit guardian ad litem offices  
1641 ~~programs~~.

1642         6. The office shall determine the feasibility or  
1643 desirability of new concepts of organization, administration,  
1644 financing, or service delivery designed to preserve the civil  
1645 and constitutional rights and fulfill other needs of dependent  
1646 children.

1647         7. The office shall ensure that each child has an attorney  
1648 assigned to his or her case and, within available resources, is  
1649 represented using multidisciplinary teams that may include  
1650 volunteers, pro bono attorneys, social workers, and mentors.

1651 8. The office shall provide oversight and technical  
 1652 assistance to attorneys ad litem, including, but not limited to,  
 1653 all of the following:

1654 a. Develop an attorney ad litem training program in  
 1655 collaboration with dependency court stakeholders, including, but  
 1656 not limited to, dependency judges, representatives from legal  
 1657 aid providing attorney ad litem representation, and an attorney  
 1658 ad litem appointed from a registry maintained by the chief  
 1659 judge. The training program must be updated regularly with or  
 1660 without convening the stakeholders group.

1661 b. Offer consultation and technical assistance to chief  
 1662 judges in maintaining attorney registries for the selection of  
 1663 attorneys ad litem.

1664 c. Assist with recruitment, training, and mentoring of  
 1665 attorneys ad litem as needed.

1666 9.7. In an effort to promote normalcy and establish trust  
 1667 between a ~~court-appointed volunteer~~ guardian ad litem and a  
 1668 child alleged to be abused, abandoned, or neglected under this  
 1669 chapter, a guardian ad litem may transport a child. However, a  
 1670 guardian ad litem ~~volunteer~~ may not be required by a guardian ad  
 1671 litem circuit office or ordered by ~~or directed by the program or~~  
 1672 a court to transport a child.

1673 10.8. The office shall submit to the Governor, the  
 1674 President of the Senate, the Speaker of the House of  
 1675 Representatives, and the Chief Justice of the Supreme Court an

1676 interim report describing the progress of the office in meeting  
1677 the goals as described in this section. The office shall submit  
1678 to the Governor, the President of the Senate, the Speaker of the  
1679 House of Representatives, and the Chief Justice of the Supreme  
1680 Court a proposed plan including alternatives for meeting the  
1681 state's guardian ad litem and attorney ad litem needs. This plan  
1682 may include recommendations for less than the entire state, may  
1683 include a phase-in system, and shall include estimates of the  
1684 cost of each of the alternatives. Each year the office shall  
1685 provide a status report and provide further recommendations to  
1686 address the need for guardian ad litem services and related  
1687 issues.

1688 Section 33. Section 39.8297, Florida Statutes, is amended  
1689 to read:

1690 39.8297 County funding for guardian ad litem employees.—

1691 (1) A county and the executive director of the Statewide  
1692 Guardian ad Litem Office may enter into an agreement by which  
1693 the county agrees to provide funds to the local guardian ad  
1694 litem office in order to employ persons who will assist in the  
1695 operation of the guardian ad litem office ~~program~~ in the county.

1696 (2) The agreement, at a minimum, must provide that:

1697 (a) Funding for the persons who are employed will be  
1698 provided on at least a fiscal-year basis.

1699 (b) The persons who are employed will be hired,  
1700 supervised, managed, and terminated by the executive director of

1701 the Statewide Guardian ad Litem Office. The statewide office is  
 1702 responsible for compliance with all requirements of federal and  
 1703 state employment laws, and shall fully indemnify the county from  
 1704 any liability under such laws, as authorized by s. 768.28(19),  
 1705 to the extent such liability is the result of the acts or  
 1706 omissions of the Statewide Guardian ad Litem Office or its  
 1707 agents or employees.

1708 (c) The county is the employer for purposes of s. 440.10  
 1709 and chapter 443.

1710 (d) Employees funded by the county under this section and  
 1711 other county employees may be aggregated for purposes of a  
 1712 flexible benefits plan pursuant to s. 125 of the Internal  
 1713 Revenue Code of 1986.

1714 (e) Persons employed under this section may be terminated  
 1715 after a substantial breach of the agreement or because funding  
 1716 to the guardian ad litem office ~~program~~ has expired.

1717 (3) Persons employed under this section may not be counted  
 1718 in a formula or similar process used by the Statewide Guardian  
 1719 ad Litem Office to measure personnel needs of a judicial  
 1720 circuit's guardian ad litem office ~~program~~.

1721 (4) Agreements created pursuant to this section do not  
 1722 obligate the state to allocate funds to a county to employ  
 1723 persons in the guardian ad litem office ~~program~~.

1724 Section 34. Section 39.8298, Florida Statutes, is amended  
 1725 to read:

1726           39.8298 Guardian ad Litem state direct-support  
 1727 organization and local direct-support organizations.—

1728           (1) AUTHORITY.—The Statewide Guardian ad Litem Office  
 1729 created under s. 39.8296 is authorized to create a state direct-  
 1730 support organization and to create or designate local direct-  
 1731 support organizations. The executive director of the Statewide  
 1732 Guardian ad Litem Office is responsible for designating local  
 1733 direct-support organizations under this subsection.

1734           (a) The state direct-support organization and the local  
 1735 direct-support organizations must be a Florida corporations  
 1736 ~~corporation~~ not for profit, incorporated under ~~the provisions of~~  
 1737 chapter 617. The state direct-support organization and the local  
 1738 direct-support organizations ~~shall be~~ exempt from paying  
 1739 fees under s. 617.0122.

1740           (b) The state direct-support organization and each local  
 1741 direct-support organization must ~~shall~~ be organized and operated  
 1742 to conduct programs and activities; raise funds; request and  
 1743 receive grants, gifts, and bequests of moneys; acquire, receive,  
 1744 hold, invest, and administer, in its own name, securities,  
 1745 funds, objects of value, or other property, real or personal;  
 1746 and make expenditures to or for the direct or indirect benefit  
 1747 of the Statewide Guardian ad Litem Office, including the local  
 1748 guardian ad litem offices.

1749           (c) If the executive director of the Statewide Guardian ad  
 1750 Litem Office determines that the state direct-support

1751 organization or a local direct-support organization is operating  
1752 in a manner that is inconsistent with the goals and purposes of  
1753 the Statewide Guardian ad Litem Office or not acting in the best  
1754 interest of the state, the executive director may terminate the  
1755 organization's contract and thereafter the organization may not  
1756 use the name of the Statewide Guardian ad Litem Office.

1757 (2) CONTRACTS ~~CONTRACT~~.—The state direct-support  
1758 organization and the local direct-support organizations shall  
1759 operate under a written contract with the Statewide Guardian Ad  
1760 Litem Office. The written contract must, at a minimum, provide  
1761 for:

1762 (a) Approval of the articles of incorporation and bylaws  
1763 of the direct-support organization by the executive director of  
1764 the Statewide Guardian ad Litem Office.

1765 (b) Submission of an annual budget for the approval by the  
1766 executive director of the Statewide Guardian ad Litem Office.

1767 (c) The reversion without penalty to the Statewide  
1768 Guardian ad Litem Office, or to the state if the Statewide  
1769 Guardian ad Litem Office ceases to exist, of all moneys and  
1770 property held in trust by the state direct-support organization  
1771 for the Statewide Guardian Ad Litem Office if the direct-support  
1772 organization ceases to exist or if the contract is terminated.

1773 (d) The fiscal year of the state direct-support  
1774 organization and the local direct-support organizations, which  
1775 must begin July 1 of each year and end June 30 of the following

1776 year.

1777 (e) The disclosure of material provisions of the contract  
 1778 and the distinction between the Statewide Guardian ad Litem  
 1779 Office and the state direct-support organization or the local  
 1780 direct-support organization to donors of gifts, contributions,  
 1781 or bequests, as well as on all promotional and fundraising  
 1782 publications.

1783 (3) BOARD OF DIRECTORS.—The executive director of the  
 1784 Statewide Guardian ad Litem Office shall appoint a board of  
 1785 directors for the state direct-support organization. The  
 1786 executive director may designate employees of the Statewide  
 1787 Guardian ad Litem Office to serve on the board of directors of  
 1788 the state direct-support organization or a local direct-support  
 1789 organization. Members of the board of the state direct-support  
 1790 organization or a local direct-support organization shall serve  
 1791 at the pleasure of the executive director.

1792 (4) USE OF PROPERTY AND SERVICES.—The executive director  
 1793 of the Statewide Guardian ad Litem Office:

1794 (a) May authorize the use of facilities and property other  
 1795 than money that are owned by the Statewide Guardian ad Litem  
 1796 Office to be used by the state direct-support organization or a  
 1797 local direct-support organization.

1798 (b) May authorize the use of personal services provided by  
 1799 employees of the Statewide Guardian ad Litem Office to be used  
 1800 by the state direct-support organization or a local direct-



1801 support organization. For the purposes of this section, the term  
 1802 "personal services" includes full-time personnel and part-time  
 1803 personnel as well as payroll processing.

1804 (c) May prescribe the conditions by which the state  
 1805 direct-support organization or a local direct-support  
 1806 organization may use property, facilities, or personal services  
 1807 of the office or the state direct-support organization.

1808 (d) May ~~shall~~ not authorize the use of property,  
 1809 facilities, or personal services by the state ~~of the~~ direct-  
 1810 support organization or a local direct-support organization if  
 1811 the organization does not provide equal employment opportunities  
 1812 to all persons, regardless of race, color, religion, sex, age,  
 1813 or national origin.

1814 (5) MONEYS.—Moneys of the state direct-support  
 1815 organization or a local direct-support organization must ~~may~~ be  
 1816 held in a separate depository account in the name of the direct-  
 1817 support organization and subject to the provisions of the  
 1818 contract with the Statewide Guardian ad Litem Office.

1819 (6) ANNUAL AUDIT.—The state direct-support organization  
 1820 and a local direct-support organization must ~~shall~~ provide for  
 1821 an annual financial audit in accordance with s. 215.981.

1822 (7) LIMITS ON DIRECT-SUPPORT ORGANIZATIONS ~~ORGANIZATION~~.—  
 1823 The state direct-support organization and a local direct-support  
 1824 organization may ~~shall~~ not exercise any power under s.  
 1825 617.0302(12) or (16). A ~~No~~ state employee may not ~~shall~~ receive

1826 compensation from the state direct-support organization or a  
 1827 local direct-support organization for service on the board of  
 1828 directors or for services rendered to the direct-support  
 1829 organization.

1830 Section 35. Section 1009.898, Florida Statutes, is created  
 1831 to read:

1832 1009.898 Pathway to Prosperity grants.—

1833 (1) The Pathway to Prosperity program shall administer the  
 1834 following grants to youth and young adults aging out of foster  
 1835 care:

1836 (a) Grants to provide financial literacy instruction using  
 1837 a curriculum developed by the Department of Financial Services.

1838 (b) Grants to provide SAT and ACT preparation, including  
 1839 one-on-one support and fee waivers for the examinations.

1840 (c) Grants to youth and young adults planning to pursue  
 1841 trade careers or paid apprenticeships.

1842 (2) If a youth who is aging out of foster care is reunited  
 1843 with his or her parents, the grants remain available for the  
 1844 youth for up to 6 months after reunification.

1845 Section 36. Subsection (1) of section 39.302, Florida  
 1846 Statutes, is amended to read:

1847 39.302 Protective investigations of institutional child  
 1848 abuse, abandonment, or neglect.—

1849 (1) The department shall conduct a child protective  
 1850 investigation of each report of institutional child abuse,

1851 abandonment, or neglect. Upon receipt of a report that alleges  
 1852 that an employee or agent of the department, or any other entity  
 1853 or person covered by s. 39.01(39) or (57) ~~s. 39.01(36) or (54)~~,  
 1854 acting in an official capacity, has committed an act of child  
 1855 abuse, abandonment, or neglect, the department shall initiate a  
 1856 child protective investigation within the timeframe established  
 1857 under s. 39.101(2) and notify the appropriate state attorney,  
 1858 law enforcement agency, and licensing agency, which shall  
 1859 immediately conduct a joint investigation, unless independent  
 1860 investigations are more feasible. When conducting investigations  
 1861 or having face-to-face interviews with the child, investigation  
 1862 visits shall be unannounced unless it is determined by the  
 1863 department or its agent that unannounced visits threaten the  
 1864 safety of the child. If a facility is exempt from licensing, the  
 1865 department shall inform the owner or operator of the facility of  
 1866 the report. Each agency conducting a joint investigation is  
 1867 entitled to full access to the information gathered by the  
 1868 department in the course of the investigation. A protective  
 1869 investigation must include an interview with the child's parent  
 1870 or legal guardian. The department shall make a full written  
 1871 report to the state attorney within 3 business days after making  
 1872 the oral report. A criminal investigation shall be coordinated,  
 1873 whenever possible, with the child protective investigation of  
 1874 the department. Any interested person who has information  
 1875 regarding the offenses described in this subsection may forward

1876 a statement to the state attorney as to whether prosecution is  
1877 warranted and appropriate. Within 15 days after the completion  
1878 of the investigation, the state attorney shall report the  
1879 findings to the department and shall include in the report a  
1880 determination of whether or not prosecution is justified and  
1881 appropriate in view of the circumstances of the specific case.

1882 Section 37. Paragraph (c) of subsection (1) of section  
1883 39.521, Florida Statutes, is amended to read:

1884 39.521 Disposition hearings; powers of disposition.—

1885 (1) A disposition hearing shall be conducted by the court,  
1886 if the court finds that the facts alleged in the petition for  
1887 dependency were proven in the adjudicatory hearing, or if the  
1888 parents or legal custodians have consented to the finding of  
1889 dependency or admitted the allegations in the petition, have  
1890 failed to appear for the arraignment hearing after proper  
1891 notice, or have not been located despite a diligent search  
1892 having been conducted.

1893 (c) When any child is adjudicated by a court to be  
1894 dependent, the court having jurisdiction of the child has the  
1895 power by order to:

1896 1. Require the parent and, when appropriate, the legal  
1897 guardian or the child to participate in treatment and services  
1898 identified as necessary. The court may require the person who  
1899 has custody or who is requesting custody of the child to submit  
1900 to a mental health or substance abuse disorder assessment or

1901 evaluation. The order may be made only upon good cause shown and  
 1902 pursuant to notice and procedural requirements provided under  
 1903 the Florida Rules of Juvenile Procedure. The mental health  
 1904 assessment or evaluation must be administered by a qualified  
 1905 professional as defined in s. 39.01, and the substance abuse  
 1906 assessment or evaluation must be administered by a qualified  
 1907 professional as defined in s. 397.311. The court may also  
 1908 require such person to participate in and comply with treatment  
 1909 and services identified as necessary, including, when  
 1910 appropriate and available, participation in and compliance with  
 1911 a mental health court program established under chapter 394 or a  
 1912 treatment-based drug court program established under s. 397.334.  
 1913 Adjudication of a child as dependent based upon evidence of harm  
 1914 as defined in s. 39.01(37)(g) ~~s. 39.01(34)(g)~~ demonstrates good  
 1915 cause, and the court shall require the parent whose actions  
 1916 caused the harm to submit to a substance abuse disorder  
 1917 assessment or evaluation and to participate and comply with  
 1918 treatment and services identified in the assessment or  
 1919 evaluation as being necessary. In addition to supervision by the  
 1920 department, the court, including the mental health court program  
 1921 or the treatment-based drug court program, may oversee the  
 1922 progress and compliance with treatment by a person who has  
 1923 custody or is requesting custody of the child. The court may  
 1924 impose appropriate available sanctions for noncompliance upon a  
 1925 person who has custody or is requesting custody of the child or

1926 make a finding of noncompliance for consideration in determining  
1927 whether an alternative placement of the child is in the child's  
1928 best interests. Any order entered under this subparagraph may be  
1929 made only upon good cause shown. This subparagraph does not  
1930 authorize placement of a child with a person seeking custody of  
1931 the child, other than the child's parent or legal custodian, who  
1932 requires mental health or substance abuse disorder treatment.

1933 2. Require, if the court deems necessary, the parties to  
1934 participate in dependency mediation.

1935 3. Require placement of the child either under the  
1936 protective supervision of an authorized agent of the department  
1937 in the home of one or both of the child's parents or in the home  
1938 of a relative of the child or another adult approved by the  
1939 court, or in the custody of the department. Protective  
1940 supervision continues until the court terminates it or until the  
1941 child reaches the age of 18, whichever date is first. Protective  
1942 supervision shall be terminated by the court whenever the court  
1943 determines that permanency has been achieved for the child,  
1944 whether with a parent, another relative, or a legal custodian,  
1945 and that protective supervision is no longer needed. The  
1946 termination of supervision may be with or without retaining  
1947 jurisdiction, at the court's discretion, and shall in either  
1948 case be considered a permanency option for the child. The order  
1949 terminating supervision by the department must set forth the  
1950 powers of the custodian of the child and include the powers

1951 ordinarily granted to a guardian of the person of a minor unless  
1952 otherwise specified. Upon the court's termination of supervision  
1953 by the department, further judicial reviews are not required if  
1954 permanency has been established for the child.

1955 4. Determine whether the child has a strong attachment to  
1956 the prospective permanent guardian and whether such guardian has  
1957 a strong commitment to permanently caring for the child.

1958 Section 38. Paragraph (d) of subsection (4) of section  
1959 119.071, Florida Statutes, is amended to read:

1960 119.071 General exemptions from inspection or copying of  
1961 public records.—

1962 (4) AGENCY PERSONNEL INFORMATION.—

1963 (d)1. For purposes of this paragraph, the term:

1964 a. "Home addresses" means the dwelling location at which  
1965 an individual resides and includes the physical address, mailing  
1966 address, street address, parcel identification number, plot  
1967 identification number, legal property description, neighborhood  
1968 name and lot number, GPS coordinates, and any other descriptive  
1969 property information that may reveal the home address.

1970 b. "Telephone numbers" includes home telephone numbers,  
1971 personal cellular telephone numbers, personal pager telephone  
1972 numbers, and telephone numbers associated with personal  
1973 communications devices.

1974 2.a. The home addresses, telephone numbers, dates of  
1975 birth, and photographs of active or former sworn law enforcement

1976 personnel or of active or former civilian personnel employed by  
 1977 a law enforcement agency, including correctional and  
 1978 correctional probation officers, personnel of the Department of  
 1979 Children and Families whose duties include the investigation of  
 1980 abuse, neglect, exploitation, fraud, theft, or other criminal  
 1981 activities, personnel of the Department of Health whose duties  
 1982 are to support the investigation of child abuse or neglect, and  
 1983 personnel of the Department of Revenue or local governments  
 1984 whose responsibilities include revenue collection and  
 1985 enforcement or child support enforcement; the names, home  
 1986 addresses, telephone numbers, photographs, dates of birth, and  
 1987 places of employment of the spouses and children of such  
 1988 personnel; and the names and locations of schools and day care  
 1989 facilities attended by the children of such personnel are exempt  
 1990 from s. 119.07(1) and s. 24(a), Art. I of the State  
 1991 Constitution.

1992       b. The home addresses, telephone numbers, dates of birth,  
 1993 and photographs of current or former nonsworn investigative  
 1994 personnel of the Department of Financial Services whose duties  
 1995 include the investigation of fraud, theft, workers' compensation  
 1996 coverage requirements and compliance, other related criminal  
 1997 activities, or state regulatory requirement violations; the  
 1998 names, home addresses, telephone numbers, dates of birth, and  
 1999 places of employment of the spouses and children of such  
 2000 personnel; and the names and locations of schools and day care



2001 facilities attended by the children of such personnel are exempt  
 2002 from s. 119.07(1) and s. 24(a), Art. I of the State  
 2003 Constitution.

2004 c. The home addresses, telephone numbers, dates of birth,  
 2005 and photographs of current or former nonsworn investigative  
 2006 personnel of the Office of Financial Regulation's Bureau of  
 2007 Financial Investigations whose duties include the investigation  
 2008 of fraud, theft, other related criminal activities, or state  
 2009 regulatory requirement violations; the names, home addresses,  
 2010 telephone numbers, dates of birth, and places of employment of  
 2011 the spouses and children of such personnel; and the names and  
 2012 locations of schools and day care facilities attended by the  
 2013 children of such personnel are exempt from s. 119.07(1) and s.  
 2014 24(a), Art. I of the State Constitution.

2015 d. The home addresses, telephone numbers, dates of birth,  
 2016 and photographs of current or former firefighters certified in  
 2017 compliance with s. 633.408; the names, home addresses, telephone  
 2018 numbers, photographs, dates of birth, and places of employment  
 2019 of the spouses and children of such firefighters; and the names  
 2020 and locations of schools and day care facilities attended by the  
 2021 children of such firefighters are exempt from s. 119.07(1) and  
 2022 s. 24(a), Art. I of the State Constitution.

2023 e. The home addresses, dates of birth, and telephone  
 2024 numbers of current or former justices of the Supreme Court,  
 2025 district court of appeal judges, circuit court judges, and

2026 county court judges; the names, home addresses, telephone  
2027 numbers, dates of birth, and places of employment of the spouses  
2028 and children of current or former justices and judges; and the  
2029 names and locations of schools and day care facilities attended  
2030 by the children of current or former justices and judges are  
2031 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
2032 Constitution.

2033 f. The home addresses, telephone numbers, dates of birth,  
2034 and photographs of current or former state attorneys, assistant  
2035 state attorneys, statewide prosecutors, or assistant statewide  
2036 prosecutors; the names, home addresses, telephone numbers,  
2037 photographs, dates of birth, and places of employment of the  
2038 spouses and children of current or former state attorneys,  
2039 assistant state attorneys, statewide prosecutors, or assistant  
2040 statewide prosecutors; and the names and locations of schools  
2041 and day care facilities attended by the children of current or  
2042 former state attorneys, assistant state attorneys, statewide  
2043 prosecutors, or assistant statewide prosecutors are exempt from  
2044 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

2045 g. The home addresses, dates of birth, and telephone  
2046 numbers of general magistrates, special magistrates, judges of  
2047 compensation claims, administrative law judges of the Division  
2048 of Administrative Hearings, and child support enforcement  
2049 hearing officers; the names, home addresses, telephone numbers,  
2050 dates of birth, and places of employment of the spouses and

2051 children of general magistrates, special magistrates, judges of  
 2052 compensation claims, administrative law judges of the Division  
 2053 of Administrative Hearings, and child support enforcement  
 2054 hearing officers; and the names and locations of schools and day  
 2055 care facilities attended by the children of general magistrates,  
 2056 special magistrates, judges of compensation claims,  
 2057 administrative law judges of the Division of Administrative  
 2058 Hearings, and child support enforcement hearing officers are  
 2059 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
 2060 Constitution.

2061       h. The home addresses, telephone numbers, dates of birth,  
 2062 and photographs of current or former human resource, labor  
 2063 relations, or employee relations directors, assistant directors,  
 2064 managers, or assistant managers of any local government agency  
 2065 or water management district whose duties include hiring and  
 2066 firing employees, labor contract negotiation, administration, or  
 2067 other personnel-related duties; the names, home addresses,  
 2068 telephone numbers, dates of birth, and places of employment of  
 2069 the spouses and children of such personnel; and the names and  
 2070 locations of schools and day care facilities attended by the  
 2071 children of such personnel are exempt from s. 119.07(1) and s.  
 2072 24(a), Art. I of the State Constitution.

2073       i. The home addresses, telephone numbers, dates of birth,  
 2074 and photographs of current or former code enforcement officers;  
 2075 the names, home addresses, telephone numbers, dates of birth,

2076 and places of employment of the spouses and children of such  
 2077 personnel; and the names and locations of schools and day care  
 2078 facilities attended by the children of such personnel are exempt  
 2079 from s. 119.07(1) and s. 24(a), Art. I of the State  
 2080 Constitution.

2081 j. The home addresses, telephone numbers, places of  
 2082 employment, dates of birth, and photographs of current or former  
 2083 guardians ad litem, as defined in s. 39.01 ~~s. 39.820~~; the names,  
 2084 home addresses, telephone numbers, dates of birth, and places of  
 2085 employment of the spouses and children of such persons; and the  
 2086 names and locations of schools and day care facilities attended  
 2087 by the children of such persons are exempt from s. 119.07(1) and  
 2088 s. 24(a), Art. I of the State Constitution.

2089 k. The home addresses, telephone numbers, dates of birth,  
 2090 and photographs of current or former juvenile probation  
 2091 officers, juvenile probation supervisors, detention  
 2092 superintendents, assistant detention superintendents, juvenile  
 2093 justice detention officers I and II, juvenile justice detention  
 2094 officer supervisors, juvenile justice residential officers,  
 2095 juvenile justice residential officer supervisors I and II,  
 2096 juvenile justice counselors, juvenile justice counselor  
 2097 supervisors, human services counselor administrators, senior  
 2098 human services counselor administrators, rehabilitation  
 2099 therapists, and social services counselors of the Department of  
 2100 Juvenile Justice; the names, home addresses, telephone numbers,

2101 dates of birth, and places of employment of spouses and children  
2102 of such personnel; and the names and locations of schools and  
2103 day care facilities attended by the children of such personnel  
2104 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
2105 Constitution.

2106       1. The home addresses, telephone numbers, dates of birth,  
2107 and photographs of current or former public defenders, assistant  
2108 public defenders, criminal conflict and civil regional counsel,  
2109 and assistant criminal conflict and civil regional counsel; the  
2110 names, home addresses, telephone numbers, dates of birth, and  
2111 places of employment of the spouses and children of current or  
2112 former public defenders, assistant public defenders, criminal  
2113 conflict and civil regional counsel, and assistant criminal  
2114 conflict and civil regional counsel; and the names and locations  
2115 of schools and day care facilities attended by the children of  
2116 current or former public defenders, assistant public defenders,  
2117 criminal conflict and civil regional counsel, and assistant  
2118 criminal conflict and civil regional counsel are exempt from s.  
2119 119.07(1) and s. 24(a), Art. I of the State Constitution.

2120       m. The home addresses, telephone numbers, dates of birth,  
2121 and photographs of current or former investigators or inspectors  
2122 of the Department of Business and Professional Regulation; the  
2123 names, home addresses, telephone numbers, dates of birth, and  
2124 places of employment of the spouses and children of such current  
2125 or former investigators and inspectors; and the names and

2126 | locations of schools and day care facilities attended by the  
 2127 | children of such current or former investigators and inspectors  
 2128 | are exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
 2129 | Constitution.

2130 |       n. The home addresses, telephone numbers, and dates of  
 2131 | birth of county tax collectors; the names, home addresses,  
 2132 | telephone numbers, dates of birth, and places of employment of  
 2133 | the spouses and children of such tax collectors; and the names  
 2134 | and locations of schools and day care facilities attended by the  
 2135 | children of such tax collectors are exempt from s. 119.07(1) and  
 2136 | s. 24(a), Art. I of the State Constitution.

2137 |       o. The home addresses, telephone numbers, dates of birth,  
 2138 | and photographs of current or former personnel of the Department  
 2139 | of Health whose duties include, or result in, the determination  
 2140 | or adjudication of eligibility for social security disability  
 2141 | benefits, the investigation or prosecution of complaints filed  
 2142 | against health care practitioners, or the inspection of health  
 2143 | care practitioners or health care facilities licensed by the  
 2144 | Department of Health; the names, home addresses, telephone  
 2145 | numbers, dates of birth, and places of employment of the spouses  
 2146 | and children of such personnel; and the names and locations of  
 2147 | schools and day care facilities attended by the children of such  
 2148 | personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of  
 2149 | the State Constitution.

2150 |       p. The home addresses, telephone numbers, dates of birth,

2151 and photographs of current or former impaired practitioner  
2152 consultants who are retained by an agency or current or former  
2153 employees of an impaired practitioner consultant whose duties  
2154 result in a determination of a person's skill and safety to  
2155 practice a licensed profession; the names, home addresses,  
2156 telephone numbers, dates of birth, and places of employment of  
2157 the spouses and children of such consultants or their employees;  
2158 and the names and locations of schools and day care facilities  
2159 attended by the children of such consultants or employees are  
2160 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
2161 Constitution.

2162 q. The home addresses, telephone numbers, dates of birth,  
2163 and photographs of current or former emergency medical  
2164 technicians or paramedics certified under chapter 401; the  
2165 names, home addresses, telephone numbers, dates of birth, and  
2166 places of employment of the spouses and children of such  
2167 emergency medical technicians or paramedics; and the names and  
2168 locations of schools and day care facilities attended by the  
2169 children of such emergency medical technicians or paramedics are  
2170 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
2171 Constitution.

2172 r. The home addresses, telephone numbers, dates of birth,  
2173 and photographs of current or former personnel employed in an  
2174 agency's office of inspector general or internal audit  
2175 department whose duties include auditing or investigating waste,

2176 fraud, abuse, theft, exploitation, or other activities that  
2177 could lead to criminal prosecution or administrative discipline;  
2178 the names, home addresses, telephone numbers, dates of birth,  
2179 and places of employment of spouses and children of such  
2180 personnel; and the names and locations of schools and day care  
2181 facilities attended by the children of such personnel are exempt  
2182 from s. 119.07(1) and s. 24(a), Art. I of the State  
2183 Constitution.

2184 s. The home addresses, telephone numbers, dates of birth,  
2185 and photographs of current or former directors, managers,  
2186 supervisors, nurses, and clinical employees of an addiction  
2187 treatment facility; the home addresses, telephone numbers,  
2188 photographs, dates of birth, and places of employment of the  
2189 spouses and children of such personnel; and the names and  
2190 locations of schools and day care facilities attended by the  
2191 children of such personnel are exempt from s. 119.07(1) and s.  
2192 24(a), Art. I of the State Constitution. For purposes of this  
2193 sub-subparagraph, the term "addiction treatment facility" means  
2194 a county government, or agency thereof, that is licensed  
2195 pursuant to s. 397.401 and provides substance abuse prevention,  
2196 intervention, or clinical treatment, including any licensed  
2197 service component described in s. 397.311(26).

2198 t. The home addresses, telephone numbers, dates of birth,  
2199 and photographs of current or former directors, managers,  
2200 supervisors, and clinical employees of a child advocacy center



2201 that meets the standards of s. 39.3035(2) and fulfills the  
2202 screening requirement of s. 39.3035(3), and the members of a  
2203 Child Protection Team as described in s. 39.303 whose duties  
2204 include supporting the investigation of child abuse or sexual  
2205 abuse, child abandonment, child neglect, and child exploitation  
2206 or to provide services as part of a multidisciplinary case  
2207 review team; the names, home addresses, telephone numbers,  
2208 photographs, dates of birth, and places of employment of the  
2209 spouses and children of such personnel and members; and the  
2210 names and locations of schools and day care facilities attended  
2211 by the children of such personnel and members are exempt from s.  
2212 119.07(1) and s. 24(a), Art. I of the State Constitution.

2213 u. The home addresses, telephone numbers, places of  
2214 employment, dates of birth, and photographs of current or former  
2215 staff and domestic violence advocates, as defined in s.  
2216 90.5036(1)(b), of domestic violence centers certified by the  
2217 Department of Children and Families under chapter 39; the names,  
2218 home addresses, telephone numbers, places of employment, dates  
2219 of birth, and photographs of the spouses and children of such  
2220 personnel; and the names and locations of schools and day care  
2221 facilities attended by the children of such personnel are exempt  
2222 from s. 119.07(1) and s. 24(a), Art. I of the State  
2223 Constitution.

2224 3. An agency that is the custodian of the information  
2225 specified in subparagraph 2. and that is not the employer of the

2226 officer, employee, justice, judge, or other person specified in  
2227 subparagraph 2. must maintain the exempt status of that  
2228 information only if the officer, employee, justice, judge, other  
2229 person, or employing agency of the designated employee submits a  
2230 written and notarized request for maintenance of the exemption  
2231 to the custodial agency. The request must state under oath the  
2232 statutory basis for the individual's exemption request and  
2233 confirm the individual's status as a party eligible for exempt  
2234 status.

2235 4.a. A county property appraiser, as defined in s.  
2236 192.001(3), or a county tax collector, as defined in s.  
2237 192.001(4), who receives a written and notarized request for  
2238 maintenance of the exemption pursuant to subparagraph 3. must  
2239 comply by removing the name of the individual with exempt status  
2240 and the instrument number or Official Records book and page  
2241 number identifying the property with the exempt status from all  
2242 publicly available records maintained by the property appraiser  
2243 or tax collector. For written requests received on or before  
2244 July 1, 2021, a county property appraiser or county tax  
2245 collector must comply with this sub-subparagraph by October 1,  
2246 2021. A county property appraiser or county tax collector may  
2247 not remove the street address, legal description, or other  
2248 information identifying real property within the agency's  
2249 records so long as a name or personal information otherwise  
2250 exempt from inspection and copying pursuant to this section are

2251 not associated with the property or otherwise displayed in the  
2252 public records of the agency.

2253 b. Any information restricted from public display,  
2254 inspection, or copying under sub-subparagraph a. must be  
2255 provided to the individual whose information was removed.

2256 5. An officer, an employee, a justice, a judge, or other  
2257 person specified in subparagraph 2. may submit a written request  
2258 for the release of his or her exempt information to the  
2259 custodial agency. The written request must be notarized and must  
2260 specify the information to be released and the party authorized  
2261 to receive the information. Upon receipt of the written request,  
2262 the custodial agency must release the specified information to  
2263 the party authorized to receive such information.

2264 6. The exemptions in this paragraph apply to information  
2265 held by an agency before, on, or after the effective date of the  
2266 exemption.

2267 7. Information made exempt under this paragraph may be  
2268 disclosed pursuant to s. 28.2221 to a title insurer authorized  
2269 pursuant to s. 624.401 and its affiliates as defined in s.  
2270 624.10; a title insurance agent or title insurance agency as  
2271 defined in s. 626.841(1) or (2), respectively; or an attorney  
2272 duly admitted to practice law in this state and in good standing  
2273 with The Florida Bar.

2274 8. The exempt status of a home address contained in the  
2275 Official Records is maintained only during the period when a

2276 | protected party resides at the dwelling location. Upon  
2277 | conveyance of real property after October 1, 2021, and when such  
2278 | real property no longer constitutes a protected party's home  
2279 | address as defined in sub-subparagraph 1.a., the protected party  
2280 | must submit a written request to release the removed information  
2281 | to the county recorder. The written request to release the  
2282 | removed information must be notarized, must confirm that a  
2283 | protected party's request for release is pursuant to a  
2284 | conveyance of his or her dwelling location, and must specify the  
2285 | Official Records book and page, instrument number, or clerk's  
2286 | file number for each document containing the information to be  
2287 | released.

2288 |         9. Upon the death of a protected party as verified by a  
2289 | certified copy of a death certificate or court order, any party  
2290 | can request the county recorder to release a protected  
2291 | decedent's removed information unless there is a related request  
2292 | on file with the county recorder for continued removal of the  
2293 | decedent's information or unless such removal is otherwise  
2294 | prohibited by statute or by court order. The written request to  
2295 | release the removed information upon the death of a protected  
2296 | party must attach the certified copy of a death certificate or  
2297 | court order and must be notarized, must confirm the request for  
2298 | release is due to the death of a protected party, and must  
2299 | specify the Official Records book and page number, instrument  
2300 | number, or clerk's file number for each document containing the

2301 information to be released. A fee may not be charged for the  
 2302 release of any document pursuant to such request.

2303 10. This paragraph is subject to the Open Government  
 2304 Sunset Review Act in accordance with s. 119.15 and shall stand  
 2305 repealed on October 2, 2024, unless reviewed and saved from  
 2306 repeal through reenactment by the Legislature.

2307 Section 39. Subsection (4) of section 322.09, Florida  
 2308 Statutes, is amended to read:

2309 322.09 Application of minors; responsibility for  
 2310 negligence or misconduct of minor.—

2311 (4) Notwithstanding subsections (1) and (2), if a  
 2312 caregiver of a minor who is under the age of 18 years and is in  
 2313 out-of-home care as defined in s. 39.01 ~~s. 39.01(55)~~, an  
 2314 authorized representative of a residential group home at which  
 2315 such a minor resides, the caseworker at the agency at which the  
 2316 state has placed the minor, or a guardian ad litem specifically  
 2317 authorized by the minor's caregiver to sign for a learner's  
 2318 driver license signs the minor's application for a learner's  
 2319 driver license, that caregiver, group home representative,  
 2320 caseworker, or guardian ad litem does not assume any obligation  
 2321 or become liable for any damages caused by the negligence or  
 2322 willful misconduct of the minor by reason of having signed the  
 2323 application. Before signing the application, the caseworker,  
 2324 authorized group home representative, or guardian ad litem shall  
 2325 notify the caregiver or other responsible party of his or her

2326 | intent to sign and verify the application.

2327 | Section 40. Paragraph (p) of subsection (4) of section  
2328 | 394.495, Florida Statutes, is amended to read:

2329 | 394.495 Child and adolescent mental health system of care;  
2330 | programs and services.—

2331 | (4) The array of services may include, but is not limited  
2332 | to:

2333 | (p) Trauma-informed services for children who have  
2334 | suffered sexual exploitation as defined in s. 39.01(80)(g) ~~s.~~  
2335 | ~~39.01(77)(g)~~.

2336 | Section 41. Section 627.746, Florida Statutes, is amended  
2337 | to read:

2338 | 627.746 Coverage for minors who have a learner's driver  
2339 | license; additional premium prohibited.—An insurer that issues  
2340 | an insurance policy on a private passenger motor vehicle to a  
2341 | named insured who is a caregiver of a minor who is under the age  
2342 | of 18 years and is in out-of-home care as defined in s. 39.01 ~~s.~~  
2343 | ~~39.01(55)~~ may not charge an additional premium for coverage of  
2344 | the minor while the minor is operating the insured vehicle, for  
2345 | the period of time that the minor has a learner's driver  
2346 | license, until such time as the minor obtains a driver license.

2347 | Section 42. Paragraph (b) of subsection (9) of section  
2348 | 768.28, Florida Statutes, is amended to read:

2349 | 768.28 Waiver of sovereign immunity in tort actions;  
2350 | recovery limits; civil liability for damages caused during a

2351 riot; limitation on attorney fees; statute of limitations;  
 2352 exclusions; indemnification; risk management programs.—

2353 (9)

2354 (b) As used in this subsection, the term:

2355 1. "Employee" includes any volunteer firefighter.

2356 2. "Officer, employee, or agent" includes, but is not  
 2357 limited to, any health care provider when providing services  
 2358 pursuant to s. 766.1115; any nonprofit independent college or  
 2359 university located and chartered in this state which owns or  
 2360 operates an accredited medical school, and its employees or  
 2361 agents, when providing patient services pursuant to paragraph  
 2362 (10) (f); any public defender or her or his employee or agent,  
 2363 including an assistant public defender or an investigator; and  
 2364 any member of a Child Protection Team, as defined in s. 39.01 ~~s.~~  
 2365 ~~39.01(13)~~, when carrying out her or his duties as a team member  
 2366 under the control, direction, and supervision of the state or  
 2367 any of its agencies or subdivisions.

2368 Section 43. Paragraph (c) of subsection (1) of section  
 2369 934.255, Florida Statutes, is amended to read:

2370 934.255 Subpoenas in investigations of sexual offenses.—

2371 (1) As used in this section, the term:

2372 (c) "Sexual abuse of a child" means a criminal offense  
 2373 based on any conduct described in s. 39.01(80) ~~s. 39.01(77)~~.

2374 Section 44. Subsection (5) of section 960.065, Florida  
 2375 Statutes, is amended to read:

CS/CS/HB 875

2023

2376 | 960.065 Eligibility for awards.—

2377 | (5) A person is not ineligible for an award pursuant to  
2378 | paragraph (2)(a), paragraph (2)(b), or paragraph (2)(c) if that  
2379 | person is a victim of sexual exploitation of a child as defined  
2380 | in s. 39.01(80)(g) ~~s. 39.01(77)(g)~~.

2381 | Section 45. The Division of Law Revision is requested to  
2382 | prepare a reviser's bill for the 2024 Regular Session of the  
2383 | Legislature to substitute the term "Statewide Guardian ad Litem  
2384 | Office" for the term "Statewide Guardian Ad Litem Program"  
2385 | throughout the Florida Statutes.

2386 | Section 46. This act shall take effect July 1, 2023.