

1 A bill to be entitled

2 An act relating to dependent children; amending s.  
3 39.001, F.S.; revising the purposes of chapter 39;  
4 requiring the Statewide Guardian ad Litem Office and  
5 circuit guardian ad litem offices to participate in  
6 the development of a certain state plan; conforming a  
7 provision to changes made by the act; amending s.  
8 39.00145, F.S.; authorizing a child's attorney ad  
9 litem to inspect certain records; amending s.  
10 39.00146, F.S.; conforming provisions to changes made  
11 by the act; amending s. 39.0016, F.S.; requiring a  
12 child's guardian ad litem be included in the  
13 coordination of certain educational services; amending  
14 s. 39.01, F.S.; providing and revising definitions;  
15 amending s. 39.013, F.S.; requiring the court to  
16 appoint a guardian ad litem for a child at the  
17 earliest possible time; authorizing a guardian ad  
18 litem to represent a child in other proceedings to  
19 secure certain services and benefits; authorizing the  
20 court to appoint an attorney ad litem for a child  
21 after it makes certain determinations; authorizing an  
22 attorney ad litem to represent a child in other  
23 proceedings to secure certain services and benefits;  
24 amending s. 39.01305, F.S.; revising provisions  
25 relating to the appointment of an attorney for certain

26 | children; revising legislative findings; authorizing  
27 | the court to appoint an attorney ad litem for a child  
28 | after making certain determinations; providing  
29 | requirements for the appointment and discharge of an  
30 | attorney ad litem; authorizing an attorney ad litem to  
31 | represent a child in other proceedings to secure  
32 | certain services and benefits; conforming provisions  
33 | to changes made by the act; providing applicability;  
34 | amending s. 39.0132, F.S.; authorizing a child's  
35 | attorney ad litem to inspect certain records; amending  
36 | s. 39.0136, F.S.; revising the parties who may request  
37 | a continuance in a proceeding; amending s. 39.0139,  
38 | F.S.; conforming provisions to changes made by the  
39 | act; amending s. 39.202, F.S.; requiring that certain  
40 | confidential records be released to the guardian ad  
41 | litem and attorney ad litem; conforming a cross-  
42 | reference; amending s. 39.402, F.S.; requiring parents  
43 | to consent to provide certain information to the  
44 | guardian ad litem and attorney ad litem; conforming  
45 | provisions to changes made by the act; amending s.  
46 | 39.4022, F.S.; revising the participants who must be  
47 | invited to a multidisciplinary team staffing; amending  
48 | s. 39.4023, F.S.; requiring notice of a  
49 | multidisciplinary team staffing be provided to a  
50 | child's guardian ad litem and attorney ad litem;

51 conforming provisions to changes made by the act;  
52 amending s. 39.407, F.S.; conforming provisions to  
53 changes made by the act; amending s. 39.4085, F.S.;  
54 providing a goal of permanency; conforming provisions  
55 to changes made by the act; amending s. 39.522, F.S.;  
56 conforming provisions to changes made by the act;  
57 amending s. 39.6012, F.S.; requiring a case plan to  
58 include written descriptions of certain activities;  
59 conforming a cross-reference; creating s. 39.6036,  
60 F.S.; providing legislative findings and intent;  
61 requiring the Statewide Guardian ad Litem Office to  
62 work with certain children to identify a supportive  
63 adult to enter into a specified agreement; requiring  
64 such agreement be documented in the child's court  
65 file; requiring the office to coordinate with the  
66 Office of Continuing Care for a specified purpose;  
67 amending s. 39.621, F.S.; conforming provisions to  
68 changes made by the act; amending s. 39.6241, F.S.;  
69 requiring a guardian ad litem to advise the court  
70 regarding certain information and to ensure a certain  
71 agreement has been documented in the child's court  
72 file; amending s. 39.701, F.S.; requiring certain  
73 notice be given to an attorney ad litem; requiring a  
74 court to give a guardian ad litem an opportunity to  
75 address the court in certain proceedings; requiring

76 | the court to inquire and determine if a child has a  
77 | certain agreement documented in his or her court file  
78 | at a specified hearing; conforming provisions to  
79 | changes made by the act; amending s. 39.801, F.S.;  
80 | conforming provisions to changes made by the act;  
81 | amending s. 39.807, F.S.; requiring a court to appoint  
82 | a guardian ad litem to represent the child; revising a  
83 | guardian ad litem's responsibilities and authorities;  
84 | deleting provisions relating to bonds and service of  
85 | pleadings or papers; amending s. 39.808, F.S.;  
86 | conforming provisions to changes made by the act;  
87 | amending s. 39.815, F.S.; conforming provisions to  
88 | changes made by the act; repealing s. 39.820, F.S.,  
89 | relating to definitions of the terms "guardian ad  
90 | litem" and "guardian advocate"; amending s. 39.821,  
91 | F.S.; conforming provisions to changes made by the  
92 | act; amending s. 39.822, F.S.; providing that a  
93 | guardian ad litem is a fiduciary and must provide  
94 | independent representation to a child; revising  
95 | responsibilities of a guardian ad litem; requiring  
96 | that guardians ad litem have certain access to the  
97 | children the guardians ad litem represent; providing  
98 | actions that a guardian ad litem does or does not have  
99 | to fulfill; amending s. 39.827, F.S.; authorizing a  
100 | child's guardian ad litem and attorney ad litem to

101 inspect certain records; amending s. 39.8296, F.S.;

102 revising the duties and appointment of the executive

103 director of the Statewide Guardian ad Litem Office;

104 requiring the training program for guardians ad litem

105 to be updated regularly; requiring the office to

106 provide oversight and technical assistance to

107 attorneys ad litem; specifying certain requirements of

108 the office; amending s. 39.8297, F.S.; conforming

109 provisions to changes made by the act; amending s.

110 39.8298, F.S.; authorizing the executive director of

111 the Statewide Guardian ad Litem Office to create or

112 designate local direct-support organizations;

113 providing responsibilities for the executive director

114 of the office; requiring that certain moneys be held

115 in a separate depository account; conforming

116 provisions to changes made by the act; creating s.

117 1009.898, F.S.; authorizing the Pathway to Prosperity

118 program to provide certain grants to youth and young

119 adults who are aging out of foster care; requiring

120 grants to extend for a certain period of time after a

121 recipient is reunited with his or her parents;

122 amending ss. 39.302, 39.521, 119.071, 322.09, 394.495,

123 627.746, 768.28, 934.255, and 960.065, F.S.;

124 conforming cross-references; providing a directive to

125 the Division of Law Revision; providing an effective

126 date;

127

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

129

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

133 39.001 Purposes and intent; personnel standards and  
 134 screening.—

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

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

146 (10) PLAN FOR COMPREHENSIVE APPROACH.—

147 (a) The office shall develop a state plan for the  
 148 promotion of adoption, support of adoptive families, and  
 149 prevention of abuse, abandonment, and neglect of children. The  
 150 Department of Children and Families, the Department of

151 Corrections, the Department of Education, the Department of  
152 Health, the Department of Juvenile Justice, the Department of  
153 Law Enforcement, the Statewide Guardian ad Litem Office, and the  
154 Agency for Persons with Disabilities shall participate and fully  
155 cooperate in the development of the state plan at both the state  
156 and local levels. Furthermore, appropriate local agencies and  
157 organizations shall be provided an opportunity to participate in  
158 the development of the state plan at the local level.

159 Appropriate local groups and organizations shall include, but  
160 not be limited to, community mental health centers; circuit  
161 guardian ad litem offices ~~programs for children under the~~  
162 ~~circuit court~~; the school boards of the local school districts;  
163 the Florida local advocacy councils; community-based care lead  
164 agencies; private or public organizations or programs with  
165 recognized expertise in working with child abuse prevention  
166 programs for children and families; private or public  
167 organizations or programs with recognized expertise in working  
168 with children who are sexually abused, physically abused,  
169 emotionally abused, abandoned, or neglected and with expertise  
170 in working with the families of such children; private or public  
171 programs or organizations with expertise in maternal and infant  
172 health care; multidisciplinary Child Protection Teams; child day  
173 care centers; law enforcement agencies; and the circuit courts,  
174 ~~when guardian ad litem programs are not available in the local~~  
175 ~~area~~. The state plan to be provided to the Legislature and the

176 Governor shall include, as a minimum, the information required  
177 of the various groups in paragraph (b).

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

180 39.00145 Records concerning children.—

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

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

191 (b) The department shall release the information in a  
192 manner and setting that are appropriate to the age and maturity  
193 of the child and the nature of the information being released,  
194 which may include the release of information in a therapeutic  
195 setting, if appropriate. This paragraph does not deny the child  
196 access to his or her records.

197 (c) If a child or the child's caregiver, guardian ad  
198 litem, or attorney ad litem, if one is appointed, requests  
199 access to the child's case record, any person or entity that  
200 fails to provide any record in the case record under assertion



201 of a claim of exemption from the public records requirements of  
 202 chapter 119, or fails to provide access within a reasonable  
 203 time, is subject to sanctions and penalties under s. 119.10.

204 (d) For the purposes of this subsection, the term  
 205 "caregiver" is limited to parents, legal custodians, permanent  
 206 guardians, or foster parents; employees of a residential home,  
 207 institution, facility, or agency at which the child resides; and  
 208 other individuals legally responsible for a child's welfare in a  
 209 residential setting.

210 Section 3. Paragraph (a) of subsection (2) of section  
 211 39.00146, Florida Statutes, is amended to read:

212 39.00146 Case record face sheet.—

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

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

- 221 1. The child's name and date of birth~~.~~
- 222 2. The current county of residence and the county of  
 223 residence at the time of the referral~~.~~
- 224 3. The reason for the referral and any family safety  
 225 concerns~~.~~

226 4. The personal identifying information of the parents or  
 227 legal custodians who had custody of the child at the time of the  
 228 referral, including name, date of birth, and county of  
 229 residence.~~;~~

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

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

235 Section 4. Paragraph (b) of subsection (2) of section  
 236 39.0016, Florida Statutes, is amended to read:

237 39.0016 Education of abused, neglected, and abandoned  
 238 children; agency agreements; children having or suspected of  
 239 having a disability.—

240 (2) AGENCY AGREEMENTS.—

241 (b) The department shall enter into agreements with  
 242 district school boards or other local educational entities  
 243 regarding education and related services for children known to  
 244 the department who are of school age and children known to the  
 245 department who are younger than school age but who would  
 246 otherwise qualify for services from the district school board.  
 247 Such agreements must ~~shall~~ include, but are not limited to:

248 1. A requirement that the department shall:

249 a. Ensure that children known to the department are  
 250 enrolled in school or in the best educational setting that meets

251 the needs of the child. The agreement must ~~shall~~ provide for  
252 continuing the enrollment of a child known to the department at  
253 the school of origin when possible if it is in the best interest  
254 of the child, with the goal of minimal disruption of education.

255 b. Notify the school and school district in which a child  
256 known to the department is enrolled of the name and phone number  
257 of the child known to the department caregiver and caseworker  
258 for child safety purposes.

259 c. Establish a protocol for the department to share  
260 information about a child known to the department with the  
261 school district, consistent with the Family Educational Rights  
262 and Privacy Act, since the sharing of information will assist  
263 each agency in obtaining education and related services for the  
264 benefit of the child. The protocol must require the district  
265 school boards or other local educational entities to access the  
266 department's Florida Safe Families Network to obtain information  
267 about children known to the department, consistent with the  
268 Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. s.  
269 1232g.

270 d. Notify the school district of the department's case  
271 planning for a child known to the department, both at the time  
272 of plan development and plan review. Within the plan development  
273 or review process, the school district may provide information  
274 regarding the child known to the department if the school  
275 district deems it desirable and appropriate.

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

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

280 a. Provide the department with a general listing of the  
 281 services and information available from the district school  
 282 board to facilitate educational access for a child known to the  
 283 department.

284 b. Identify all educational and other services provided by  
 285 the school and school district which the school district  
 286 believes are reasonably necessary to meet the educational needs  
 287 of a child known to the department.

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

298 d. Provide individualized student intervention or an  
 299 individual educational plan when a determination has been made  
 300 through legally appropriate criteria that intervention services

301 are required. The intervention or individual educational plan  
302 must include strategies to enable the child known to the  
303 department to maximize the attainment of educational goals.

304 3. A requirement that the department and the district  
305 school board shall cooperate in accessing the services and  
306 supports needed for a child known to the department who has or  
307 is suspected of having a disability to receive an appropriate  
308 education consistent with the Individuals with Disabilities  
309 Education Act and state implementing laws, rules, and  
310 assurances. Coordination of services for a child known to the  
311 department who has or is suspected of having a disability may  
312 include:

313 a. Referral for screening.

314 b. Sharing of evaluations between the school district and  
315 the department where appropriate.

316 c. Provision of education and related services appropriate  
317 for the needs and abilities of the child known to the  
318 department.

319 d. Coordination of services and plans between the school  
320 and the residential setting to avoid duplication or conflicting  
321 service plans.

322 e. Appointment of a surrogate parent, consistent with the  
323 Individuals with Disabilities Education Act and pursuant to  
324 subsection (3), for educational purposes for a child known to  
325 the department who qualifies.

326 f. For each child known to the department 14 years of age  
 327 and older, transition planning by the department and all  
 328 providers, including the department's independent living program  
 329 staff and the guardian ad litem of the child, to meet the  
 330 requirements of the local school district for educational  
 331 purposes.

332 Section 5. Subsections (8) through (30) and (31) through  
 333 (87) of section 39.01, Florida Statutes, are renumbered as  
 334 subsections (9) through (31) and (34) through (90),  
 335 respectively, present subsections (9), (36), and (58) are  
 336 amended, and new subsections (8), (32), and (33) are added to  
 337 that section, to read:

338 39.01 Definitions.—When used in this chapter, unless the  
 339 context otherwise requires:

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

344 ~~(10)(9)~~ "Caregiver" means the parent, legal custodian,  
 345 permanent guardian, adult household member, or other person  
 346 responsible for a child's welfare as defined in subsection  
 347 ~~(57)(54)~~.

348 (32) "Guardian ad litem" means a person or entity that is  
 349 a fiduciary appointed by the court to represent a child in any  
 350 civil, criminal, or administrative proceeding to which the child

351 is a party, including, but not limited to, under this chapter,  
 352 which uses a best interest standard for decisionmaking and  
 353 advocacy. For purposes of this chapter, the term includes, but  
 354 is not limited to, the Statewide Guardian ad Litem Office, which  
 355 includes all circuit guardian ad litem offices and the duly  
 356 certified volunteers, staff, and attorneys assigned by the  
 357 Statewide Guardian ad Litem Office to represent children; a  
 358 court-appointed attorney; or a responsible adult who is  
 359 appointed by the court. A guardian ad litem is a party to the  
 360 judicial proceeding as a representative of the child and serves  
 361 until the jurisdiction of the court over the child terminates or  
 362 until excused by the court.

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

366 (39)-(36) "Institutional child abuse or neglect" means  
 367 situations of known or suspected child abuse or neglect in which  
 368 the person allegedly perpetrating the child abuse or neglect is  
 369 an employee of a public or private school, public or private day  
 370 care center, residential home, institution, facility, or agency  
 371 or any other person at such institution responsible for the  
 372 child's welfare as defined in subsection (57)-(54).

373 (61)-(58) "Party" means the parent or parents of the child,  
 374 the petitioner, the department, the guardian ad litem ~~or the~~  
 375 ~~representative of the guardian ad litem program when the program~~

376 ~~has been appointed,~~ and the child. The presence of the child may  
 377 be excused by order of the court when presence would not be in  
 378 the child's best interest. Notice to the child may be excused by  
 379 order of the court when the age, capacity, or other condition of  
 380 the child is such that the notice would be meaningless or  
 381 detrimental to the child.

382 Section 6. Subsection (11) of section 39.013, Florida  
 383 Statutes, is amended and subsection (13) is added to that  
 384 section, to read:

385 39.013 Procedures and jurisdiction; right to counsel;  
 386 guardian ad litem and attorney ad litem.-

387 (11) The court shall appoint a guardian ad litem at the  
 388 earliest possible time to represent a child throughout the  
 389 proceedings, including any appeals. The guardian ad litem may  
 390 represent the child in proceedings outside of the dependency  
 391 case to secure the services and benefits that provide for the  
 392 care, safety, and protection of the child ~~encourage the~~  
 393 ~~Statewide Guardian Ad Litem Office to provide greater~~  
 394 ~~representation to those children who are within 1 year of~~  
 395 ~~transferring out of foster care.~~

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



401 rational understanding. The attorney ad litem may represent the  
402 child in proceedings outside of the dependency case to secure  
403 services and benefits that provide for the care, safety, and  
404 protection of the child.

405 Section 7. Section 39.01305, Florida Statutes, is amended  
406 to read:

407 39.01305 Appointment of an attorney ad litem for a  
408 dependent child ~~with certain special needs.~~—

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

410 ~~1.~~ all children in proceedings under this chapter have  
411 important interests at stake, such as health, safety, and well-  
412 being and the need to obtain permanency. While such children are  
413 represented by the Statewide Guardian ad Litem Office using a  
414 best interest standard of decisionmaking and advocacy, some  
415 children may also need representation by an attorney ad litem in  
416 proceedings under this chapter.

417 (2) The court may appoint an attorney ad litem for a child  
418 if the court believes the child is in need of such  
419 representation and determines that the child has a rational and  
420 factual understanding of the proceedings and sufficient present  
421 ability to consult with an attorney with a reasonable degree of  
422 rational understanding.

423 ~~2. A dependent child who has certain special needs has a~~  
424 ~~particular need for an attorney to represent the dependent child~~  
425 ~~in proceedings under this chapter, as well as in fair hearings~~

426 ~~and appellate proceedings, so that the attorney may address the~~  
427 ~~child's medical and related needs and the services and supports~~  
428 ~~necessary for the child to live successfully in the community.~~

429 ~~(b) The Legislature recognizes the existence of~~  
430 ~~organizations that provide attorney representation to children~~  
431 ~~in certain jurisdictions throughout the state. Further, the~~  
432 ~~statewide Guardian Ad Litem Program provides best interest~~  
433 ~~representation for dependent children in every jurisdiction in~~  
434 ~~accordance with state and federal law. The Legislature,~~  
435 ~~therefore, does not intend that funding provided for~~  
436 ~~representation under this section supplant proven and existing~~  
437 ~~organizations representing children. Instead, the Legislature~~  
438 ~~intends that funding provided for representation under this~~  
439 ~~section be an additional resource for the representation of more~~  
440 ~~children in these jurisdictions, to the extent necessary to meet~~  
441 ~~the requirements of this chapter, with the cooperation of~~  
442 ~~existing local organizations or through the expansion of those~~  
443 ~~organizations. The Legislature encourages the expansion of pro~~  
444 ~~bono representation for children. This section is not intended~~  
445 ~~to limit the ability of a pro bono attorney to appear on behalf~~  
446 ~~of a child.~~

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

451 ~~(3) An attorney shall be appointed for a dependent child~~  
 452 ~~who:~~

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

455 ~~(b) Is prescribed a psychotropic medication but declines~~  
 456 ~~assent to the psychotropic medication;~~

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

459 ~~(d) Is being placed in a residential treatment center or~~  
 460 ~~being considered for placement in a residential treatment~~  
 461 ~~center; or~~

462 ~~(e) Is a victim of human trafficking as defined in s.~~  
 463 ~~787.06(2)(d).~~

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

475 (b) A court order appointing ~~After~~ an attorney ad litem

476 under this section must be in writing. ~~is appointed, the~~  
 477 ~~appointment continues in effect until the attorney is allowed to~~  
 478 ~~withdraw or is discharged by~~ The court must discharge ~~or until~~  
 479 ~~the case is dismissed.~~ an attorney ad litem who is appointed  
 480 under this section if the need for such representation is  
 481 resolved. The attorney ad litem may represent the child in  
 482 proceedings outside of the dependency case to secure services  
 483 and benefits that provide for the care, safety, and protection  
 484 of the child ~~to represent the child shall provide the complete~~  
 485 ~~range of legal services, from the removal from home or from the~~  
 486 ~~initial appointment through all available appellate proceedings.~~  
 487 With the permission of the court, the attorney ad litem ~~for the~~  
 488 ~~dependent child~~ may arrange for supplemental or separate counsel  
 489 to represent the child in appellate proceedings. ~~A court order~~  
 490 ~~appointing an attorney under this section must be in writing.~~

491 ~~(4)-(5)~~ Unless the attorney ad litem has agreed to provide  
 492 pro bono services, an appointed attorney ad litem or  
 493 organization must be adequately compensated. All appointed  
 494 attorneys ad litem and organizations, including pro bono  
 495 attorneys, must be provided with access to funding for expert  
 496 witnesses, depositions, and other due process costs of  
 497 litigation. Payment of attorney fees and case-related due  
 498 process costs are subject to appropriations and review by the  
 499 Justice Administrative Commission for reasonableness. The  
 500 Justice Administrative Commission shall contract with attorneys

501 ad litem appointed by the court. Attorney fees may not exceed  
 502 \$1,000 per child per year.

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

507 ~~(7) The department may adopt rules to administer this~~  
 508 ~~section.~~

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

512 (5)~~(9)~~ Implementation of this section is subject to  
 513 appropriations expressly made for that purpose.

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

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

519 39.0132 Oaths, records, and confidential information.—

520 (3) The clerk shall keep all court records required by  
 521 this chapter separate from other records of the circuit court.  
 522 All court records required by this chapter may ~~shall~~ not be open  
 523 to inspection by the public. All records may ~~shall~~ be inspected  
 524 only upon order of the court by persons deemed by the court to  
 525 have a proper interest therein, except that, subject to ~~the~~

526 ~~provisions of s. 63.162, a child, and the parents of the child~~  
527 ~~and their attorneys, the guardian ad litem, criminal conflict~~  
528 ~~and civil regional counsels, law enforcement agencies, and the~~  
529 ~~department and its designees, and the attorney ad litem, if one~~  
530 is appointed, ~~shall~~ always have the right to inspect and copy  
531 any official record pertaining to the child. The Justice  
532 Administrative Commission may inspect court dockets required by  
533 this chapter as necessary to audit compensation of court-  
534 appointed attorneys ad litem. If the docket is insufficient for  
535 purposes of the audit, the commission may petition the court for  
536 additional documentation as necessary and appropriate. The court  
537 may permit authorized representatives of recognized  
538 organizations compiling statistics for proper purposes to  
539 inspect and make abstracts from official records, under whatever  
540 conditions upon their use and disposition the court may deem  
541 proper, and may punish by contempt proceedings any violation of  
542 those conditions.

543 Section 10. Paragraph (a) of subsection (3) of section  
544 39.0136, Florida Statutes, is amended to read:

545 39.0136 Time limitations; continuances.—

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

547 (a) Periods of delay resulting from a continuance granted  
548 at the request of the child's counsel, ~~or the child's guardian~~  
549 ~~ad litem, or attorney ad litem, if one is appointed, if the~~  
550 ~~child is of sufficient capacity to express reasonable consent,~~

551 ~~at the request or with the consent of the child.~~ The court must  
552 consider the best interests of the child when determining  
553 periods of delay under this section.

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

556 39.0139 Visitation or other contact; restrictions.—

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

561 (a) Before ~~Prior to~~ the hearing, the court shall appoint  
562 ~~an attorney ad litem or~~ a guardian ad litem for the child if one  
563 has not already been appointed. The guardian ad litem and ~~Any~~  
564 ~~attorney ad litem, if one is or guardian ad litem~~ appointed,  
565 must ~~shall~~ have special training in the dynamics of child sexual  
566 abuse.

567 (b) At the hearing, the court may receive and rely upon  
568 any relevant and material evidence submitted to the extent of  
569 its probative value, including written and oral reports or  
570 recommendations from the Child Protection Team, the child's  
571 therapist, the child's guardian ad litem, or the child's  
572 attorney ad litem, if one is appointed, even if these reports,  
573 recommendations, and evidence may not be admissible under the  
574 rules of evidence.

575 Section 12. Paragraphs (d) and (t) of subsection (2) of

576 section 39.202, Florida Statutes, are amended to read:

577 39.202 Confidentiality of reports and records in cases of  
578 child abuse or neglect; exception.—

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

584 (d) The parent or legal custodian of any child who is  
585 alleged to have been abused, abandoned, or neglected; the child;  
586 the guardian ad litem; the attorney ad litem, if one is  
587 appointed; or, ~~and the child, and their attorneys, including any~~  
588 attorney representing a child in civil or criminal proceedings.  
589 This access must ~~shall~~ be made available no later than 60 days  
590 after the department receives the initial report of abuse,  
591 neglect, or abandonment. However, any information otherwise made  
592 confidential or exempt by law may ~~shall~~ not be released pursuant  
593 to this paragraph.

594 (t) Persons with whom the department is seeking to place  
595 the child or to whom placement has been granted, including  
596 foster parents for whom an approved home study has been  
597 conducted, the designee of a licensed child-caring agency as  
598 defined in s. 39.01 ~~s. 39.01(41)~~, an approved relative or  
599 nonrelative with whom a child is placed pursuant to s. 39.402,  
600 preadoptive parents for whom a favorable preliminary adoptive



601 home study has been conducted, adoptive parents, or an adoption  
 602 entity acting on behalf of preadoptive or adoptive parents.

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

606 39.402 Placement in a shelter.-

607 (11)

608 (b) The court shall request that the parents consent to  
 609 provide access to the child's medical records and provide  
 610 information to the court, the department or its contract  
 611 agencies, and the any guardian ad litem and ~~or~~ attorney ad  
 612 litem, if one is appointed, for the child. If a parent is  
 613 unavailable or unable to consent or withholds consent and the  
 614 court determines access to the records and information is  
 615 necessary to provide services to the child, the court shall  
 616 issue an order granting access. The court may also order the  
 617 parents to provide all known medical information to the  
 618 department and to any others granted access under this  
 619 subsection.

620 (c) The court shall request that the parents consent to  
 621 provide access to the child's child care records, early  
 622 education program records, or other educational records and  
 623 provide information to the court, the department or its contract  
 624 agencies, and the any guardian ad litem and ~~or~~ attorney ad  
 625 litem, if one is appointed, for the child. If a parent is

626 unavailable or unable to consent or withholds consent and the  
 627 court determines access to the records and information is  
 628 necessary to provide services to the child, the court shall  
 629 issue an order granting access.

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

631 (a) Periods of delay resulting from a continuance granted  
 632 at the request or with the consent of the child's ~~counsel or the~~  
 633 ~~child's~~ guardian ad litem or attorney ad litem, if one is ~~has~~  
 634 ~~been~~ appointed by the court, ~~or, if the child is of sufficient~~  
 635 ~~capacity to express reasonable consent, at the request or with~~  
 636 ~~the consent of the child's attorney or the child's guardian ad~~  
 637 ~~litem, if one has been appointed by the court, and the child.~~

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

640 39.4022 Multidisciplinary teams; staffings; assessments;  
 641 report.—

642 (4) PARTICIPANTS.—

643 (a) Collaboration among diverse individuals who are part  
 644 of the child's network is necessary to make the most informed  
 645 decisions possible for the child. A diverse team is preferable  
 646 to ensure that the necessary combination of technical skills,  
 647 cultural knowledge, community resources, and personal  
 648 relationships is developed and maintained for the child and  
 649 family. The participants necessary to achieve an appropriately  
 650 diverse team for a child may vary by child and may include

651 extended family, friends, neighbors, coaches, clergy, coworkers,  
652 or others the family identifies as potential sources of support.

653 1. Each multidisciplinary team staffing must invite the  
654 following members:

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

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

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

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

669 e. A representative from the community-based care lead  
670 agency, when the lead agency is directly involved in the goal  
671 identified by the staffing;

672 f. The case manager for the child, or his or her case  
673 manager supervisor; and

674 g. A representative from the Department of Juvenile  
675 Justice, if the child is dually involved with both the

676 department and the Department of Juvenile Justice.

677       2. The multidisciplinary team must make reasonable efforts  
678 to have all mandatory invitees attend. However, the  
679 multidisciplinary team staffing may not be delayed if the  
680 invitees in subparagraph 1. fail to attend after being provided  
681 reasonable opportunities.

682       (b) Based on the particular goal the multidisciplinary  
683 team staffing identifies as the purpose of convening the  
684 staffing as provided under subsection (5), the department or  
685 lead agency may also invite to the meeting other professionals,  
686 including, but not limited to:

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

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

689       2.3. A school personnel representative who has direct  
690 contact with the child;

691       3.4. A therapist or other behavioral health professional,  
692 if applicable;

693       4.5. A mental health professional with expertise in  
694 sibling bonding, if the department or lead agency deems such  
695 expert is necessary; or

696       5.6. Other community providers of services to the child or  
697 stakeholders, when applicable.

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

701 39.4023 Placement and education transitions; transition  
 702 plans.—

703 (3) PLACEMENT TRANSITIONS.—

704 (d) Transition planning.—

705 1. If the supportive services provided pursuant to  
 706 paragraph (c) have not been successful to make the maintenance  
 707 of the placement suitable or if there are other circumstances  
 708 that require the child to be moved, the department or the  
 709 community-based care lead agency must convene a  
 710 multidisciplinary team staffing as required under s. 39.4022  
 711 before the child's placement is changed, or within 72 hours of  
 712 moving the child in an emergency situation, for the purpose of  
 713 developing an appropriate transition plan.

714 2. A placement change may occur immediately in an  
 715 emergency situation without convening a multidisciplinary team  
 716 staffing. However, a multidisciplinary team staffing must be  
 717 held within 72 hours after the emergency situation arises.

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

725 a. The child, unless he or she, due to age or capacity, is

726 | unable to comprehend the written notice, which will necessitate  
 727 | the department or lead agency to provide notice in an age-  
 728 | appropriate and capacity-appropriate alternative manner.~~†~~

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

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

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

732 |       e. The attorney ad litem for the child, if one is  
 733 | appointed.~~†~~~~and~~

734 |       f. The attorney for the department.

735 |       4. The transition plan must be developed through  
 736 | cooperation among the persons included in subparagraph 3., and  
 737 | such persons must share any relevant information necessary for  
 738 | its development. Subject to the child's needs and preferences,  
 739 | the transition plan must meet the requirements of s.

740 | 409.1415(2)(b)8. and exclude any placement changes that occur  
 741 | between 7 p.m. and 8 a.m.

742 |       5. The department or the community-based care lead agency  
 743 | shall file the transition plan with the court within 48 hours  
 744 | after the creation of such plan and provide a copy of the plan  
 745 | to the persons included in subparagraph 3.

746 |       (4) EDUCATION TRANSITIONS.—

747 |       (c) Minimizing school changes.—

748 |       1. Every effort must be made to keep a child in the school  
 749 | of origin if it is in the child's best interest. Any placement  
 750 | decision must include thoughtful consideration of which school a

751 child will attend if a school change is necessary.

752       2. Members of a multidisciplinary team staffing convened  
753 for a purpose other than a school change must determine the  
754 child's best interest regarding remaining in the school or  
755 program of origin if the child's educational options are  
756 affected by any other decision being made by the  
757 multidisciplinary team.

758       3. The determination of whether it is in the child's best  
759 interest to remain in the school of origin, and if not, of which  
760 school the child will attend in the future, must be made in  
761 consultation with the following individuals, including, but not  
762 limited to, the child; the parents; the caregiver; the child  
763 welfare professional; the guardian ad litem, ~~if appointed~~; the  
764 educational surrogate, if appointed; child care and educational  
765 staff, including teachers and guidance counselors; and the  
766 school district representative or foster care liaison. A  
767 multidisciplinary team member may contact any of these  
768 individuals in advance of a multidisciplinary team staffing to  
769 obtain his or her recommendation. An individual may remotely  
770 attend the multidisciplinary team staffing if one of the  
771 identified goals is related to determining an educational  
772 placement. The multidisciplinary team may rely on a report from  
773 the child's current school or program district and, if  
774 applicable, any other school district being considered for the  
775 educational placement if the required school personnel are not

776 available to attend the multidisciplinary team staffing in  
777 person or remotely.

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

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

785 b. The preference of the child's parents or legal  
786 guardians.

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

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

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

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

798 g. Whether the child is a student with a disability under  
799 IDEA who is receiving special education and related services or  
800 a student with a disability under s. 504 of the Rehabilitation



801 Act of 1973 who is receiving accommodations and services and, if  
 802 so, whether those required services are available in a school or  
 803 program other than the school or program of origin.

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

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

810 j. The availability of extracurricular activities  
 811 important to the child.

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

816 l. The child's permanency goal and timeframe for achieving  
 817 permanency.

818 m. The child's history of school transfers and how such  
 819 transfers have impacted the child academically, emotionally, and  
 820 behaviorally.

821 n. The length of the commute to the school or program from  
 822 the child's home or placement and how such commute would impact  
 823 the child.

824 o. The length of time the child has attended the school or  
 825 program of origin.

826           5. The cost of transportation cannot be a factor in making  
827 a best interest determination.

828           Section 16. Paragraph (f) of subsection (3) of section  
829 39.407, Florida Statutes, is amended to read:

830           39.407 Medical, psychiatric, and psychological examination  
831 and treatment of child; physical, mental, or substance abuse  
832 examination of person with or requesting child custody.—

833           (3)

834           (f)1. The department shall fully inform the court of the  
835 child's medical and behavioral status as part of the social  
836 services report prepared for each judicial review hearing held  
837 for a child for whom psychotropic medication has been prescribed  
838 or provided under this subsection. As a part of the information  
839 provided to the court, the department shall furnish copies of  
840 all pertinent medical records concerning the child which have  
841 been generated since the previous hearing. On its own motion or  
842 on good cause shown by any party, including the ~~any~~ guardian ad  
843 litem, ~~attorney,~~ or attorney ad litem, if one is ~~who has been~~  
844 ~~appointed to represent the child or the child's interests,~~ the  
845 court may review the status more frequently than required in  
846 this subsection.

847           2. The court may, in the best interests of the child,  
848 order the department to obtain a medical opinion addressing  
849 whether the continued use of the medication under the  
850 circumstances is safe and medically appropriate.

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

853 39.4085 Goals for dependent children; responsibilities;  
 854 education.—

855 (1) The Legislature finds that the design and delivery of  
 856 child welfare services should be directed by the principle that  
 857 the health and safety of children, including the freedom from  
 858 abuse, abandonment, or neglect, is of paramount concern and,  
 859 therefore, establishes the following goals for children in  
 860 shelter or foster care:

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

867 (t) To have a guardian ad litem appointed ~~to represent,~~  
 868 ~~within reason, their best interests~~ and, if appropriate, an  
 869 attorney ad litem ~~appointed to represent their legal interests;~~  
 870 the guardian ad litem and attorney ad litem, if one is  
 871 appointed, shall have immediate and unlimited access to the  
 872 children they represent.

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

876  
 877 This subsection establishes goals and not rights. This  
 878 subsection does not require the delivery of any particular  
 879 service or level of service in excess of existing  
 880 appropriations. A person does not have a cause of action against  
 881 the state or any of its subdivisions, agencies, contractors,  
 882 subcontractors, or agents, based upon the adoption of or failure  
 883 to provide adequate funding for the achievement of these goals  
 884 by the Legislature. This subsection does not require the  
 885 expenditure of funds to meet the goals established in this  
 886 subsection except those funds specifically appropriated for such  
 887 purpose.

888 Section 18. Paragraph (c) of subsection (3) of section  
 889 39.522, Florida Statutes, is amended to read:

890 39.522 Postdisposition change of custody.—

891 (3)

892 (c)1. The department or community-based care lead agency  
 893 must notify a current caregiver who has been in the physical  
 894 custody placement for at least 9 consecutive months and who  
 895 meets all the established criteria in paragraph (b) of an intent  
 896 to change the physical custody of the child, and a  
 897 multidisciplinary team staffing must be held in accordance with  
 898 ss. 39.4022 and 39.4023 at least 21 days before the intended  
 899 date for the child's change in physical custody, unless there is  
 900 an emergency situation as defined in s. 39.4022 (2) (b). If there

901 is not a unanimous consensus decision reached by the  
902 multidisciplinary team, the department's official position must  
903 be provided to the parties within the designated time period as  
904 provided for in s. 39.4022.

905 2. A caregiver who objects to the department's official  
906 position on the change in physical custody must notify the court  
907 and the department or community-based care lead agency of his or  
908 her objection and the intent to request an evidentiary hearing  
909 in writing in accordance with this section within 5 days after  
910 receiving notice of the department's official position provided  
911 under subparagraph 1. The transition of the child to the new  
912 caregiver may not begin before the expiration of the 5-day  
913 period within which the current caregiver may object.

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

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

923 a. Grant party status to the current caregiver who is  
924 seeking permanent custody and has maintained physical custody of  
925 that child for at least 9 continuous months for the limited

926 purpose of filing a motion for a hearing on the objection and  
 927 presenting evidence pursuant to this subsection. ~~;~~

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

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

933 c.d. Appoint a court-selected neutral and independent  
 934 licensed professional with expertise in the science and research  
 935 of child-parent bonding.

936 Section 19. Paragraph (c) of subsection (1) and paragraph  
 937 (c) of subsection (3) of section 39.6012, Florida Statutes, are  
 938 amended to read:

939 39.6012 Case plan tasks; services.—

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

942 (c) If there is evidence of harm as defined in s.  
 943 39.01(37)(g) ~~s. 39.01(34)(g)~~, the case plan must include as a  
 944 required task for the parent whose actions caused the harm that  
 945 the parent submit to a substance abuse disorder assessment or  
 946 evaluation and participate and comply with treatment and  
 947 services identified in the assessment or evaluation as being  
 948 necessary.

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

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

957 Section 20. Section 39.6036, Florida Statutes, is created  
958 to read:

959 39.6036 Supportive adults for children transitioning out  
960 of foster care.-

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

967 (2) The Statewide Guardian ad Litem Office shall work with  
968 a child who is transitioning out of foster care to identify at  
969 least one supportive adult with whom the child can enter into a  
970 formal agreement for an ongoing relationship and document such  
971 agreement in the child's court file. If the child cannot  
972 identify a supportive adult, the Statewide Guardian ad Litem  
973 Office shall work in coordination with the Office of Continuing  
974 Care to identify at least one supportive adult with whom the  
975 child can enter into a formal agreement for an ongoing

976 relationship and document such agreement in the child's court  
 977 file.

978 Section 21. Paragraph (c) of subsection (10) of section  
 979 39.621, Florida Statutes, is amended to read:

980 39.621 Permanency determination by the court.—

981 (10) The permanency placement is intended to continue  
 982 until the child reaches the age of majority and may not be  
 983 disturbed absent a finding by the court that the circumstances  
 984 of the permanency placement are no longer in the best interest  
 985 of the child.

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

992 1. The compliance or noncompliance of the parent with the  
 993 case plan;

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

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

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

999 5. The recommendation of the current custodian; and

1000 6. Any ~~The~~ recommendation of the guardian ad litem, ~~if one~~



1001 ~~has been appointed.~~

1002 Section 22. Subsection (2) of section 39.6241, Florida  
 1003 Statutes, is amended to read:

1004 39.6241 Another planned permanent living arrangement.—

1005 (2) The department and the guardian ad litem must provide  
 1006 the court with a recommended list and description of services  
 1007 needed by the child, such as independent living services and  
 1008 medical, dental, educational, or psychological referrals, and a  
 1009 recommended list and description of services needed by his or  
 1010 her caregiver. The guardian ad litem must also advise the court  
 1011 whether the child has been connected with a supportive adult  
 1012 and, if the child has been connected with a supportive adult,  
 1013 whether the child has entered into a formal agreement with the  
 1014 adult. If the child has entered into a formal agreement pursuant  
 1015 to s. 39.6036, the guardian ad litem must ensure that the  
 1016 agreement is documented in the child's court file.

1017 Section 23. Paragraphs (b) and (f) of subsection (1),  
 1018 paragraph (c) of subsection (2), subsection (3), and paragraph  
 1019 (e) of subsection (4) of section 39.701, Florida Statutes, are  
 1020 amended to read:

1021 39.701 Judicial review.—

1022 (1) GENERAL PROVISIONS.—

1023 (b)1. The court shall retain jurisdiction over a child  
 1024 returned to his or her parents for a minimum period of 6 months  
 1025 after following the reunification, but, at that time, based on a

1026 report of the social service agency and the guardian ad litem,  
1027 ~~if one has been appointed,~~ and any other relevant factors, the  
1028 court shall make a determination as to whether supervision by  
1029 the department and the court's jurisdiction shall continue or be  
1030 terminated.

1031 2. Notwithstanding subparagraph 1., the court must retain  
1032 jurisdiction over a child if the child is placed in the home  
1033 with a parent or caregiver with an in-home safety plan and such  
1034 safety plan remains necessary for the child to reside safely in  
1035 the home.

1036 (f) Notice of a judicial review hearing or a citizen  
1037 review panel hearing, and a copy of the motion for judicial  
1038 review, if any, must be served by the clerk of the court upon  
1039 all of the following persons, if available to be served,  
1040 regardless of whether the person was present at the previous  
1041 hearing at which the date, time, and location of the hearing was  
1042 announced:

1043 1. The social service agency charged with the supervision  
1044 of care, custody, or guardianship of the child, if that agency  
1045 is not the movant.

1046 2. The foster parent or legal custodian in whose home the  
1047 child resides.

1048 3. The parents.

1049 4. The guardian ad litem for the child, ~~or the~~  
1050 ~~representative of the guardian ad litem program if the program~~

1051 ~~has been appointed.~~

1052       5. The attorney ad litem for the child, if one is  
1053 appointed.

1054       6. The child, if the child is 13 years of age or older.

1055       7. Any preadoptive parent.

1056       8. Such other persons as the court may direct.

1057       (2) REVIEW HEARINGS FOR CHILDREN YOUNGER THAN 18 YEARS OF  
1058 AGE.—

1059       (c) Review determinations.—The court and any citizen  
1060 review panel shall take into consideration the information  
1061 contained in the social services study and investigation and all  
1062 medical, psychological, and educational records that support the  
1063 terms of the case plan; testimony by the social services agency,  
1064 the parent, the foster parent or caregiver, the guardian ad  
1065 litem, the ~~or~~ surrogate parent for educational decisionmaking if  
1066 one has been appointed for the child, and any other person  
1067 deemed appropriate; and any relevant and material evidence  
1068 submitted to the court, including written and oral reports to  
1069 the extent of their probative value. These reports and evidence  
1070 may be received by the court in its effort to determine the  
1071 action to be taken with regard to the child and may be relied  
1072 upon to the extent of their probative value, even though not  
1073 competent in an adjudicatory hearing. In its deliberations, the  
1074 court and any citizen review panel shall seek to determine:

1075       1. If the parent was advised of the right to receive

1076 assistance from any person or social service agency in the  
1077 preparation of the case plan.

1078 2. If the parent has been advised of the right to have  
1079 counsel present at the judicial review or citizen review  
1080 hearings. If not so advised, the court or citizen review panel  
1081 shall advise the parent of such right.

1082 3. If a guardian ad litem needs to be appointed for the  
1083 child in a case in which a guardian ad litem has not previously  
1084 been appointed ~~or if there is a need to continue a guardian ad~~  
1085 ~~litem in a case in which a guardian ad litem has been appointed.~~

1086 4. Who holds the rights to make educational decisions for  
1087 the child. If appropriate, the court may refer the child to the  
1088 district school superintendent for appointment of a surrogate  
1089 parent or may itself appoint a surrogate parent under the  
1090 Individuals with Disabilities Education Act and s. 39.0016.

1091 5. The compliance or lack of compliance of all parties  
1092 with applicable items of the case plan, including the parents'  
1093 compliance with child support orders.

1094 6. The compliance or lack of compliance with a visitation  
1095 contract between the parent and the social service agency for  
1096 contact with the child, including the frequency, duration, and  
1097 results of the parent-child visitation and the reason for any  
1098 noncompliance.

1099 7. The frequency, kind, and duration of contacts among  
1100 siblings who have been separated during placement, as well as

1101 any efforts undertaken to reunite separated siblings if doing so  
1102 is in the best interests of the child.

1103 8. The compliance or lack of compliance of the parent in  
1104 meeting specified financial obligations pertaining to the care  
1105 of the child, including the reason for failure to comply, if  
1106 applicable.

1107 9. Whether the child is receiving safe and proper care  
1108 according to s. 39.6012, including, but not limited to, the  
1109 appropriateness of the child's current placement, including  
1110 whether the child is in a setting that is as family-like and as  
1111 close to the parent's home as possible, consistent with the  
1112 child's best interests and special needs, and including  
1113 maintaining stability in the child's educational placement, as  
1114 documented by assurances from the community-based care lead  
1115 agency that:

1116 a. The placement of the child takes into account the  
1117 appropriateness of the current educational setting and the  
1118 proximity to the school in which the child is enrolled at the  
1119 time of placement.

1120 b. The community-based care lead agency has coordinated  
1121 with appropriate local educational agencies to ensure that the  
1122 child remains in the school in which the child is enrolled at  
1123 the time of placement.

1124 10. A projected date likely for the child's return home or  
1125 other permanent placement.

1126           11. When appropriate, the basis for the unwillingness or  
1127 inability of the parent to become a party to a case plan. The  
1128 court and the citizen review panel shall determine if the  
1129 efforts of the social service agency to secure party  
1130 participation in a case plan were sufficient.

1131           12. For a child who has reached 13 years of age but is not  
1132 yet 18 years of age, the adequacy of the child's preparation for  
1133 adulthood and independent living. For a child who is 15 years of  
1134 age or older, the court shall determine if appropriate steps are  
1135 being taken for the child to obtain a driver license or  
1136 learner's driver license.

1137           13. If amendments to the case plan are required.  
1138 Amendments to the case plan must be made under s. 39.6013.

1139           14. If the parents and caregivers have developed a  
1140 productive relationship that includes meaningful communication  
1141 and mutual support.

1142           (3) REVIEW HEARINGS FOR CHILDREN 16 AND 17 YEARS OF AGE.—  
1143 At each review hearing held under this subsection, the court  
1144 shall give the child and the guardian ad litem the opportunity  
1145 to address the court and provide any information relevant to the  
1146 child's best interest, particularly in relation to independent  
1147 living transition services. The foster parent or legal  
1148 custodian, ~~or guardian ad litem~~ may also provide any information  
1149 relevant to the child's best interest to the court. In addition  
1150 to the review and report required under paragraphs (1)(a) and

1151 (2) (a), respectively, and the review and report required under  
1152 s. 39.822(2) (a)2., the court shall:

1153 (a) Inquire about the life skills the child has acquired  
1154 and whether those services are age appropriate, at the first  
1155 judicial review hearing held subsequent to the child's 16th  
1156 birthday. At the judicial review hearing, the department shall  
1157 provide the court with a report that includes specific  
1158 information related to the life skills that the child has  
1159 acquired since the child's 13th birthday or since the date the  
1160 child came into foster care, whichever came later. For any child  
1161 who may meet the requirements for appointment of a guardian  
1162 advocate under s. 393.12 or a guardian under chapter 744, the  
1163 updated case plan must be developed in a face-to-face conference  
1164 with the child, if appropriate; the child's attorney ad litem,  
1165 if one is appointed; the child's ~~any court-appointed~~ guardian ad  
1166 litem; the temporary custodian of the child; and the parent of  
1167 the child, if the parent's rights have not been terminated.

1168 (b) The court shall hold a judicial review hearing within  
1169 90 days after a child's 17th birthday. The court shall issue an  
1170 order, separate from the order on judicial review, that the  
1171 disability of nonage of the child has been removed under ss.  
1172 743.044-743.047 for any disability that the court finds is in  
1173 the child's best interest to remove. The department shall  
1174 include in the social study report for the first judicial review  
1175 that occurs after the child's 17th birthday written verification

1176 | that the child has:

1177 |       1. A current Medicaid card and all necessary information  
 1178 | concerning the Medicaid program sufficient to prepare the child  
 1179 | to apply for coverage upon reaching the age of 18, if such  
 1180 | application is appropriate.

1181 |       2. A certified copy of the child's birth certificate and,  
 1182 | if the child does not have a valid driver license, a Florida  
 1183 | identification card issued under s. 322.051.

1184 |       3. A social security card and information relating to  
 1185 | social security insurance benefits if the child is eligible for  
 1186 | those benefits. If the child has received such benefits and they  
 1187 | are being held in trust for the child, a full accounting of  
 1188 | these funds must be provided and the child must be informed as  
 1189 | to how to access those funds.

1190 |       4. All relevant information related to the Road-to-  
 1191 | Independence Program under s. 409.1451, including, but not  
 1192 | limited to, eligibility requirements, information on  
 1193 | participation, and assistance in gaining admission to the  
 1194 | program. If the child is eligible for the Road-to-Independence  
 1195 | Program, he or she must be advised that he or she may continue  
 1196 | to reside with the licensed family home or group care provider  
 1197 | with whom the child was residing at the time the child attained  
 1198 | his or her 18th birthday, in another licensed family home, or  
 1199 | with a group care provider arranged by the department.

1200 |       5. An open bank account or the identification necessary to



1201 open a bank account and to acquire essential banking and  
 1202 budgeting skills.

1203 6. Information on public assistance and how to apply for  
 1204 public assistance.

1205 7. A clear understanding of where he or she will be living  
 1206 on his or her 18th birthday, how living expenses will be paid,  
 1207 and the educational program or school in which he or she will be  
 1208 enrolled.

1209 8. Information related to the ability of the child to  
 1210 remain in care until he or she reaches 21 years of age under s.  
 1211 39.013.

1212 9. A letter providing the dates that the child is under  
 1213 the jurisdiction of the court.

1214 10. A letter stating that the child is in compliance with  
 1215 financial aid documentation requirements.

1216 11. The child's educational records.

1217 12. The child's entire health and mental health records.

1218 13. The process for accessing the child's case file.

1219 14. A statement encouraging the child to attend all  
 1220 judicial review hearings.

1221 15. Information on how to obtain a driver license or  
 1222 learner's driver license.

1223 (c) At the first judicial review hearing held subsequent  
 1224 to the child's 17th birthday, if the court determines pursuant  
 1225 to chapter 744 that there is a good faith basis to believe that

1226 the child qualifies for appointment of a guardian advocate,  
1227 limited guardian, or plenary guardian for the child and that no  
1228 less restrictive decisionmaking assistance will meet the child's  
1229 needs:

1230 1. The department shall complete a multidisciplinary  
1231 report which must include, but is not limited to, a psychosocial  
1232 evaluation and educational report if such a report has not been  
1233 completed within the previous 2 years.

1234 2. The department shall identify one or more individuals  
1235 who are willing to serve as the guardian advocate under s.  
1236 393.12 or as the plenary or limited guardian under chapter 744.  
1237 Any other interested parties or participants may make efforts to  
1238 identify such a guardian advocate, limited guardian, or plenary  
1239 guardian. The child's biological or adoptive family members,  
1240 including the child's parents if the parents' rights have not  
1241 been terminated, may not be considered for service as the  
1242 plenary or limited guardian unless the court enters a written  
1243 order finding that such an appointment is in the child's best  
1244 interests.

1245 3. Proceedings may be initiated within 180 days after the  
1246 child's 17th birthday for the appointment of a guardian  
1247 advocate, plenary guardian, or limited guardian for the child in  
1248 a separate proceeding in the court division with jurisdiction  
1249 over guardianship matters and pursuant to chapter 744. The  
1250 Legislature encourages the use of pro bono representation to

1251 initiate proceedings under this section.

1252 4. In the event another interested party or participant  
1253 initiates proceedings for the appointment of a guardian  
1254 advocate, plenary guardian, or limited guardian for the child,  
1255 the department shall provide all necessary documentation and  
1256 information to the petitioner to complete a petition under s.  
1257 393.12 or chapter 744 within 45 days after the first judicial  
1258 review hearing after the child's 17th birthday.

1259 5. Any proceedings seeking appointment of a guardian  
1260 advocate or a determination of incapacity and the appointment of  
1261 a guardian must be conducted in a separate proceeding in the  
1262 court division with jurisdiction over guardianship matters and  
1263 pursuant to chapter 744.

1264 (d) If the court finds at the judicial review hearing  
1265 after the child's 17th birthday that the department has not met  
1266 its obligations to the child as stated in this part, in the  
1267 written case plan, or in the provision of independent living  
1268 services, the court may issue an order directing the department  
1269 to show cause as to why it has not done so. If the department  
1270 cannot justify its noncompliance, the court may give the  
1271 department 30 days within which to comply. If the department  
1272 fails to comply within 30 days, the court may hold the  
1273 department in contempt.

1274 (e) If necessary, the court may review the status of the  
1275 child more frequently during the year before the child's 18th

1276 birthday. At the last review hearing before the child reaches 18  
1277 years of age, and in addition to the requirements of subsection  
1278 (2), the court shall:

1279 1. Address whether the child plans to remain in foster  
1280 care, and, if so, ensure that the child's transition plan  
1281 includes a plan for meeting one or more of the criteria  
1282 specified in s. 39.6251 and determine if the child has entered  
1283 into a formal agreement for an ongoing relationship with a  
1284 supportive adult.

1285 2. Ensure that the transition plan includes a supervised  
1286 living arrangement under s. 39.6251.

1287 3. Ensure the child has been informed of:

1288 a. The right to continued support and services from the  
1289 department and the community-based care lead agency.

1290 b. The right to request termination of dependency  
1291 jurisdiction and be discharged from foster care.

1292 c. The opportunity to reenter foster care under s.  
1293 39.6251.

1294 4. Ensure that the child, if he or she requests  
1295 termination of dependency jurisdiction and discharge from foster  
1296 care, has been informed of:

1297 a. Services or benefits for which the child may be  
1298 eligible based on his or her former placement in foster care,  
1299 including, but not limited to, the assistance of the Office of  
1300 Continuing Care under s. 414.56.

1301           b. Services or benefits that may be lost through  
1302 termination of dependency jurisdiction.

1303           c. Other federal, state, local, or community-based  
1304 services or supports available to him or her.

1305           (4) REVIEW HEARINGS FOR YOUNG ADULTS IN FOSTER CARE.—  
1306 During each period of time that a young adult remains in foster  
1307 care, the court shall review the status of the young adult at  
1308 least every 6 months and must hold a permanency review hearing  
1309 at least annually.

1310           (e)1. Notwithstanding the provisions of this subsection,  
1311 if a young adult has chosen to remain in extended foster care  
1312 after he or she has reached 18 years of age, the department may  
1313 not close a case and the court may not terminate jurisdiction  
1314 until the court finds, following a hearing, that the following  
1315 criteria have been met:

1316           a.1. Attendance of the young adult at the hearing; or

1317           b.2. Findings by the court that:

1318           (I)a. The young adult has been informed by the department  
1319 of his or her right to attend the hearing and has provided  
1320 written consent to waive this right; and

1321           (II)b. The young adult has been informed of the potential  
1322 negative effects of early termination of care, the option to  
1323 reenter care before reaching 21 years of age, the procedure for,  
1324 and limitations on, reentering care, and the availability of  
1325 alternative services, and has signed a document attesting that

1326 he or she has been so informed and understands these provisions;  
 1327 or

1328 ~~(III)e.~~ The young adult has voluntarily left the program,  
 1329 has not signed the document in sub-subparagraph b., and is  
 1330 unwilling to participate in any further court proceeding.

1331 2.3. In all permanency hearings or hearings regarding the  
 1332 transition of the young adult from care to independent living,  
 1333 the court shall consult with the young adult regarding the  
 1334 proposed permanency plan, case plan, and individual education  
 1335 plan for the young adult and ensure that he or she has  
 1336 understood the conversation. The court shall also inquire of the  
 1337 young adult regarding his or her relationship with the  
 1338 supportive adult with whom the young adult has entered into a  
 1339 formal agreement for an ongoing relationship, if such agreement  
 1340 exists.

1341 Section 24. Paragraph (a) of subsection (3) of section  
 1342 39.801, Florida Statutes, is amended to read:

1343 39.801 Procedures and jurisdiction; notice; service of  
 1344 process.—

1345 (3) Before the court may terminate parental rights, in  
 1346 addition to the other requirements set forth in this part, the  
 1347 following requirements must be met:

1348 (a) Notice of the date, time, and place of the advisory  
 1349 hearing for the petition to terminate parental rights and a copy  
 1350 of the petition must be personally served upon the following

1351 persons, specifically notifying them that a petition has been  
1352 filed:

- 1353 1. The parents of the child.
- 1354 2. The legal custodians of the child.
- 1355 3. If the parents who would be entitled to notice are dead  
1356 or unknown, a living relative of the child, unless upon diligent  
1357 search and inquiry no such relative can be found.
- 1358 4. Any person who has physical custody of the child.
- 1359 5. Any grandparent entitled to priority for adoption under  
1360 s. 63.0425.
- 1361 6. Any prospective parent who has been identified under s.  
1362 39.503 or s. 39.803, unless a court order has been entered  
1363 pursuant to s. 39.503(4) or (9) or s. 39.803(4) or (9) which  
1364 indicates no further notice is required. Except as otherwise  
1365 provided in this section, if there is not a legal father, notice  
1366 of the petition for termination of parental rights must be  
1367 provided to any known prospective father who is identified under  
1368 oath before the court or who is identified by a diligent search  
1369 of the Florida Putative Father Registry. Service of the notice  
1370 of the petition for termination of parental rights is not  
1371 required if the prospective father executes an affidavit of  
1372 nonpaternity or a consent to termination of his parental rights  
1373 which is accepted by the court after notice and opportunity to  
1374 be heard by all parties to address the best interests of the  
1375 child in accepting such affidavit.

1376           7. The guardian ad litem for the child ~~or the~~  
 1377 ~~representative of the guardian ad litem program, if the program~~  
 1378 ~~has been appointed.~~

1379  
 1380 The document containing the notice to respond or appear must  
 1381 contain, in type at least as large as the type in the balance of  
 1382 the document, the following or substantially similar language:  
 1383 "FAILURE TO PERSONALLY APPEAR AT THIS ADVISORY HEARING  
 1384 CONSTITUTES CONSENT TO THE TERMINATION OF PARENTAL RIGHTS OF  
 1385 THIS CHILD (OR CHILDREN). IF YOU FAIL TO APPEAR ON THE DATE AND  
 1386 TIME SPECIFIED, YOU MAY LOSE ALL LEGAL RIGHTS AS A PARENT TO THE  
 1387 CHILD OR CHILDREN NAMED IN THE PETITION ATTACHED TO THIS  
 1388 NOTICE."

1389           Section 25. Subsection (2) of section 39.807, Florida  
 1390 Statutes, is amended to read:

1391           39.807 Right to counsel; guardian ad litem.—

1392           (2)(a) The court shall appoint a guardian ad litem to  
 1393 represent the ~~best interest of the~~ child in any termination of  
 1394 parental rights proceedings and shall ascertain at each stage of  
 1395 the proceedings whether a guardian ad litem has been appointed.

1396           (b) The guardian ad litem has the ~~following~~  
 1397 responsibilities and authorities listed in s. 39.822.÷

1398           ~~1. To investigate the allegations of the petition and any~~  
 1399 ~~subsequent matters arising in the case and,~~

1400           (c) Unless excused by the court, the guardian ad litem



1401 must ~~to~~ file a written report. This report must include a  
1402 statement of the wishes of the child and the recommendations of  
1403 the guardian ad litem and must be provided to all parties and  
1404 the court at least 72 hours before the disposition hearing.

1405 ~~2. To be present at all court hearings unless excused by~~  
1406 ~~the court.~~

1407 ~~3. To represent the best interests of the child until the~~  
1408 ~~jurisdiction of the court over the child terminates or until~~  
1409 ~~excused by the court.~~

1410 ~~(c) A guardian ad litem is not required to post bond but~~  
1411 ~~shall file an acceptance of the office.~~

1412 ~~(d) A guardian ad litem is entitled to receive service of~~  
1413 ~~pleadings and papers as provided by the Florida Rules of~~  
1414 ~~Juvenile Procedure.~~

1415 ~~(d)(e)~~ This subsection does not apply to any voluntary  
1416 relinquishment of parental rights proceeding.

1417 Section 26. Subsection (2) of section 39.808, Florida  
1418 Statutes, is amended to read:

1419 39.808 Advisory hearing; pretrial status conference.—

1420 (2) At the hearing the court shall inform the parties of  
1421 their rights under s. 39.807, ~~shall~~ appoint counsel for the  
1422 parties in accordance with legal requirements, and ~~shall~~ appoint  
1423 a guardian ad litem to represent the ~~interests of the~~ child if  
1424 one has not already been appointed.

1425 Section 27. Subsection (2) of section 39.815, Florida

1426 Statutes, is amended to read:

1427 39.815 Appeal.—

1428 (2) An attorney for the department shall represent the  
 1429 state upon appeal. When a notice of appeal is filed in the  
 1430 circuit court, the clerk shall notify the attorney for the  
 1431 department, ~~together with~~ the attorney for the parent, the  
 1432 guardian ad litem, and the any attorney ad litem for the child,  
 1433 if one is appointed.

1434 Section 28. Section 39.820, Florida Statutes, is repealed.

1435 Section 29. Subsections (1) and (3) of section 39.821,  
 1436 Florida Statutes, are amended to read:

1437 39.821 Qualifications of guardians ad litem.—

1438 (1) Because of the special trust or responsibility placed  
 1439 in a guardian ad litem, the Statewide Guardian ad Litem Office  
 1440 ~~Program~~ may use any private funds collected by the office  
 1441 ~~program~~, or any state funds so designated, to conduct a security  
 1442 background investigation before certifying a volunteer to serve.  
 1443 A security background investigation must include, but need not  
 1444 be limited to, employment history checks, checks of references,  
 1445 local criminal history records checks through local law  
 1446 enforcement agencies, and statewide criminal history records  
 1447 checks through the Department of Law Enforcement. Upon request,  
 1448 an employer shall furnish a copy of the personnel record for the  
 1449 employee or former employee who is the subject of a security  
 1450 background investigation conducted under this section. The

1451 information contained in the personnel record may include, but  
1452 need not be limited to, disciplinary matters and the reason why  
1453 the employee was terminated from employment. An employer who  
1454 releases a personnel record for purposes of a security  
1455 background investigation is presumed to have acted in good faith  
1456 and is not liable for information contained in the record  
1457 without a showing that the employer maliciously falsified the  
1458 record. A security background investigation conducted under this  
1459 section must ensure that a person is not certified as a guardian  
1460 ad litem if the person has an arrest awaiting final disposition  
1461 for, been convicted of, regardless of adjudication, entered a  
1462 plea of nolo contendere or guilty to, or been adjudicated  
1463 delinquent and the record has not been sealed or expunged for,  
1464 any offense prohibited under the provisions listed in s. 435.04.  
1465 All applicants must undergo a level 2 background screening  
1466 pursuant to chapter 435 before being certified to serve as a  
1467 guardian ad litem. In analyzing and evaluating the information  
1468 obtained in the security background investigation, the office  
1469 ~~program~~ must give particular emphasis to past activities  
1470 involving children, including, but not limited to, child-related  
1471 criminal offenses or child abuse. The office ~~program~~ has sole  
1472 discretion in determining whether to certify a person based on  
1473 his or her security background investigation. The information  
1474 collected pursuant to the security background investigation is  
1475 confidential and exempt from s. 119.07(1).

1476 (3) It is a misdemeanor of the first degree, punishable as  
1477 provided in s. 775.082 or s. 775.083, for any person to  
1478 willfully, knowingly, or intentionally fail, by false statement,  
1479 misrepresentation, impersonation, or other fraudulent means, to  
1480 disclose in any application for a volunteer position or for paid  
1481 employment with the Statewide Guardian ad Litem Office ~~Program~~,  
1482 any material fact used in making a determination as to the  
1483 applicant's qualifications for such position.

1484 Section 30. Section 39.822, Florida Statutes, is amended  
1485 to read:

1486 39.822 Appointment of guardian ad litem for abused,  
1487 abandoned, or neglected child.—

1488 (1) A guardian ad litem shall be appointed by the court at  
1489 the earliest possible time to represent the child in any child  
1490 abuse, abandonment, or neglect judicial proceeding, whether  
1491 civil or criminal. A guardian ad litem is a fiduciary and must  
1492 provide independent representation of the child using a best  
1493 interest standard of decisionmaking and advocacy.

1494 (2)(a) A guardian ad litem must:

1495 1. Be present at all court hearings unless excused by the  
1496 court.

1497 2. Investigate issues related to the best interest of the  
1498 child who is the subject of the appointment, review all  
1499 disposition recommendations and changes in placement, and,  
1500 unless excused by the court, file written reports and

1501 recommendations in accordance with general law.

1502 3. Represent the child until the court's jurisdiction over  
 1503 the child terminates or until excused by the court.

1504 4. Advocate for the child's participation in the  
 1505 proceedings and to report the child's preferences to the court,  
 1506 to the extent the child has the ability and desire to express  
 1507 his or her preferences.

1508 5. Perform such other duties that are consistent with the  
 1509 scope of the appointment.

1510 (b) A guardian ad litem shall have immediate and unlimited  
 1511 access to the children he or she represents.

1512 (c) A guardian ad litem is not required to post bond but  
 1513 must file an acceptance of the appointment.

1514 (d) A guardian ad litem is entitled to receive service of  
 1515 pleadings and papers as provided by the Florida Rules of  
 1516 Juvenile Procedure.

1517 (3) Any person participating in a civil or criminal  
 1518 judicial proceeding resulting from such appointment shall be  
 1519 presumed prima facie to be acting in good faith and in so doing  
 1520 shall be immune from any liability, civil or criminal, that  
 1521 otherwise might be incurred or imposed.

1522 (4)~~(2)~~ In those cases in which the parents are financially  
 1523 able, the parent or parents of the child shall reimburse the  
 1524 court, in part or in whole, for the cost of provision of  
 1525 guardian ad litem representation ~~services~~. Reimbursement to the

1526 individual providing guardian ad litem services shall not be  
 1527 contingent upon successful collection by the court from the  
 1528 parent or parents.

1529 (5)~~(3)~~ Upon presentation by a guardian ad litem of a court  
 1530 order appointing the guardian ad litem:

1531 (a) An agency, as defined in chapter 119, shall allow the  
 1532 guardian ad litem to inspect and copy records related to the  
 1533 best interests of the child who is the subject of the  
 1534 appointment, including, but not limited to, records made  
 1535 confidential or exempt from s. 119.07(1) or s. 24(a), Art. I of  
 1536 the State Constitution. The guardian ad litem shall maintain the  
 1537 confidential or exempt status of any records shared by an agency  
 1538 under this paragraph.

1539 (b) A person or organization, other than an agency under  
 1540 paragraph (a), shall allow the guardian ad litem to inspect and  
 1541 copy any records related to the best interests of the child who  
 1542 is the subject of the appointment, including, but not limited  
 1543 to, confidential records.

1544  
 1545 For the purposes of this subsection, the term "records related  
 1546 to the best interests of the child" includes, but is not limited  
 1547 to, medical, mental health, substance abuse, child care,  
 1548 education, law enforcement, court, social services, and  
 1549 financial records.

1550 ~~(4) The guardian ad litem or the program representative~~

1551 ~~shall review all disposition recommendations and changes in~~  
1552 ~~placements, and must be present at all critical stages of the~~  
1553 ~~dependency proceeding or submit a written report of~~  
1554 ~~recommendations to the court. Written reports must be filed with~~  
1555 ~~the court and served on all parties whose whereabouts are known~~  
1556 ~~at least 72 hours prior to the hearing.~~

1557 Section 31. Subsection (4) of section 39.827, Florida  
1558 Statutes, is amended to read:

1559 39.827 Hearing for appointment of a guardian advocate.—

1560 (4) The hearing under this section must ~~shall~~ remain  
1561 confidential and closed to the public. The clerk shall keep all  
1562 court records required by this part separate from other records  
1563 of the circuit court. All court records required by this part  
1564 are shall be confidential and exempt from ~~the provisions of s.~~  
1565 119.07(1). All records may only ~~shall~~ be inspected ~~only~~ upon  
1566 order of the court by persons deemed by the court to have a  
1567 proper interest therein, except that a child and the parents or  
1568 custodians of the child and their attorneys, the guardian ad  
1569 litem, and the department and its designees, and the attorney ad  
1570 litem, if one is appointed, ~~shall~~ always have the right to  
1571 inspect and copy any official record pertaining to the child.  
1572 The court may permit authorized representatives of recognized  
1573 organizations compiling statistics for proper purposes to  
1574 inspect and make abstracts from official records, under whatever  
1575 conditions upon their use and disposition the court may deem

1576 proper, and may punish by contempt proceedings any violation of  
 1577 those conditions. All information obtained pursuant to this part  
 1578 in the discharge of official duty by any judge, employee of the  
 1579 court, or authorized agent of the department is ~~shall be~~  
 1580 confidential and exempt from ~~the provisions of~~ s. 119.07(1) and  
 1581 may ~~shall~~ not be disclosed to anyone other than the authorized  
 1582 personnel of the court or the department and its designees,  
 1583 except upon order of the court.

1584 Section 32. Subsection (2) of section 39.8296, Florida  
 1585 Statutes, is amended to read:

1586 39.8296 Statewide Guardian ad Litem Office; legislative  
 1587 findings and intent; creation; appointment of executive  
 1588 director; duties of office.—

1589 (2) STATEWIDE GUARDIAN AD LITEM OFFICE.—There is created a  
 1590 Statewide Guardian ad Litem Office within the Justice  
 1591 Administrative Commission. The Justice Administrative Commission  
 1592 shall provide administrative support and service to the office  
 1593 to the extent requested by the executive director within the  
 1594 available resources of the commission. The Statewide Guardian ad  
 1595 Litem Office is not subject to control, supervision, or  
 1596 direction by the Justice Administrative Commission in the  
 1597 performance of its duties, but the employees of the office are  
 1598 governed by the classification plan and salary and benefits plan  
 1599 approved by the Justice Administrative Commission.

1600 (a) The head of the Statewide Guardian ad Litem Office is



1601 the executive director, who shall be appointed by the Governor  
1602 from a list of a minimum of three eligible applicants submitted  
1603 by a Guardian ad Litem Qualifications Committee. The Guardian ad  
1604 Litem Qualifications Committee shall be composed of five  
1605 persons, two persons appointed by the Governor, two persons  
1606 appointed by the Chief Justice of the Supreme Court, and one  
1607 person appointed by the Statewide Guardian ad Litem Office  
1608 ~~Association~~. The committee shall provide for statewide  
1609 advertisement and the receiving of applications for the position  
1610 of executive director. The Governor shall appoint an executive  
1611 director from among the recommendations, or the Governor may  
1612 reject the nominations and request the submission of new  
1613 nominees. The executive director must have knowledge in  
1614 dependency law and knowledge of social service delivery systems  
1615 available to meet the needs of children who are abused,  
1616 neglected, or abandoned. The executive director shall serve on a  
1617 full-time basis and shall personally, or through representatives  
1618 of the office, carry out the purposes and functions of the  
1619 Statewide Guardian ad Litem Office in accordance with state and  
1620 federal law and the state's long-established policy of  
1621 prioritizing children's best interests. The executive director  
1622 shall report to the Governor. The executive director shall serve  
1623 a 3-year term, subject to removal for cause by the Governor. Any  
1624 person appointed to serve as the executive director may be  
1625 permitted to serve more than one term without the necessity of

1626 convening the Guardian ad Litem Qualifications Committee.

1627 (b) The Statewide Guardian ad Litem Office shall, within  
1628 available resources, have oversight responsibilities for and  
1629 provide technical assistance to all guardian ad litem and  
1630 attorney ad litem programs located within the judicial circuits.

1631 1. The office shall identify the resources required to  
1632 implement methods of collecting, reporting, and tracking  
1633 reliable and consistent case data.

1634 2. The office shall review the current guardian ad litem  
1635 offices ~~programs~~ in Florida and other states.

1636 3. The office, in consultation with local guardian ad  
1637 litem offices, shall develop statewide performance measures and  
1638 standards.

1639 4. The office shall develop and maintain a guardian ad  
1640 litem training program, which must be updated regularly, ~~which~~  
1641 ~~shall include, but is not limited to, training on the~~  
1642 ~~recognition of and responses to head trauma and brain injury in~~  
1643 ~~a child under 6 years of age. The office shall establish a~~  
1644 ~~curriculum committee to develop the training program specified~~  
1645 ~~in this subparagraph. The curriculum committee shall include,~~  
1646 ~~but not be limited to, dependency judges, directors of circuit~~  
1647 ~~guardian ad litem programs, active certified guardians ad litem,~~  
1648 ~~a mental health professional who specializes in the treatment of~~  
1649 ~~children, a member of a child advocacy group, a representative~~  
1650 ~~of a domestic violence advocacy group, an individual with a~~

1651 ~~degree in social work, and a social worker experienced in~~  
1652 ~~working with victims and perpetrators of child abuse.~~

1653 5. The office shall review the various methods of funding  
1654 guardian ad litem offices ~~programs~~, maximize the use of those  
1655 funding sources to the extent possible, and review the kinds of  
1656 services being provided by circuit guardian ad litem offices  
1657 ~~programs~~.

1658 6. The office shall determine the feasibility or  
1659 desirability of new concepts of organization, administration,  
1660 financing, or service delivery designed to preserve the civil  
1661 and constitutional rights and fulfill other needs of dependent  
1662 children.

1663 7. The office shall ensure that each child has an attorney  
1664 assigned to his or her case and, within available resources, is  
1665 represented using multidisciplinary teams that may include  
1666 volunteers, pro bono attorneys, social workers, and mentors.

1667 8. The office shall provide oversight and technical  
1668 assistance to attorneys ad litem, including, but not limited to,  
1669 all of the following:

1670 a. Develop an attorney ad litem training program in  
1671 collaboration with dependency court stakeholders, including, but  
1672 not limited to, dependency judges, representatives from legal  
1673 aid providing attorney ad litem representation, and an attorney  
1674 ad litem appointed from a registry maintained by the chief  
1675 judge. The training program must be updated regularly with or

1676 | without convening the stakeholders group.

1677 |       b. Offer consultation and technical assistance to chief

1678 | judges in maintaining attorney registries for the selection of

1679 | attorneys ad litem.

1680 |       c. Assist with recruitment, training, and mentoring of

1681 | attorneys ad litem as needed.

1682 |       9.7. In an effort to promote normalcy and establish trust

1683 | between a ~~court-appointed volunteer~~ guardian ad litem and a

1684 | child alleged to be abused, abandoned, or neglected under this

1685 | chapter, a guardian ad litem may transport a child. However, a

1686 | guardian ad litem ~~volunteer~~ may not be required by a guardian ad

1687 | litem circuit office or ordered by ~~or directed by the program or~~

1688 | a court to transport a child.

1689 |       10.8. The office shall submit to the Governor, the

1690 | President of the Senate, the Speaker of the House of

1691 | Representatives, and the Chief Justice of the Supreme Court an

1692 | interim report describing the progress of the office in meeting

1693 | the goals as described in this section. The office shall submit

1694 | to the Governor, the President of the Senate, the Speaker of the

1695 | House of Representatives, and the Chief Justice of the Supreme

1696 | Court a proposed plan including alternatives for meeting the

1697 | state's guardian ad litem and attorney ad litem needs. This plan

1698 | may include recommendations for less than the entire state, may

1699 | include a phase-in system, and shall include estimates of the

1700 | cost of each of the alternatives. Each year the office shall

1701 provide a status report and provide further recommendations to  
1702 address the need for guardian ad litem services and related  
1703 issues.

1704 Section 33. Section 39.8297, Florida Statutes, is amended  
1705 to read:

1706 39.8297 County funding for guardian ad litem employees.—

1707 (1) A county and the executive director of the Statewide  
1708 Guardian ad Litem Office may enter into an agreement by which  
1709 the county agrees to provide funds to the local guardian ad  
1710 litem office in order to employ persons who will assist in the  
1711 operation of the guardian ad litem office ~~program~~ in the county.

1712 (2) The agreement, at a minimum, must provide that:

1713 (a) Funding for the persons who are employed will be  
1714 provided on at least a fiscal-year basis.

1715 (b) The persons who are employed will be hired,  
1716 supervised, managed, and terminated by the executive director of  
1717 the Statewide Guardian ad Litem Office. The statewide office is  
1718 responsible for compliance with all requirements of federal and  
1719 state employment laws, and shall fully indemnify the county from  
1720 any liability under such laws, as authorized by s. 768.28(19),  
1721 to the extent such liability is the result of the acts or  
1722 omissions of the Statewide Guardian ad Litem Office or its  
1723 agents or employees.

1724 (c) The county is the employer for purposes of s. 440.10  
1725 and chapter 443.

1726 (d) Employees funded by the county under this section and  
 1727 other county employees may be aggregated for purposes of a  
 1728 flexible benefits plan pursuant to s. 125 of the Internal  
 1729 Revenue Code of 1986.

1730 (e) Persons employed under this section may be terminated  
 1731 after a substantial breach of the agreement or because funding  
 1732 to the guardian ad litem office ~~program~~ has expired.

1733 (3) Persons employed under this section may not be counted  
 1734 in a formula or similar process used by the Statewide Guardian  
 1735 ad Litem Office to measure personnel needs of a judicial  
 1736 circuit's guardian ad litem office ~~program~~.

1737 (4) Agreements created pursuant to this section do not  
 1738 obligate the state to allocate funds to a county to employ  
 1739 persons in the guardian ad litem office ~~program~~.

1740 Section 34. Section 39.8298, Florida Statutes, is amended  
 1741 to read:

1742 39.8298 Guardian ad Litem state direct-support  
 1743 organization and local direct-support organizations.-

1744 (1) AUTHORITY.—The Statewide Guardian ad Litem Office  
 1745 created under s. 39.8296 is authorized to create a state direct-  
 1746 support organization and to create or designate local direct-  
 1747 support organizations. The executive director of the Statewide  
 1748 Guardian ad Litem Office is responsible for designating local  
 1749 direct-support organizations under this subsection.

1750 (a) The state direct-support organization and the local

1751 direct-support organizations must be a Florida corporations  
 1752 ~~corporation~~ not for profit, incorporated under ~~the provisions of~~  
 1753 chapter 617. The state direct-support organization and the local  
 1754 direct-support organizations are ~~shall be~~ exempt from paying  
 1755 fees under s. 617.0122.

1756 (b) The state direct-support organization and each local  
 1757 direct-support organization must ~~shall~~ be organized and operated  
 1758 to conduct programs and activities; raise funds; request and  
 1759 receive grants, gifts, and bequests of moneys; acquire, receive,  
 1760 hold, invest, and administer, in its own name, securities,  
 1761 funds, objects of value, or other property, real or personal;  
 1762 and make expenditures to or for the direct or indirect benefit  
 1763 of the Statewide Guardian ad Litem Office, including the local  
 1764 guardian ad litem offices.

1765 (c) If the executive director of the Statewide Guardian ad  
 1766 Litem Office determines that the state direct-support  
 1767 organization or a local direct-support organization is operating  
 1768 in a manner that is inconsistent with the goals and purposes of  
 1769 the Statewide Guardian ad Litem Office or not acting in the best  
 1770 interest of the state, the executive director may terminate the  
 1771 organization's contract and thereafter the organization may not  
 1772 use the name of the Statewide Guardian ad Litem Office.

1773 (2) CONTRACTS ~~CONTRACT~~.—The state direct-support  
 1774 organization and the local direct-support organizations shall  
 1775 operate under a written contract with the Statewide Guardian Ad

1776 Litem Office. The written contract must, at a minimum, provide  
1777 for:

1778 (a) Approval of the articles of incorporation and bylaws  
1779 of the direct-support organization by the executive director of  
1780 the Statewide Guardian ad Litem Office.

1781 (b) Submission of an annual budget for the approval by the  
1782 executive director of the Statewide Guardian ad Litem Office.

1783 (c) The reversion without penalty to the Statewide  
1784 Guardian ad Litem Office, or to the state if the Statewide  
1785 Guardian ad Litem Office ceases to exist, of all moneys and  
1786 property held in trust by the state direct-support organization  
1787 for the Statewide Guardian Ad Litem Office if the direct-support  
1788 organization ceases to exist or if the contract is terminated.

1789 (d) The fiscal year of the state direct-support  
1790 organization and the local direct-support organizations, which  
1791 must begin July 1 of each year and end June 30 of the following  
1792 year.

1793 (e) The disclosure of material provisions of the contract  
1794 and the distinction between the Statewide Guardian ad Litem  
1795 Office and the state direct-support organization or the local  
1796 direct-support organization to donors of gifts, contributions,  
1797 or bequests, as well as on all promotional and fundraising  
1798 publications.

1799 (3) BOARD OF DIRECTORS.—The executive director of the  
1800 Statewide Guardian ad Litem Office shall appoint a board of



1801 directors for the state direct-support organization. The  
 1802 executive director may designate employees of the Statewide  
 1803 Guardian ad Litem Office to serve on the board of directors of  
 1804 the state direct-support organization or a local direct-support  
 1805 organization. Members of the board of the state direct-support  
 1806 organization or a local direct-support organization shall serve  
 1807 at the pleasure of the executive director.

1808 (4) USE OF PROPERTY AND SERVICES.—The executive director  
 1809 of the Statewide Guardian ad Litem Office:

1810 (a) May authorize the use of facilities and property other  
 1811 than money that are owned by the Statewide Guardian ad Litem  
 1812 Office to be used by the state direct-support organization or a  
 1813 local direct-support organization.

1814 (b) May authorize the use of personal services provided by  
 1815 employees of the Statewide Guardian ad Litem Office to be used  
 1816 by the state direct-support organization or a local direct-  
 1817 support organization. For the purposes of this section, the term  
 1818 "personal services" includes full-time personnel and part-time  
 1819 personnel as well as payroll processing.

1820 (c) May prescribe the conditions by which the state  
 1821 direct-support organization or a local direct-support  
 1822 organization may use property, facilities, or personal services  
 1823 of the office or the state direct-support organization.

1824 (d) May ~~shall~~ not authorize the use of property,  
 1825 facilities, or personal services by the state ~~of the direct-~~

1826 support organization or a local direct-support organization if  
 1827 the organization does not provide equal employment opportunities  
 1828 to all persons, regardless of race, color, religion, sex, age,  
 1829 or national origin.

1830 (5) MONEYS.—Moneys of the state direct-support  
 1831 organization or a local direct-support organization ~~must~~ may be  
 1832 held in a separate depository account in the name of the direct-  
 1833 support organization and subject to the provisions of the  
 1834 contract with the Statewide Guardian ad Litem Office.

1835 (6) ANNUAL AUDIT.—The state direct-support organization  
 1836 and a local direct-support organization ~~must~~ shall provide for  
 1837 an annual financial audit in accordance with s. 215.981.

1838 (7) LIMITS ON DIRECT-SUPPORT ORGANIZATIONS ~~ORGANIZATION~~.—  
 1839 The state direct-support organization and a local direct-support  
 1840 organization ~~may~~ shall not exercise any power under s.  
 1841 617.0302(12) or (16). A ~~No~~ state employee may not ~~shall~~ receive  
 1842 compensation from the state direct-support organization or a  
 1843 local direct-support organization for service on the board of  
 1844 directors or for services rendered to the direct-support  
 1845 organization.

1846 Section 35. Section 1009.898, Florida Statutes, is created  
 1847 to read:

1848 1009.898 Pathway to Prosperity grants.—

1849 (1) The Pathway to Prosperity program shall administer the  
 1850 following grants to youth and young adults aging out of foster

1851 care:

1852 (a) Grants to provide financial literacy instruction using  
 1853 a curriculum developed by the Department of Financial Services.

1854 (b) Grants to provide SAT and ACT preparation, including  
 1855 one-on-one support and fee waivers for the examinations.

1856 (c) Grants to youth and young adults planning to pursue  
 1857 trade careers or paid apprenticeships.

1858 (2) If a youth who is aging out of foster care is reunited  
 1859 with his or her parents, the grants remain available for the  
 1860 youth for up to 6 months after reunification.

1861 Section 36. Subsection (1) of section 39.302, Florida  
 1862 Statutes, is amended to read:

1863 39.302 Protective investigations of institutional child  
 1864 abuse, abandonment, or neglect.—

1865 (1) The department shall conduct a child protective  
 1866 investigation of each report of institutional child abuse,  
 1867 abandonment, or neglect. Upon receipt of a report that alleges  
 1868 that an employee or agent of the department, or any other entity  
 1869 or person covered by s. 39.01(39) or (57) ~~s. 39.01(36) or (54)~~,  
 1870 acting in an official capacity, has committed an act of child  
 1871 abuse, abandonment, or neglect, the department shall initiate a  
 1872 child protective investigation within the timeframe established  
 1873 under s. 39.101(2) and notify the appropriate state attorney,  
 1874 law enforcement agency, and licensing agency, which shall  
 1875 immediately conduct a joint investigation, unless independent

1876 investigations are more feasible. When conducting investigations  
1877 or having face-to-face interviews with the child, investigation  
1878 visits shall be unannounced unless it is determined by the  
1879 department or its agent that unannounced visits threaten the  
1880 safety of the child. If a facility is exempt from licensing, the  
1881 department shall inform the owner or operator of the facility of  
1882 the report. Each agency conducting a joint investigation is  
1883 entitled to full access to the information gathered by the  
1884 department in the course of the investigation. A protective  
1885 investigation must include an interview with the child's parent  
1886 or legal guardian. The department shall make a full written  
1887 report to the state attorney within 3 business days after making  
1888 the oral report. A criminal investigation shall be coordinated,  
1889 whenever possible, with the child protective investigation of  
1890 the department. Any interested person who has information  
1891 regarding the offenses described in this subsection may forward  
1892 a statement to the state attorney as to whether prosecution is  
1893 warranted and appropriate. Within 15 days after the completion  
1894 of the investigation, the state attorney shall report the  
1895 findings to the department and shall include in the report a  
1896 determination of whether or not prosecution is justified and  
1897 appropriate in view of the circumstances of the specific case.

1898 Section 37. Paragraph (c) of subsection (1) of section  
1899 39.521, Florida Statutes, is amended to read:

1900 39.521 Disposition hearings; powers of disposition.—

1901 (1) A disposition hearing shall be conducted by the court,  
 1902 if the court finds that the facts alleged in the petition for  
 1903 dependency were proven in the adjudicatory hearing, or if the  
 1904 parents or legal custodians have consented to the finding of  
 1905 dependency or admitted the allegations in the petition, have  
 1906 failed to appear for the arraignment hearing after proper  
 1907 notice, or have not been located despite a diligent search  
 1908 having been conducted.

1909 (c) When any child is adjudicated by a court to be  
 1910 dependent, the court having jurisdiction of the child has the  
 1911 power by order to:

1912 1. Require the parent and, when appropriate, the legal  
 1913 guardian or the child to participate in treatment and services  
 1914 identified as necessary. The court may require the person who  
 1915 has custody or who is requesting custody of the child to submit  
 1916 to a mental health or substance abuse disorder assessment or  
 1917 evaluation. The order may be made only upon good cause shown and  
 1918 pursuant to notice and procedural requirements provided under  
 1919 the Florida Rules of Juvenile Procedure. The mental health  
 1920 assessment or evaluation must be administered by a qualified  
 1921 professional as defined in s. 39.01, and the substance abuse  
 1922 assessment or evaluation must be administered by a qualified  
 1923 professional as defined in s. 397.311. The court may also  
 1924 require such person to participate in and comply with treatment  
 1925 and services identified as necessary, including, when

1926 appropriate and available, participation in and compliance with  
1927 a mental health court program established under chapter 394 or a  
1928 treatment-based drug court program established under s. 397.334.  
1929 Adjudication of a child as dependent based upon evidence of harm  
1930 as defined in s. 39.01(37)(g) ~~s. 39.01(34)(g)~~ demonstrates good  
1931 cause, and the court shall require the parent whose actions  
1932 caused the harm to submit to a substance abuse disorder  
1933 assessment or evaluation and to participate and comply with  
1934 treatment and services identified in the assessment or  
1935 evaluation as being necessary. In addition to supervision by the  
1936 department, the court, including the mental health court program  
1937 or the treatment-based drug court program, may oversee the  
1938 progress and compliance with treatment by a person who has  
1939 custody or is requesting custody of the child. The court may  
1940 impose appropriate available sanctions for noncompliance upon a  
1941 person who has custody or is requesting custody of the child or  
1942 make a finding of noncompliance for consideration in determining  
1943 whether an alternative placement of the child is in the child's  
1944 best interests. Any order entered under this subparagraph may be  
1945 made only upon good cause shown. This subparagraph does not  
1946 authorize placement of a child with a person seeking custody of  
1947 the child, other than the child's parent or legal custodian, who  
1948 requires mental health or substance abuse disorder treatment.

1949       2. Require, if the court deems necessary, the parties to  
1950 participate in dependency mediation.

1951           3. Require placement of the child either under the  
 1952 protective supervision of an authorized agent of the department  
 1953 in the home of one or both of the child's parents or in the home  
 1954 of a relative of the child or another adult approved by the  
 1955 court, or in the custody of the department. Protective  
 1956 supervision continues until the court terminates it or until the  
 1957 child reaches the age of 18, whichever date is first. Protective  
 1958 supervision shall be terminated by the court whenever the court  
 1959 determines that permanency has been achieved for the child,  
 1960 whether with a parent, another relative, or a legal custodian,  
 1961 and that protective supervision is no longer needed. The  
 1962 termination of supervision may be with or without retaining  
 1963 jurisdiction, at the court's discretion, and shall in either  
 1964 case be considered a permanency option for the child. The order  
 1965 terminating supervision by the department must set forth the  
 1966 powers of the custodian of the child and include the powers  
 1967 ordinarily granted to a guardian of the person of a minor unless  
 1968 otherwise specified. Upon the court's termination of supervision  
 1969 by the department, further judicial reviews are not required if  
 1970 permanency has been established for the child.

1971           4. Determine whether the child has a strong attachment to  
 1972 the prospective permanent guardian and whether such guardian has  
 1973 a strong commitment to permanently caring for the child.

1974           Section 38. Paragraph (d) of subsection (4) of section  
 1975 119.071, Florida Statutes, is amended to read:

1976 119.071 General exemptions from inspection or copying of  
 1977 public records.—

1978 (4) AGENCY PERSONNEL INFORMATION.—

1979 (d)1. For purposes of this paragraph, the term:

1980 a. "Home addresses" means the dwelling location at which  
 1981 an individual resides and includes the physical address, mailing  
 1982 address, street address, parcel identification number, plot  
 1983 identification number, legal property description, neighborhood  
 1984 name and lot number, GPS coordinates, and any other descriptive  
 1985 property information that may reveal the home address.

1986 b. "Telephone numbers" includes home telephone numbers,  
 1987 personal cellular telephone numbers, personal pager telephone  
 1988 numbers, and telephone numbers associated with personal  
 1989 communications devices.

1990 2.a. The home addresses, telephone numbers, dates of  
 1991 birth, and photographs of active or former sworn law enforcement  
 1992 personnel or of active or former civilian personnel employed by  
 1993 a law enforcement agency, including correctional and  
 1994 correctional probation officers, personnel of the Department of  
 1995 Children and Families whose duties include the investigation of  
 1996 abuse, neglect, exploitation, fraud, theft, or other criminal  
 1997 activities, personnel of the Department of Health whose duties  
 1998 are to support the investigation of child abuse or neglect, and  
 1999 personnel of the Department of Revenue or local governments  
 2000 whose responsibilities include revenue collection and



2001 enforcement or child support enforcement; the names, home  
 2002 addresses, telephone numbers, photographs, dates of birth, and  
 2003 places of employment of the spouses and children of such  
 2004 personnel; and the names and locations of schools and day care  
 2005 facilities attended by the children of such personnel are exempt  
 2006 from s. 119.07(1) and s. 24(a), Art. I of the State  
 2007 Constitution.

2008       b. The home addresses, telephone numbers, dates of birth,  
 2009 and photographs of current or former nonsworn investigative  
 2010 personnel of the Department of Financial Services whose duties  
 2011 include the investigation of fraud, theft, workers' compensation  
 2012 coverage requirements and compliance, other related criminal  
 2013 activities, or state regulatory requirement violations; the  
 2014 names, home addresses, telephone numbers, dates of birth, and  
 2015 places of employment of the spouses and children of such  
 2016 personnel; and the names and locations of schools and day care  
 2017 facilities attended by the children of such personnel are exempt  
 2018 from s. 119.07(1) and s. 24(a), Art. I of the State  
 2019 Constitution.

2020       c. The home addresses, telephone numbers, dates of birth,  
 2021 and photographs of current or former nonsworn investigative  
 2022 personnel of the Office of Financial Regulation's Bureau of  
 2023 Financial Investigations whose duties include the investigation  
 2024 of fraud, theft, other related criminal activities, or state  
 2025 regulatory requirement violations; the names, home addresses,

2026 telephone numbers, dates of birth, and places of employment of  
 2027 the spouses and children of such personnel; and the names and  
 2028 locations of schools and day care facilities attended by the  
 2029 children of such personnel are exempt from s. 119.07(1) and s.  
 2030 24(a), Art. I of the State Constitution.

2031 d. The home addresses, telephone numbers, dates of birth,  
 2032 and photographs of current or former firefighters certified in  
 2033 compliance with s. 633.408; the names, home addresses, telephone  
 2034 numbers, photographs, dates of birth, and places of employment  
 2035 of the spouses and children of such firefighters; and the names  
 2036 and locations of schools and day care facilities attended by the  
 2037 children of such firefighters are exempt from s. 119.07(1) and  
 2038 s. 24(a), Art. I of the State Constitution.

2039 e. The home addresses, dates of birth, and telephone  
 2040 numbers of current or former justices of the Supreme Court,  
 2041 district court of appeal judges, circuit court judges, and  
 2042 county court judges; the names, home addresses, telephone  
 2043 numbers, dates of birth, and places of employment of the spouses  
 2044 and children of current or former justices and judges; and the  
 2045 names and locations of schools and day care facilities attended  
 2046 by the children of current or former justices and judges are  
 2047 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
 2048 Constitution.

2049 f. The home addresses, telephone numbers, dates of birth,  
 2050 and photographs of current or former state attorneys, assistant

2051 state attorneys, statewide prosecutors, or assistant statewide  
 2052 prosecutors; the names, home addresses, telephone numbers,  
 2053 photographs, dates of birth, and places of employment of the  
 2054 spouses and children of current or former state attorneys,  
 2055 assistant state attorneys, statewide prosecutors, or assistant  
 2056 statewide prosecutors; and the names and locations of schools  
 2057 and day care facilities attended by the children of current or  
 2058 former state attorneys, assistant state attorneys, statewide  
 2059 prosecutors, or assistant statewide prosecutors are exempt from  
 2060 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

2061 g. The home addresses, dates of birth, and telephone  
 2062 numbers of general magistrates, special magistrates, judges of  
 2063 compensation claims, administrative law judges of the Division  
 2064 of Administrative Hearings, and child support enforcement  
 2065 hearing officers; the names, home addresses, telephone numbers,  
 2066 dates of birth, and places of employment of the spouses and  
 2067 children of general magistrates, special magistrates, judges of  
 2068 compensation claims, administrative law judges of the Division  
 2069 of Administrative Hearings, and child support enforcement  
 2070 hearing officers; and the names and locations of schools and day  
 2071 care facilities attended by the children of general magistrates,  
 2072 special magistrates, judges of compensation claims,  
 2073 administrative law judges of the Division of Administrative  
 2074 Hearings, and child support enforcement hearing officers are  
 2075 exempt from s. 119.07(1) and s. 24(a), Art. I of the State

2076 Constitution.

2077 h. The home addresses, telephone numbers, dates of birth,  
 2078 and photographs of current or former human resource, labor  
 2079 relations, or employee relations directors, assistant directors,  
 2080 managers, or assistant managers of any local government agency  
 2081 or water management district whose duties include hiring and  
 2082 firing employees, labor contract negotiation, administration, or  
 2083 other personnel-related duties; the names, home addresses,  
 2084 telephone numbers, dates of birth, and places of employment of  
 2085 the spouses and children of such personnel; and the names and  
 2086 locations of schools and day care facilities attended by the  
 2087 children of such personnel are exempt from s. 119.07(1) and s.  
 2088 24(a), Art. I of the State Constitution.

2089 i. The home addresses, telephone numbers, dates of birth,  
 2090 and photographs of current or former code enforcement officers;  
 2091 the names, home addresses, telephone numbers, dates of birth,  
 2092 and places of employment of the spouses and children of such  
 2093 personnel; and the names and locations of schools and day care  
 2094 facilities attended by the children of such personnel are exempt  
 2095 from s. 119.07(1) and s. 24(a), Art. I of the State  
 2096 Constitution.

2097 j. The home addresses, telephone numbers, places of  
 2098 employment, dates of birth, and photographs of current or former  
 2099 guardians ad litem, as defined in s. 39.01 ~~s. 39.820~~; the names,  
 2100 home addresses, telephone numbers, dates of birth, and places of

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

2105 k. The home addresses, telephone numbers, dates of birth,  
 2106 and photographs of current or former juvenile probation  
 2107 officers, juvenile probation supervisors, detention  
 2108 superintendents, assistant detention superintendents, juvenile  
 2109 justice detention officers I and II, juvenile justice detention  
 2110 officer supervisors, juvenile justice residential officers,  
 2111 juvenile justice residential officer supervisors I and II,  
 2112 juvenile justice counselors, juvenile justice counselor  
 2113 supervisors, human services counselor administrators, senior  
 2114 human services counselor administrators, rehabilitation  
 2115 therapists, and social services counselors of the Department of  
 2116 Juvenile Justice; the names, home addresses, telephone numbers,  
 2117 dates of birth, and places of employment of spouses and children  
 2118 of such personnel; and the names and locations of schools and  
 2119 day care facilities attended by the children of such personnel  
 2120 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
 2121 Constitution.

2122 l. The home addresses, telephone numbers, dates of birth,  
 2123 and photographs of current or former public defenders, assistant  
 2124 public defenders, criminal conflict and civil regional counsel,  
 2125 and assistant criminal conflict and civil regional counsel; the

2126 names, home addresses, telephone numbers, dates of birth, and  
2127 places of employment of the spouses and children of current or  
2128 former public defenders, assistant public defenders, criminal  
2129 conflict and civil regional counsel, and assistant criminal  
2130 conflict and civil regional counsel; and the names and locations  
2131 of schools and day care facilities attended by the children of  
2132 current or former public defenders, assistant public defenders,  
2133 criminal conflict and civil regional counsel, and assistant  
2134 criminal conflict and civil regional counsel are exempt from s.  
2135 119.07(1) and s. 24(a), Art. I of the State Constitution.

2136 m. The home addresses, telephone numbers, dates of birth,  
2137 and photographs of current or former investigators or inspectors  
2138 of the Department of Business and Professional Regulation; the  
2139 names, home addresses, telephone numbers, dates of birth, and  
2140 places of employment of the spouses and children of such current  
2141 or former investigators and inspectors; and the names and  
2142 locations of schools and day care facilities attended by the  
2143 children of such current or former investigators and inspectors  
2144 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
2145 Constitution.

2146 n. The home addresses, telephone numbers, and dates of  
2147 birth of county tax collectors; the names, home addresses,  
2148 telephone numbers, dates of birth, and places of employment of  
2149 the spouses and children of such tax collectors; and the names  
2150 and locations of schools and day care facilities attended by the

2151 children of such tax collectors are exempt from s. 119.07(1) and  
 2152 s. 24(a), Art. I of the State Constitution.

2153 o. The home addresses, telephone numbers, dates of birth,  
 2154 and photographs of current or former personnel of the Department  
 2155 of Health whose duties include, or result in, the determination  
 2156 or adjudication of eligibility for social security disability  
 2157 benefits, the investigation or prosecution of complaints filed  
 2158 against health care practitioners, or the inspection of health  
 2159 care practitioners or health care facilities licensed by the  
 2160 Department of Health; the names, home addresses, telephone  
 2161 numbers, dates of birth, and places of employment of the spouses  
 2162 and children of such personnel; and the names and locations of  
 2163 schools and day care facilities attended by the children of such  
 2164 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of  
 2165 the State Constitution.

2166 p. The home addresses, telephone numbers, dates of birth,  
 2167 and photographs of current or former impaired practitioner  
 2168 consultants who are retained by an agency or current or former  
 2169 employees of an impaired practitioner consultant whose duties  
 2170 result in a determination of a person's skill and safety to  
 2171 practice a licensed profession; the names, home addresses,  
 2172 telephone numbers, dates of birth, and places of employment of  
 2173 the spouses and children of such consultants or their employees;  
 2174 and the names and locations of schools and day care facilities  
 2175 attended by the children of such consultants or employees are

2176 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
2177 Constitution.

2178       q. The home addresses, telephone numbers, dates of birth,  
2179 and photographs of current or former emergency medical  
2180 technicians or paramedics certified under chapter 401; the  
2181 names, home addresses, telephone numbers, dates of birth, and  
2182 places of employment of the spouses and children of such  
2183 emergency medical technicians or paramedics; and the names and  
2184 locations of schools and day care facilities attended by the  
2185 children of such emergency medical technicians or paramedics are  
2186 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
2187 Constitution.

2188       r. The home addresses, telephone numbers, dates of birth,  
2189 and photographs of current or former personnel employed in an  
2190 agency's office of inspector general or internal audit  
2191 department whose duties include auditing or investigating waste,  
2192 fraud, abuse, theft, exploitation, or other activities that  
2193 could lead to criminal prosecution or administrative discipline;  
2194 the names, home addresses, telephone numbers, dates of birth,  
2195 and places of employment of spouses and children of such  
2196 personnel; and the names and locations of schools and day care  
2197 facilities attended by the children of such personnel are exempt  
2198 from s. 119.07(1) and s. 24(a), Art. I of the State  
2199 Constitution.

2200       s. The home addresses, telephone numbers, dates of birth,



2201 and photographs of current or former directors, managers,  
 2202 supervisors, nurses, and clinical employees of an addiction  
 2203 treatment facility; the home addresses, telephone numbers,  
 2204 photographs, dates of birth, and places of employment of the  
 2205 spouses and children of such personnel; and the names and  
 2206 locations of schools and day care facilities attended by the  
 2207 children of such personnel are exempt from s. 119.07(1) and s.  
 2208 24(a), Art. I of the State Constitution. For purposes of this  
 2209 sub-subparagraph, the term "addiction treatment facility" means  
 2210 a county government, or agency thereof, that is licensed  
 2211 pursuant to s. 397.401 and provides substance abuse prevention,  
 2212 intervention, or clinical treatment, including any licensed  
 2213 service component described in s. 397.311(26).

2214 t. The home addresses, telephone numbers, dates of birth,  
 2215 and photographs of current or former directors, managers,  
 2216 supervisors, and clinical employees of a child advocacy center  
 2217 that meets the standards of s. 39.3035(2) and fulfills the  
 2218 screening requirement of s. 39.3035(3), and the members of a  
 2219 Child Protection Team as described in s. 39.303 whose duties  
 2220 include supporting the investigation of child abuse or sexual  
 2221 abuse, child abandonment, child neglect, and child exploitation  
 2222 or to provide services as part of a multidisciplinary case  
 2223 review team; the names, home addresses, telephone numbers,  
 2224 photographs, dates of birth, and places of employment of the  
 2225 spouses and children of such personnel and members; and the

2226 names and locations of schools and day care facilities attended  
2227 by the children of such personnel and members are exempt from s.  
2228 119.07(1) and s. 24(a), Art. I of the State Constitution.

2229 u. The home addresses, telephone numbers, places of  
2230 employment, dates of birth, and photographs of current or former  
2231 staff and domestic violence advocates, as defined in s.  
2232 90.5036(1)(b), of domestic violence centers certified by the  
2233 Department of Children and Families under chapter 39; the names,  
2234 home addresses, telephone numbers, places of employment, dates  
2235 of birth, and photographs of the spouses and children of such  
2236 personnel; and the names and locations of schools and day care  
2237 facilities attended by the children of such personnel are exempt  
2238 from s. 119.07(1) and s. 24(a), Art. I of the State  
2239 Constitution.

2240 3. An agency that is the custodian of the information  
2241 specified in subparagraph 2. and that is not the employer of the  
2242 officer, employee, justice, judge, or other person specified in  
2243 subparagraph 2. must maintain the exempt status of that  
2244 information only if the officer, employee, justice, judge, other  
2245 person, or employing agency of the designated employee submits a  
2246 written and notarized request for maintenance of the exemption  
2247 to the custodial agency. The request must state under oath the  
2248 statutory basis for the individual's exemption request and  
2249 confirm the individual's status as a party eligible for exempt  
2250 status.

2251           4.a. A county property appraiser, as defined in s.  
 2252 192.001(3), or a county tax collector, as defined in s.  
 2253 192.001(4), who receives a written and notarized request for  
 2254 maintenance of the exemption pursuant to subparagraph 3. must  
 2255 comply by removing the name of the individual with exempt status  
 2256 and the instrument number or Official Records book and page  
 2257 number identifying the property with the exempt status from all  
 2258 publicly available records maintained by the property appraiser  
 2259 or tax collector. For written requests received on or before  
 2260 July 1, 2021, a county property appraiser or county tax  
 2261 collector must comply with this sub-subparagraph by October 1,  
 2262 2021. A county property appraiser or county tax collector may  
 2263 not remove the street address, legal description, or other  
 2264 information identifying real property within the agency's  
 2265 records so long as a name or personal information otherwise  
 2266 exempt from inspection and copying pursuant to this section are  
 2267 not associated with the property or otherwise displayed in the  
 2268 public records of the agency.

2269           b. Any information restricted from public display,  
 2270 inspection, or copying under sub-subparagraph a. must be  
 2271 provided to the individual whose information was removed.

2272           5. An officer, an employee, a justice, a judge, or other  
 2273 person specified in subparagraph 2. may submit a written request  
 2274 for the release of his or her exempt information to the  
 2275 custodial agency. The written request must be notarized and must

2276 specify the information to be released and the party authorized  
2277 to receive the information. Upon receipt of the written request,  
2278 the custodial agency must release the specified information to  
2279 the party authorized to receive such information.

2280 6. The exemptions in this paragraph apply to information  
2281 held by an agency before, on, or after the effective date of the  
2282 exemption.

2283 7. Information made exempt under this paragraph may be  
2284 disclosed pursuant to s. 28.2221 to a title insurer authorized  
2285 pursuant to s. 624.401 and its affiliates as defined in s.  
2286 624.10; a title insurance agent or title insurance agency as  
2287 defined in s. 626.841(1) or (2), respectively; or an attorney  
2288 duly admitted to practice law in this state and in good standing  
2289 with The Florida Bar.

2290 8. The exempt status of a home address contained in the  
2291 Official Records is maintained only during the period when a  
2292 protected party resides at the dwelling location. Upon  
2293 conveyance of real property after October 1, 2021, and when such  
2294 real property no longer constitutes a protected party's home  
2295 address as defined in sub-subparagraph 1.a., the protected party  
2296 must submit a written request to release the removed information  
2297 to the county recorder. The written request to release the  
2298 removed information must be notarized, must confirm that a  
2299 protected party's request for release is pursuant to a  
2300 conveyance of his or her dwelling location, and must specify the

2301 Official Records book and page, instrument number, or clerk's  
 2302 file number for each document containing the information to be  
 2303 released.

2304         9. Upon the death of a protected party as verified by a  
 2305 certified copy of a death certificate or court order, any party  
 2306 can request the county recorder to release a protected  
 2307 decedent's removed information unless there is a related request  
 2308 on file with the county recorder for continued removal of the  
 2309 decedent's information or unless such removal is otherwise  
 2310 prohibited by statute or by court order. The written request to  
 2311 release the removed information upon the death of a protected  
 2312 party must attach the certified copy of a death certificate or  
 2313 court order and must be notarized, must confirm the request for  
 2314 release is due to the death of a protected party, and must  
 2315 specify the Official Records book and page number, instrument  
 2316 number, or clerk's file number for each document containing the  
 2317 information to be released. A fee may not be charged for the  
 2318 release of any document pursuant to such request.

2319         10. This paragraph is subject to the Open Government  
 2320 Sunset Review Act in accordance with s. 119.15 and shall stand  
 2321 repealed on October 2, 2024, unless reviewed and saved from  
 2322 repeal through reenactment by the Legislature.

2323         Section 39. Subsection (4) of section 322.09, Florida  
 2324 Statutes, is amended to read:

2325             322.09 Application of minors; responsibility for

2326 negligence or misconduct of minor.—

2327 (4) Notwithstanding subsections (1) and (2), if a  
 2328 caregiver of a minor who is under the age of 18 years and is in  
 2329 out-of-home care as defined in s. 39.01 ~~s. 39.01(55)~~, an  
 2330 authorized representative of a residential group home at which  
 2331 such a minor resides, the caseworker at the agency at which the  
 2332 state has placed the minor, or a guardian ad litem specifically  
 2333 authorized by the minor's caregiver to sign for a learner's  
 2334 driver license signs the minor's application for a learner's  
 2335 driver license, that caregiver, group home representative,  
 2336 caseworker, or guardian ad litem does not assume any obligation  
 2337 or become liable for any damages caused by the negligence or  
 2338 willful misconduct of the minor by reason of having signed the  
 2339 application. Before signing the application, the caseworker,  
 2340 authorized group home representative, or guardian ad litem shall  
 2341 notify the caregiver or other responsible party of his or her  
 2342 intent to sign and verify the application.

2343 Section 40. Paragraph (p) of subsection (4) of section  
 2344 394.495, Florida Statutes, is amended to read:

2345 394.495 Child and adolescent mental health system of care;  
 2346 programs and services.—

2347 (4) The array of services may include, but is not limited  
 2348 to:

2349 (p) Trauma-informed services for children who have  
 2350 suffered sexual exploitation as defined in s. 39.01(80)(g) ~~s.~~

2351 ~~39.01(77)(g).~~

2352 Section 41. Section 627.746, Florida Statutes, is amended  
2353 to read:

2354 627.746 Coverage for minors who have a learner's driver  
2355 license; additional premium prohibited.—An insurer that issues  
2356 an insurance policy on a private passenger motor vehicle to a  
2357 named insured who is a caregiver of a minor who is under the age  
2358 of 18 years and is in out-of-home care as defined in s. 39.01 ~~s.~~  
2359 ~~39.01(55)~~ may not charge an additional premium for coverage of  
2360 the minor while the minor is operating the insured vehicle, for  
2361 the period of time that the minor has a learner's driver  
2362 license, until such time as the minor obtains a driver license.

2363 Section 42. Paragraph (b) of subsection (9) of section  
2364 768.28, Florida Statutes, is amended to read:

2365 768.28 Waiver of sovereign immunity in tort actions;  
2366 recovery limits; civil liability for damages caused during a  
2367 riot; limitation on attorney fees; statute of limitations;  
2368 exclusions; indemnification; risk management programs.—

2369 (9)

2370 (b) As used in this subsection, the term:

2371 1. "Employee" includes any volunteer firefighter.

2372 2. "Officer, employee, or agent" includes, but is not  
2373 limited to, any health care provider when providing services  
2374 pursuant to s. 766.1115; any nonprofit independent college or  
2375 university located and chartered in this state which owns or

2376 operates an accredited medical school, and its employees or  
2377 agents, when providing patient services pursuant to paragraph  
2378 (10) (f); any public defender or her or his employee or agent,  
2379 including an assistant public defender or an investigator; and  
2380 any member of a Child Protection Team, as defined in s. 39.01 ~~s.~~  
2381 ~~39.01(13)~~, when carrying out her or his duties as a team member  
2382 under the control, direction, and supervision of the state or  
2383 any of its agencies or subdivisions.

2384 Section 43. Paragraph (c) of subsection (1) of section  
2385 934.255, Florida Statutes, is amended to read:

2386 934.255 Subpoenas in investigations of sexual offenses.—

2387 (1) As used in this section, the term:

2388 (c) "Sexual abuse of a child" means a criminal offense  
2389 based on any conduct described in s. 39.01(80) ~~s. 39.01(77)~~.

2390 Section 44. Subsection (5) of section 960.065, Florida  
2391 Statutes, is amended to read:

2392 960.065 Eligibility for awards.—

2393 (5) A person is not ineligible for an award pursuant to  
2394 paragraph (2) (a), paragraph (2) (b), or paragraph (2) (c) if that  
2395 person is a victim of sexual exploitation of a child as defined  
2396 in s. 39.01(80) (g) ~~s. 39.01(77) (g)~~.

2397 Section 45. The Division of Law Revision is requested to  
2398 prepare a reviser's bill for the 2024 Regular Session of the  
2399 Legislature to substitute the term "Statewide Guardian ad Litem  
2400 Office" for the term "Statewide Guardian Ad Litem Program"



CS/CS/CS/HB 875

2023

2401 throughout the Florida Statutes.

2402 Section 46. This act shall take effect July 1, 2023.