

By Senator Burton

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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 legislative
25 findings; revising provisions relating to the
26 appointment of an attorney ad litem for certain
27 children; authorizing the court to appoint an attorney
28 ad litem after making certain determinations;
29 providing requirements for the appointment and

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30 discharge of an attorney ad litem; authorizing an
31 attorney ad litem to represent a child in other
32 proceedings to secure certain services and benefits;
33 conforming provisions to changes made by the act;
34 providing applicability; amending s. 39.0132, F.S.;
35 authorizing a child's attorney ad litem to inspect
36 certain records; amending s. 39.0136, F.S.; revising
37 the parties who may request a continuance in a
38 proceeding; amending s. 39.01375, F.S.; conforming
39 provisions to changes made by the act; amending s.
40 39.0139, F.S.; conforming provisions to changes made
41 by the act; amending s. 39.202, F.S.; requiring that
42 certain confidential records be released to the
43 guardian ad litem and attorney ad litem; conforming a
44 cross-reference; amending s. 39.402, F.S.; requiring
45 parents to consent to provide certain information to
46 the guardian ad litem and attorney ad litem;
47 conforming provisions to changes made by the act;
48 amending s. 39.4022, F.S.; revising the participants
49 who must be invited to a multidisciplinary team
50 staffing; amending s. 39.4023, F.S.; requiring that
51 notice of a multidisciplinary team staffing be
52 provided to a child's guardian ad litem and attorney
53 ad litem; conforming provisions to changes made by the
54 act; amending s. 39.407, F.S.; conforming provisions
55 to changes made by the act; amending s. 39.4085, F.S.;
56 providing a goal of permanency; conforming provisions
57 to changes made by the act; amending ss. 39.502 and
58 39.522, F.S.; conforming provisions to changes made by

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59 the act; amending s. 39.6012, F.S.; requiring a case
60 plan to include written descriptions of certain
61 activities; conforming a cross-reference; creating s.
62 39.6036, F.S.; providing legislative findings and
63 intent; requiring the Statewide Guardian ad Litem
64 Office to work with certain children to identify a
65 supportive adult to enter into a specified agreement;
66 requiring such agreement be documented in the child's
67 court file; requiring the office to coordinate with
68 the Office of Continuing Care for a specified purpose;
69 amending s. 39.621, F.S.; conforming provisions to
70 changes made by the act; amending s. 39.6241, F.S.;
71 requiring a guardian ad litem to advise the court
72 regarding certain information and to ensure a certain
73 agreement has been documented in the child's court
74 file; amending s. 39.701, F.S.; requiring certain
75 notice be given to an attorney ad litem; requiring a
76 court to give a guardian ad litem an opportunity to
77 address the court in certain proceedings; requiring
78 the court to inquire and determine if a child has a
79 certain agreement documented in his or her court file
80 at a specified hearing; conforming provisions to
81 changes made by the act; amending s. 39.801, F.S.;
82 conforming provisions to changes made by the act;
83 amending s. 39.807, F.S.; requiring a court to appoint
84 a guardian ad litem to represent a child in certain
85 proceedings; revising a guardian ad litem's
86 responsibilities and authorities; deleting provisions
87 relating to bonds and service of pleadings or papers;

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88 amending s. 39.808, F.S.; conforming provisions to
89 changes made by the act; amending s. 39.815, F.S.;
90 conforming provisions to changes made by the act;
91 repealing s. 39.820, F.S., relating to definitions of
92 the terms "guardian ad litem" and "guardian advocate";
93 amending s. 39.821, F.S.; conforming provisions to
94 changes made by the act; amending s. 39.822, F.S.;
95 declaring that a guardian ad litem is a fiduciary and
96 must provide independent representation of a child;
97 revising responsibilities of a guardian ad litem;
98 requiring that guardians ad litem have certain access
99 to the children they represent; providing actions that
100 a guardian ad litem does and does not have to fulfill;
101 making technical changes; amending s. 39.827, F.S.;
102 authorizing a child's guardian ad litem and attorney
103 ad litem to inspect certain records; amending s.
104 39.8296, F.S.; revising the duties and appointment of
105 the executive director of the Statewide Guardian ad
106 Litem Office; requiring the training program for
107 guardians ad litem to be maintained and updated
108 regularly; deleting provisions regarding the training
109 curriculum and the establishment of a curriculum
110 committee; requiring the office to provide oversight
111 and technical assistance to attorneys ad litem;
112 specifying certain requirements of the office;
113 amending s. 39.8297, F.S.; conforming provisions to
114 changes made by the act; amending s. 39.8298, F.S.;
115 authorizing the executive director of the Statewide
116 Guardian ad Litem Office to create or designate local

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117 direct-support organizations; providing
118 responsibilities for the executive director of the
119 office; requiring that certain moneys be held in a
120 separate depository account; conforming provisions to
121 changes made by the act; creating s. 1009.898, F.S.;
122 authorizing the Pathway to Prosperity program to
123 provide certain grants to youth and young adults who
124 are aging out of foster care; requiring grants to
125 extend for a certain period of time after a recipient
126 is reunited with his or her parents; amending ss.
127 29.008, 39.6011, 40.24, 43.16, 61.402, 110.205,
128 320.08058, 943.053, 985.43, 985.441, 985.455, 985.461,
129 and 985.48, F.S.; conforming provisions to changes
130 made by the act; amending ss. 39.302, 39.521, 61.13,
131 119.071, 322.09, 394.495, 627.746, 934.255, and
132 960.065, F.S.; conforming cross-references; providing
133 a directive to the Division of Law Revision; providing
134 an effective date;

135

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

137

138 Section 1. Paragraph (j) of subsection (1), paragraph (j)
139 of subsection (3), and paragraph (a) of subsection (10) of
140 section 39.001, Florida Statutes, are amended to read:

141 39.001 Purposes and intent; personnel standards and
142 screening.—

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

144 (j) To ensure that, when reunification or adoption is not
145 possible, the child will be prepared for alternative permanency

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

154 (3) GENERAL PROTECTIONS FOR CHILDREN.—It is a purpose of
155 the Legislature that the children of this state be provided with
156 the following protections:

157 (j) The ability to contact their guardian ad litem or
158 attorney ad litem, if one is appointed, by having that
159 individual's name entered on all orders of the court.

160 (10) PLAN FOR COMPREHENSIVE APPROACH.—

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

173 Appropriate local groups and organizations shall include, but
174 not be limited to, community mental health centers; circuit

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

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

194 39.00145 Records concerning children.—

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

200 (a) A complete and accurate copy of any record in a child's
201 case record must be provided, upon request and at no cost, to
202 the child who is the subject of the case record and to the
203 child's caregiver, guardian ad litem, or attorney ad litem, if

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204 one is appointed.

205 (b) The department shall release the information in a
206 manner and setting that are appropriate to the age and maturity
207 of the child and the nature of the information being released,
208 which may include the release of information in a therapeutic
209 setting, if appropriate. This paragraph does not deny the child
210 access to his or her records.

211 (c) If a child or the child's caregiver, guardian ad litem,
212 or attorney ad litem, if one is appointed, requests access to
213 the child's case record, any person or entity that fails to
214 provide any record in the case record under assertion of a claim
215 of exemption from the public records requirements of chapter
216 119, or fails to provide access within a reasonable time, is
217 subject to sanctions and penalties under s. 119.10.

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

224 Section 3. Paragraph (a) of subsection (2) of section
225 39.00146, Florida Statutes, is amended to read:

226 39.00146 Case record face sheet.—

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

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

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

236 2. The current county of residence and the county of
237 residence at the time of the referral.†

238 3. The reason for the referral and any family safety
239 concerns.†

240 4. The personal identifying information of the parents or
241 legal custodians who had custody of the child at the time of the
242 referral, including name, date of birth, and county of
243 residence.†

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

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

249 Section 4. Paragraph (b) of subsection (2) and paragraph
250 (b) of subsection (3) of section 39.0016, Florida Statutes, are
251 amended to read:

252 39.0016 Education of abused, neglected, and abandoned
253 children; agency agreements; children having or suspected of
254 having a disability.—

255 (2) AGENCY AGREEMENTS.—

256 (b) The department shall enter into agreements with
257 district school boards or other local educational entities
258 regarding education and related services for children known to
259 the department who are of school age and children known to the
260 department who are younger than school age but who would
261 otherwise qualify for services from the district school board.

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262 Such agreements must ~~shall~~ include, but are not limited to:

263 1. A requirement that the department shall:

264 a. Ensure that children known to the department are
265 enrolled in school or in the best educational setting that meets
266 the needs of the child. The agreement must ~~shall~~ provide for
267 continuing the enrollment of a child known to the department at
268 the school of origin when possible if it is in the best interest
269 of the child, with the goal of minimal disruption of education.

270 b. Notify the school and school district in which a child
271 known to the department is enrolled of the name and phone number
272 of the child known to the department caregiver and caseworker
273 for child safety purposes.

274 c. Establish a protocol for the department to share
275 information about a child known to the department with the
276 school district, consistent with the Family Educational Rights
277 and Privacy Act, since the sharing of information will assist
278 each agency in obtaining education and related services for the
279 benefit of the child. The protocol must require the district
280 school boards or other local educational entities to access the
281 department's Florida Safe Families Network to obtain information
282 about children known to the department, consistent with the
283 Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. s.
284 1232g.

285 d. Notify the school district of the department's case
286 planning for a child known to the department, both at the time
287 of plan development and plan review. Within the plan development
288 or review process, the school district may provide information
289 regarding the child known to the department if the school
290 district deems it desirable and appropriate.

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

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

295 a. Provide the department with a general listing of the
296 services and information available from the district school
297 board to facilitate educational access for a child known to the
298 department.

299 b. Identify all educational and other services provided by
300 the school and school district which the school district
301 believes are reasonably necessary to meet the educational needs
302 of a child known to the department.

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

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

319 3. A requirement that the department and the district

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320 school board shall cooperate in accessing the services and
321 supports needed for a child known to the department who has or
322 is suspected of having a disability to receive an appropriate
323 education consistent with the Individuals with Disabilities
324 Education Act and state implementing laws, rules, and
325 assurances. Coordination of services for a child known to the
326 department who has or is suspected of having a disability may
327 include:

328 a. Referral for screening.

329 b. Sharing of evaluations between the school district and
330 the department where appropriate.

331 c. Provision of education and related services appropriate
332 for the needs and abilities of the child known to the
333 department.

334 d. Coordination of services and plans between the school
335 and the residential setting to avoid duplication or conflicting
336 service plans.

337 e. Appointment of a surrogate parent, consistent with the
338 Individuals with Disabilities Education Act and pursuant to
339 subsection (3), for educational purposes for a child known to
340 the department who qualifies.

341 f. For each child known to the department 14 years of age
342 and older, transition planning by the department and all
343 providers, including the department's independent living program
344 staff and the guardian ad litem of the child, to meet the
345 requirements of the local school district for educational
346 purposes.

347 (3) CHILDREN HAVING OR SUSPECTED OF HAVING A DISABILITY.—

348 (b)1. Each district school superintendent or dependency

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349 court must appoint a surrogate parent for a child known to the
350 department who has or is suspected of having a disability, as
351 defined in s. 1003.01(9), when:

352 a. After reasonable efforts, no parent can be located; or

353 b. A court of competent jurisdiction over a child under
354 this chapter has determined that no person has the authority
355 under the Individuals with Disabilities Education Act, including
356 the parent or parents subject to the dependency action, or that
357 no person has the authority, willingness, or ability to serve as
358 the educational decisionmaker for the child without judicial
359 action.

360 2. A surrogate parent appointed by the district school
361 superintendent or the court must be at least 18 years old and
362 have no personal or professional interest that conflicts with
363 the interests of the student to be represented. Neither the
364 district school superintendent nor the court may appoint an
365 employee of the Department of Education, the local school
366 district, a community-based care provider, the Department of
367 Children and Families, or any other public or private agency
368 involved in the education or care of the child as appointment of
369 those persons is prohibited by federal law. This prohibition
370 includes group home staff and therapeutic foster parents.
371 However, a person who acts in a parental role to a child, such
372 as a foster parent or relative caregiver, is not prohibited from
373 serving as a surrogate parent if he or she is employed by such
374 agency, willing to serve, and knowledgeable about the child and
375 the exceptional student education process. The surrogate parent
376 may be a court-appointed guardian ad litem or a relative or
377 nonrelative adult who is involved in the child's life regardless

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378 of whether that person has physical custody of the child. Each
379 person appointed as a surrogate parent must have the knowledge
380 and skills acquired by successfully completing training using
381 materials developed and approved by the Department of Education
382 to ensure adequate representation of the child.

383 ~~3. If a guardian ad litem has been appointed for a child,~~
384 The district school superintendent must first consider the
385 child's guardian ad litem when appointing a surrogate parent.
386 The district school superintendent must accept the appointment
387 of the court if he or she has not previously appointed a
388 surrogate parent. Similarly, the court must accept a surrogate
389 parent duly appointed by a district school superintendent.

390 4. A surrogate parent appointed by the district school
391 superintendent or the court must be accepted by any subsequent
392 school or school district without regard to where the child is
393 receiving residential care so that a single surrogate parent can
394 follow the education of the child during his or her entire time
395 in state custody. Nothing in this paragraph or in rule shall
396 limit or prohibit the continuance of a surrogate parent
397 appointment when the responsibility for the student's
398 educational placement moves among and between public and private
399 agencies.

400 5. For a child known to the department, the responsibility
401 to appoint a surrogate parent resides with both the district
402 school superintendent and the court with jurisdiction over the
403 child. If the court elects to appoint a surrogate parent, notice
404 shall be provided as soon as practicable to the child's school.
405 At any time the court determines that it is in the best
406 interests of a child to remove a surrogate parent, the court may

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407 appoint a new surrogate parent for educational decisionmaking
408 purposes for that child.

409 6. The surrogate parent shall continue in the appointed
410 role until one of the following occurs:

411 a. The child is determined to no longer be eligible or in
412 need of special programs, except when termination of special
413 programs is being contested.

414 b. The child achieves permanency through adoption or legal
415 guardianship and is no longer in the custody of the department.

416 c. The parent who was previously unknown becomes known,
417 whose whereabouts were unknown is located, or who was
418 unavailable is determined by the court to be available.

419 d. The appointed surrogate no longer wishes to represent
420 the child or is unable to represent the child.

421 e. The superintendent of the school district in which the
422 child is attending school, the Department of Education contract
423 designee, or the court that appointed the surrogate determines
424 that the appointed surrogate parent no longer adequately
425 represents the child.

426 f. The child moves to a geographic location that is not
427 reasonably accessible to the appointed surrogate.

428 7. The appointment and termination of appointment of a
429 surrogate under this paragraph shall be entered as an order of
430 the court with a copy of the order provided to the child's
431 school as soon as practicable.

432 8. The person appointed as a surrogate parent under this
433 paragraph must:

434 a. Be acquainted with the child and become knowledgeable
435 about his or her disability and educational needs.

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436 b. Represent the child in all matters relating to
437 identification, evaluation, and educational placement and the
438 provision of a free and appropriate education to the child.

439 c. Represent the interests and safeguard the rights of the
440 child in educational decisions that affect the child.

441 9. The responsibilities of the person appointed as a
442 surrogate parent shall not extend to the care, maintenance,
443 custody, residential placement, or any other area not
444 specifically related to the education of the child, unless the
445 same person is appointed by the court for such other purposes.

446 10. A person appointed as a surrogate parent shall enjoy
447 all of the procedural safeguards afforded a parent with respect
448 to the identification, evaluation, and educational placement of
449 a student with a disability or a student who is suspected of
450 having a disability.

451 11. A person appointed as a surrogate parent shall not be
452 held liable for actions taken in good faith on behalf of the
453 student in protecting the special education rights of the child.

454 Section 5. Present subsections (8) through (30) and (31)
455 through (87) of section 39.01, Florida Statutes, are
456 redesignated as subsections (9) through (31) and (34) through
457 (90), respectively, present subsections (9), (36), and (58) are
458 amended, and new subsections (8), (32), and (33) are added to
459 that section, to read:

460 39.01 Definitions.—When used in this chapter, unless the
461 context otherwise requires:

462 (8) "Attorney ad litem" means an attorney appointed by the
463 court to represent a child in a dependency case who has an
464 attorney-client relationship with the child under the rules

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465 regulating The Florida Bar.

466 (10)~~(9)~~ "Caregiver" means the parent, legal custodian,
467 permanent guardian, adult household member, or other person
468 responsible for a child's welfare as defined in subsection (57)
469 ~~(54)~~.

470 (32) "Guardian ad litem" means a person or an entity that
471 is a fiduciary appointed by the court to represent a child in
472 any civil, criminal, or administrative proceeding to which the
473 child is a party, including, but not limited to, under this
474 chapter, which uses a best interest standard for decisionmaking
475 and advocacy. For purposes of this chapter, the term includes,
476 but is not limited to, the Statewide Guardian ad Litem Office,
477 which includes all circuit guardian ad litem offices and the
478 duly certified volunteers, staff, and attorneys assigned by the
479 Statewide Guardian ad Litem Office to represent children; a
480 court-appointed attorney; or a responsible adult who is
481 appointed by the court. A guardian ad litem is a party to the
482 judicial proceeding as a representative of the child and serves
483 until the jurisdiction of the court over the child terminates or
484 until excused by the court.

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

488 (39)~~(36)~~ "Institutional child abuse or neglect" means
489 situations of known or suspected child abuse or neglect in which
490 the person allegedly perpetrating the child abuse or neglect is
491 an employee of a public or private school, public or private day
492 care center, residential home, institution, facility, or agency
493 or any other person at such institution responsible for the

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494 child's welfare as defined in subsection (57) ~~(54)~~.

495 (61)~~(58)~~ "Party" means the parent or parents of the child,
496 the petitioner, the department, the guardian ad litem ~~or the~~
497 ~~representative of the guardian ad litem program when the program~~
498 ~~has been appointed~~, and the child. The presence of the child may
499 be excused by order of the court when presence would not be in
500 the child's best interest. Notice to the child may be excused by
501 order of the court when the age, capacity, or other condition of
502 the child is such that the notice would be meaningless or
503 detrimental to the child.

504 Section 6. Subsection (11) of section 39.013, Florida
505 Statutes, is amended, and subsection (14) is added to that
506 section, to read:

507 39.013 Procedures and jurisdiction; right to counsel;
508 guardian ad litem and attorney ad litem.—

509 (11) The court shall appoint a guardian ad litem at the
510 earliest possible time to represent a child throughout the
511 proceedings, including any appeals. The guardian ad litem may
512 represent the child in proceedings outside of the dependency
513 case to secure the services and benefits that provide for the
514 care, safety, and protection of the child ~~encourage the~~
515 ~~Statewide Guardian Ad Litem Office to provide greater~~
516 ~~representation to those children who are within 1 year of~~
517 ~~transferring out of foster care.~~

518 (14) The court may appoint an attorney ad litem for a child
519 if the court believes the child is in need of such
520 representation and determines that the child has a rational and
521 factual understanding of the proceedings and sufficient present
522 ability to consult with an attorney with a reasonable degree of

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523 rational understanding. The attorney ad litem may represent the
524 child in proceedings outside of the dependency case to secure
525 services and benefits that provide for the care, safety, and
526 protection of the child.

527 Section 7. Section 39.01305, Florida Statutes, is amended
528 to read:

529 39.01305 Appointment of an attorney ad litem for a
530 dependent child ~~with certain special needs.~~

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

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

539 (2) The court may appoint an attorney ad litem for a child
540 if the court believes the child is in need of such
541 representation and determines that the child has a rational and
542 factual understanding of the proceedings and sufficient present
543 ability to consult with an attorney with a reasonable degree of
544 rational understanding.

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

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

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

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

573 ~~(3) An attorney shall be appointed for a dependent child~~
574 ~~who:~~

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

577 ~~(b) Is prescribed a psychotropic medication but declines~~
578 ~~assent to the psychotropic medication;~~

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

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581 ~~(d) Is being placed in a residential treatment center or~~
582 ~~being considered for placement in a residential treatment~~
583 ~~center; or~~

584 ~~(e) Is a victim of human trafficking as defined in s.~~
585 ~~787.06(2)(d).~~

586 (3) (a) ~~(4) (a)~~ Before a court may appoint an attorney ad
587 litem, who may be compensated pursuant to this section, the
588 court must request a recommendation from the Statewide Guardian
589 ad Litem Office for an attorney who is willing to represent a
590 child without additional compensation. If such an attorney is
591 available within 15 days after the court's request, the court
592 must appoint that attorney. However, the court may appoint a
593 compensated attorney within the 15-day period if the Statewide
594 Guardian ad Litem Office informs the court that the office is
595 unable ~~it will not be able~~ to recommend an attorney within that
596 time period.

597 (b) A court order appointing ~~After~~ an attorney ad litem
598 must be in writing. ~~is appointed, the appointment continues in~~
599 ~~effect until the attorney is allowed to withdraw or is~~
600 ~~discharged by~~ The court must discharge ~~or until the case is~~
601 ~~dismissed.~~ an attorney ad litem who is appointed under this
602 section if the need for such representation is resolved. The
603 attorney ad litem may represent the child in proceedings outside
604 of the dependency case to secure services and benefits that
605 provide for the care, safety, and protection of the child ~~to~~
606 ~~represent the child shall provide the complete range of legal~~
607 ~~services, from the removal from home or from the initial~~
608 ~~appointment through all available appellate proceedings.~~ With
609 the permission of the court, the attorney ad litem ~~for the~~

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

613 (4)~~(5)~~ Unless the attorney ad litem has agreed to provide
614 pro bono services, an appointed attorney ad litem or
615 organization must be adequately compensated. All appointed
616 attorneys ad litem and organizations, including pro bono
617 attorneys, must be provided with access to funding for expert
618 witnesses, depositions, and other due process costs of
619 litigation. Payment of attorney fees and case-related due
620 process costs are subject to appropriations and review by the
621 Justice Administrative Commission for reasonableness. The
622 Justice Administrative Commission shall contract with attorneys
623 ad litem appointed by the court. Attorney fees may not exceed
624 \$1,000 per child per year.

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

629 ~~(7) The department may adopt rules to administer this~~
630 ~~section.~~

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

634 (5)~~(9)~~ Implementation of this section is subject to
635 appropriations expressly made for that purpose.

636 Section 8. The amendments made by this act to s. 39.01305,
637 Florida Statutes, apply only to attorney ad litem appointments
638 made on or after July 1, 2024.

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

641 39.0132 Oaths, records, and confidential information.—

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

665 Section 10. Paragraph (a) of subsection (3) of section
666 39.0136, Florida Statutes, is amended to read:

667 39.0136 Time limitations; continuances.—

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

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

676 Section 11. Subsection (7) of section 39.01375, Florida
677 Statutes, is amended to read:

678 39.01375 Best interest determination for placement.—The
679 department, community-based care lead agency, or court shall
680 consider all of the following factors when determining whether a
681 proposed placement under this chapter is in the child's best
682 interest:

683 (7) The recommendation of the child's guardian ad litem, ~~if~~
684 ~~one has been appointed.~~

685 Section 12. Paragraphs (a) and (b) of subsection (4) of
686 section 39.0139, Florida Statutes, are amended to read:

687 39.0139 Visitation or other contact; restrictions.—

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

692 (a) Before ~~Prior to~~ the hearing, the court shall appoint ~~an~~
693 ~~attorney ad litem or~~ a guardian ad litem for the child if one
694 has not already been appointed. The guardian ad litem and Any
695 attorney ad litem, if one is ~~or guardian ad litem~~ appointed,
696 must ~~shall~~ have special training in the dynamics of child sexual

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697 abuse.

698 (b) At the hearing, the court may receive and rely upon any
699 relevant and material evidence submitted to the extent of its
700 probative value, including written and oral reports or
701 recommendations from the Child Protection Team, the child's
702 therapist, the child's guardian ad litem, or the child's
703 attorney ad litem, if one is appointed, even if these reports,
704 recommendations, and evidence may not be admissible under the
705 rules of evidence.

706 Section 13. Paragraphs (d) and (t) of subsection (2) of
707 section 39.202, Florida Statutes, are amended to read:

708 39.202 Confidentiality of reports and records in cases of
709 child abuse or neglect; exception.—

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

715 (d) The parent or legal custodian of any child who is
716 alleged to have been abused, abandoned, or neglected; the child;
717 the child's guardian ad litem; the child's attorney ad litem, if
718 one is appointed; or, ~~and the child, and their attorneys,~~
719 ~~including~~ any attorney representing a child in civil or criminal
720 proceedings. This access must ~~shall~~ be made available no later
721 than 60 days after the department receives the initial report of
722 abuse, neglect, or abandonment. However, any information
723 otherwise made confidential or exempt by law may ~~shall~~ not be
724 released pursuant to this paragraph.

725 (t) Persons with whom the department is seeking to place

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726 the child or to whom placement has been granted, including
727 foster parents for whom an approved home study has been
728 conducted, the designee of a licensed child-caring agency as
729 defined in s. 39.01 ~~s. 39.01(41)~~, an approved relative or
730 nonrelative with whom a child is placed pursuant to s. 39.402,
731 preadoptive parents for whom a favorable preliminary adoptive
732 home study has been conducted, adoptive parents, or an adoption
733 entity acting on behalf of preadoptive or adoptive parents.

734 Section 14. Paragraph (c) of subsection (8), paragraphs (b)
735 and (c) of subsection (11), and paragraph (a) of subsection (14)
736 of section 39.402, Florida Statutes, are amended to read:

737 39.402 Placement in a shelter.—

738 (8)

739 (c) At the shelter hearing, the court shall:

740 1. Appoint a guardian ad litem to represent the best
741 interest of the child, ~~unless the court finds that such~~
742 ~~representation is unnecessary;~~

743 2. Inform the parents or legal custodians of their right to
744 counsel to represent them at the shelter hearing and at each
745 subsequent hearing or proceeding, and the right of the parents
746 to appointed counsel, pursuant to the procedures set forth in s.
747 39.013;

748 3. Give the parents or legal custodians an opportunity to
749 be heard and to present evidence; and

750 4. Inquire of those present at the shelter hearing as to
751 the identity and location of the legal father. In determining
752 who the legal father of the child may be, the court shall
753 inquire under oath of those present at the shelter hearing
754 whether they have any of the following information:

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755 a. Whether the mother of the child was married at the
756 probable time of conception of the child or at the time of birth
757 of the child.

758 b. Whether the mother was cohabiting with a male at the
759 probable time of conception of the child.

760 c. Whether the mother has received payments or promises of
761 support with respect to the child or because of her pregnancy
762 from a man who claims to be the father.

763 d. Whether the mother has named any man as the father on
764 the birth certificate of the child or in connection with
765 applying for or receiving public assistance.

766 e. Whether any man has acknowledged or claimed paternity of
767 the child in a jurisdiction in which the mother resided at the
768 time of or since conception of the child or in which the child
769 has resided or resides.

770 f. Whether a man is named on the birth certificate of the
771 child pursuant to s. 382.013(2).

772 g. Whether a man has been determined by a court order to be
773 the father of the child.

774 h. Whether a man has been determined to be the father of
775 the child by the Department of Revenue as provided in s.
776 409.256.

777 (11)

778 (b) The court shall request that the parents consent to
779 provide access to the child's medical records and provide
780 information to the court, the department or its contract
781 agencies, and the ~~any~~ guardian ad litem or attorney ad litem, if
782 one is appointed, for the child. If a parent is unavailable or
783 unable to consent or withholds consent and the court determines

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784 access to the records and information is necessary to provide
785 services to the child, the court shall issue an order granting
786 access. The court may also order the parents to provide all
787 known medical information to the department and to any others
788 granted access under this subsection.

789 (c) The court shall request that the parents consent to
790 provide access to the child's child care records, early
791 education program records, or other educational records and
792 provide information to the court, the department or its contract
793 agencies, and the any guardian ad litem or attorney ad litem, if
794 one is appointed, for the child. If a parent is unavailable or
795 unable to consent or withholds consent and the court determines
796 access to the records and information is necessary to provide
797 services to the child, the court shall issue an order granting
798 access.

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

800 (a) Periods of delay resulting from a continuance granted
801 at the request or with the consent of the child's ~~counsel or the~~
802 ~~child's~~ guardian ad litem or attorney ad litem, if one is ~~has~~
803 ~~been appointed by the court, or, if the child is of sufficient~~
804 ~~capacity to express reasonable consent, at the request or with~~
805 ~~the consent of the child's attorney or the child's guardian ad~~
806 ~~litem, if one has been appointed by the court, and the child.~~

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

809 39.4022 Multidisciplinary teams; staffings; assessments;
810 report.—

811 (4) PARTICIPANTS.—

812 (a) Collaboration among diverse individuals who are part of

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813 the child's network is necessary to make the most informed
814 decisions possible for the child. A diverse team is preferable
815 to ensure that the necessary combination of technical skills,
816 cultural knowledge, community resources, and personal
817 relationships is developed and maintained for the child and
818 family. The participants necessary to achieve an appropriately
819 diverse team for a child may vary by child and may include
820 extended family, friends, neighbors, coaches, clergy, coworkers,
821 or others the family identifies as potential sources of support.

822 1. Each multidisciplinary team staffing must invite the
823 following members:

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

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

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

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

837 e. A representative from the community-based care lead
838 agency, when the lead agency is directly involved in the goal
839 identified by the staffing;

840 f. The case manager for the child, or his or her case
841 manager supervisor; and

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842 g. A representative from the Department of Juvenile
843 Justice, if the child is dually involved with both the
844 department and the Department of Juvenile Justice.

845 2. The multidisciplinary team must make reasonable efforts
846 to have all mandatory invitees attend. However, the
847 multidisciplinary team staffing may not be delayed if the
848 invitees in subparagraph 1. fail to attend after being provided
849 reasonable opportunities.

850 (b) Based on the particular goal the multidisciplinary team
851 staffing identifies as the purpose of convening the staffing as
852 provided under subsection (5), the department or lead agency may
853 also invite to the meeting other professionals, including, but
854 not limited to:

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

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

857 2.3. A school personnel representative who has direct
858 contact with the child;

859 3.4. A therapist or other behavioral health professional,
860 if applicable;

861 4.5. A mental health professional with expertise in sibling
862 bonding, if the department or lead agency deems such expert is
863 necessary; or

864 5.6. Other community providers of services to the child or
865 stakeholders, when applicable.

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

869 39.4023 Placement and education transitions; transition
870 plans.-

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871 (3) PLACEMENT TRANSITIONS.—

872 (d) *Transition planning*.—

873 1. If the supportive services provided pursuant to
874 paragraph (c) have not been successful to make the maintenance
875 of the placement suitable or if there are other circumstances
876 that require the child to be moved, the department or the
877 community-based care lead agency must convene a
878 multidisciplinary team staffing as required under s. 39.4022
879 before the child's placement is changed, or within 72 hours of
880 moving the child in an emergency situation, for the purpose of
881 developing an appropriate transition plan.

882 2. A placement change may occur immediately in an emergency
883 situation without convening a multidisciplinary team staffing.
884 However, a multidisciplinary team staffing must be held within
885 72 hours after the emergency situation arises.

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

893 a. The child, unless he or she, due to age or capacity, is
894 unable to comprehend the written notice, which will necessitate
895 the department or lead agency to provide notice in an age-
896 appropriate and capacity-appropriate alternative manner.†

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

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

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

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

902 f. The attorney for the department.

903 4. The transition plan must be developed through
904 cooperation among the persons included in subparagraph 3., and
905 such persons must share any relevant information necessary for
906 its development. Subject to the child's needs and preferences,
907 the transition plan must meet the requirements of s.

908 409.1415(2)(b)8. and exclude any placement changes that occur
909 between 7 p.m. and 8 a.m.

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

914 (4) EDUCATION TRANSITIONS.—

915 (c) *Minimizing school changes.*—

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

920 2. Members of a multidisciplinary team staffing convened
921 for a purpose other than a school change must determine the
922 child's best interest regarding remaining in the school or
923 program of origin if the child's educational options are
924 affected by any other decision being made by the
925 multidisciplinary team.

926 3. The determination of whether it is in the child's best
927 interest to remain in the school of origin, and if not, of which
928 school the child will attend in the future, must be made in

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929 consultation with the following individuals, including, but not
930 limited to, the child; the parents; the caregiver; the child
931 welfare professional; the guardian ad litem, ~~if appointed~~; the
932 educational surrogate, if appointed; child care and educational
933 staff, including teachers and guidance counselors; and the
934 school district representative or foster care liaison. A
935 multidisciplinary team member may contact any of these
936 individuals in advance of a multidisciplinary team staffing to
937 obtain his or her recommendation. An individual may remotely
938 attend the multidisciplinary team staffing if one of the
939 identified goals is related to determining an educational
940 placement. The multidisciplinary team may rely on a report from
941 the child's current school or program district and, if
942 applicable, any other school district being considered for the
943 educational placement if the required school personnel are not
944 available to attend the multidisciplinary team staffing in
945 person or remotely.

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

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

953 b. The preference of the child's parents or legal
954 guardians.

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

957 d. The child's cultural and community connections in the

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958 school or program of origin.

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

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

966 g. Whether the child is a student with a disability under
967 IDEA who is receiving special education and related services or
968 a student with a disability under s. 504 of the Rehabilitation
969 Act of 1973 who is receiving accommodations and services and, if
970 so, whether those required services are available in a school or
971 program other than the school or program of origin.

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

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

978 j. The availability of extracurricular activities important
979 to the child.

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

984 l. The child's permanency goal and timeframe for achieving
985 permanency.

986 m. The child's history of school transfers and how such

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987 transfers have impacted the child academically, emotionally, and
988 behaviorally.

989 n. The length of the commute to the school or program from
990 the child's home or placement and how such commute would impact
991 the child.

992 o. The length of time the child has attended the school or
993 program of origin.

994 5. The cost of transportation cannot be a factor in making
995 a best interest determination.

996 Section 17. Paragraph (f) of subsection (3) of section
997 39.407, Florida Statutes, is amended to read:

998 39.407 Medical, psychiatric, and psychological examination
999 and treatment of child; physical, mental, or substance abuse
1000 examination of person with or requesting child custody.—

1001 (3)

1002 (f)1. The department shall fully inform the court of the
1003 child's medical and behavioral status as part of the social
1004 services report prepared for each judicial review hearing held
1005 for a child for whom psychotropic medication has been prescribed
1006 or provided under this subsection. As a part of the information
1007 provided to the court, the department shall furnish copies of
1008 all pertinent medical records concerning the child which have
1009 been generated since the previous hearing. On its own motion or
1010 on good cause shown by any party, including the ~~any~~ guardian ad
1011 litem, ~~attorney,~~ or attorney ad litem, if one is ~~who has been~~
1012 appointed ~~to represent the child or the child's interests,~~ the
1013 court may review the status more frequently than required in
1014 this subsection.

1015 2. The court may, in the best interests of the child, order

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1016 the department to obtain a medical opinion addressing whether
1017 the continued use of the medication under the circumstances is
1018 safe and medically appropriate.

1019 Section 18. Paragraphs (m), (t), and (u) of subsection (1)
1020 of section 39.4085, Florida Statutes, are amended to read:

1021 39.4085 Goals for dependent children; responsibilities;
1022 education; Office of the Children's Ombudsman.—

1023 (1) The Legislature finds that the design and delivery of
1024 child welfare services should be directed by the principle that
1025 the health and safety of children, including the freedom from
1026 abuse, abandonment, or neglect, is of paramount concern and,
1027 therefore, establishes the following goals for children in
1028 shelter or foster care:

1029 (m) To receive meaningful case management and planning that
1030 will quickly return the child to his or her family or move the
1031 child on to other forms of permanency. For a child who is
1032 transitioning from foster care to independent living, permanency
1033 includes establishing naturally occurring, lifelong, kin-like
1034 connections between the child and a supportive adult.

1035 (t) To have a guardian ad litem appointed ~~to represent,~~
1036 ~~within reason, their best interests~~ and, if appropriate, an
1037 attorney ad litem ~~appointed to represent their legal interests;~~
1038 the guardian ad litem or and attorney ad litem, if one is
1039 appointed, shall have immediate and unlimited access to the
1040 children they represent.

1041 (u) To have all their records available for review by their
1042 guardian ad litem or and attorney ad litem, if one is appointed,
1043 if they deem such review necessary.

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1045 This subsection establishes goals and not rights. This
1046 subsection does not require the delivery of any particular
1047 service or level of service in excess of existing
1048 appropriations. A person does not have a cause of action against
1049 the state or any of its subdivisions, agencies, contractors,
1050 subcontractors, or agents, based upon the adoption of or failure
1051 to provide adequate funding for the achievement of these goals
1052 by the Legislature. This subsection does not require the
1053 expenditure of funds to meet the goals established in this
1054 subsection except those funds specifically appropriated for such
1055 purpose.

1056 Section 19. Subsection (8) of section 39.502, Florida
1057 Statutes, is amended to read:

1058 39.502 Notice, process, and service.—

1059 (8) It is not necessary to the validity of a proceeding
1060 covered by this part that the parents be present if their
1061 identity or residence is unknown after a diligent search has
1062 been made; however, ~~but in this event~~ the petitioner must ~~shall~~
1063 file an affidavit of diligent search prepared by the person who
1064 made the search and inquiry, and the court must ~~may~~ appoint a
1065 guardian ad litem for the child if a guardian ad litem has not
1066 previously been appointed.

1067 Section 20. Paragraph (c) of subsection (3) of section
1068 39.522, Florida Statutes, is amended to read:

1069 39.522 Postdisposition change of custody.—

1070 (3)

1071 (c)1. The department or community-based care lead agency
1072 must notify a current caregiver who has been in the physical
1073 custody placement for at least 9 consecutive months and who

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1074 meets all the established criteria in paragraph (b) of an intent
1075 to change the physical custody of the child, and a
1076 multidisciplinary team staffing must be held in accordance with
1077 ss. 39.4022 and 39.4023 at least 21 days before the intended
1078 date for the child's change in physical custody, unless there is
1079 an emergency situation as defined in s. 39.4022(2)(b). If there
1080 is not a unanimous consensus decision reached by the
1081 multidisciplinary team, the department's official position must
1082 be provided to the parties within the designated time period as
1083 provided for in s. 39.4022.

1084 2. A caregiver who objects to the department's official
1085 position on the change in physical custody must notify the court
1086 and the department or community-based care lead agency of his or
1087 her objection and the intent to request an evidentiary hearing
1088 in writing in accordance with this section within 5 days after
1089 receiving notice of the department's official position provided
1090 under subparagraph 1. The transition of the child to the new
1091 caregiver may not begin before the expiration of the 5-day
1092 period within which the current caregiver may object.

1093 3. Upon the department or community-based care lead agency
1094 receiving written notice of the caregiver's objection, the
1095 change to the child's physical custody must be placed in
1096 abeyance and the child may not be transitioned to a new physical
1097 placement without a court order, unless there is an emergency
1098 situation as defined in s. 39.4022(2)(b).

1099 4. Within 7 days after receiving written notice from the
1100 caregiver, the court must conduct an initial case status
1101 hearing, at which time the court must do all of the following:

1102 a. Grant party status to the current caregiver who is

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1103 seeking permanent custody and has maintained physical custody of
 1104 that child for at least 9 continuous months for the limited
 1105 purpose of filing a motion for a hearing on the objection and
 1106 presenting evidence pursuant to this subsection.†

1107 ~~b. Appoint an attorney for the child who is the subject of~~
 1108 ~~the permanent custody proceeding, in addition to the guardian ad~~
 1109 ~~litem, if one is appointed;~~

1110 b.e. Advise the caregiver of his or her right to retain
 1111 counsel for purposes of the evidentiary hearing.† ~~and~~

1112 c.d. Appoint a court-selected neutral and independent
 1113 licensed professional with expertise in the science and research
 1114 of child-parent bonding.

1115 Section 21. Paragraph (c) of subsection (1) and paragraph
 1116 (c) of subsection (3) of section 39.6012, Florida Statutes, are
 1117 amended to read:

1118 39.6012 Case plan tasks; services.—

1119 (1) The services to be provided to the parent and the tasks
 1120 that must be completed are subject to the following:

1121 (c) If there is evidence of harm as defined in s.
 1122 39.01(37)(g) ~~s. 39.01(34)(g)~~, the case plan must include as a
 1123 required task for the parent whose actions caused the harm that
 1124 the parent submit to a substance abuse disorder assessment or
 1125 evaluation and participate and comply with treatment and
 1126 services identified in the assessment or evaluation as being
 1127 necessary.

1128 (3) In addition to any other requirement, if the child is
 1129 in an out-of-home placement, the case plan must include:

1130 (c) When appropriate, for a child who is 13 years of age or
 1131 older, a written description of the programs and services that

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1132 will help the child prepare for the transition from foster care
1133 to independent living. The written description must include age-
1134 appropriate activities for the child's development of
1135 relationships, coping skills, and emotional well-being.

1136 Section 22. Section 39.6036, Florida Statutes, is created
1137 to read:

1138 39.6036 Supportive adults for children transitioning out of
1139 foster care.-

1140 (1) The Legislature finds that a committed, caring adult
1141 provides a lifeline for a child transitioning out of foster care
1142 to live independently. Accordingly, it is the intent of the
1143 Legislature that the Statewide Guardian ad Litem Office help
1144 children connect with supportive adults with the hope of
1145 creating an ongoing relationship that lasts into adulthood.

1146 (2) The Statewide Guardian ad Litem Office shall work with
1147 a child who is transitioning out of foster care to identify at
1148 least one supportive adult with whom the child can enter into a
1149 formal agreement for an ongoing relationship and document such
1150 agreement in the child's court file. If the child cannot
1151 identify a supportive adult, the Statewide Guardian ad Litem
1152 Office shall work in coordination with the Office of Continuing
1153 Care to identify at least one supportive adult with whom the
1154 child can enter into a formal agreement for an ongoing
1155 relationship and document such agreement in the child's court
1156 file.

1157 Section 23. Paragraph (c) of subsection (10) of section
1158 39.621, Florida Statutes, is amended to read:

1159 39.621 Permanency determination by the court.-

1160 (10) The permanency placement is intended to continue until

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1161 the child reaches the age of majority and may not be disturbed
1162 absent a finding by the court that the circumstances of the
1163 permanency placement are no longer in the best interest of the
1164 child.

1165 (c) The court shall base its decision concerning any motion
1166 by a parent for reunification or increased contact with a child
1167 on the effect of the decision on the safety, well-being, and
1168 physical and emotional health of the child. Factors that must be
1169 considered and addressed in the findings of fact of the order on
1170 the motion must include:

1171 1. The compliance or noncompliance of the parent with the
1172 case plan;

1173 2. The circumstances which caused the child's dependency
1174 and whether those circumstances have been resolved;

1175 3. The stability and longevity of the child's placement;

1176 4. The preferences of the child, if the child is of
1177 sufficient age and understanding to express a preference;

1178 5. The recommendation of the current custodian; and

1179 6. Any ~~The~~ recommendation of the guardian ad litem, ~~if one~~
1180 ~~has been appointed.~~

1181 Section 24. Subsection (2) of section 39.6241, Florida
1182 Statutes, is amended to read:

1183 39.6241 Another planned permanent living arrangement.—

1184 (2) The department and the guardian ad litem must provide
1185 the court with a recommended list and description of services
1186 needed by the child, such as independent living services and
1187 medical, dental, educational, or psychological referrals, and a
1188 recommended list and description of services needed by his or
1189 her caregiver. The guardian ad litem must also advise the court

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1190 whether the child has been connected with a supportive adult
1191 and, if the child has been connected with a supportive adult,
1192 whether the child has entered into a formal agreement with the
1193 adult. If the child has entered into a formal agreement pursuant
1194 to s. 39.6036, the guardian ad litem must ensure that the
1195 agreement is documented in the child's court file.

1196 Section 25. Paragraphs (b) and (f) of subsection (1),
1197 paragraph (c) of subsection (2), subsection (3), and paragraph
1198 (e) of subsection (4) of section 39.701, Florida Statutes, are
1199 amended to read:

1200 39.701 Judicial review.—

1201 (1) GENERAL PROVISIONS.—

1202 (b)1. The court shall retain jurisdiction over a child
1203 returned to his or her parents for a minimum period of 6 months
1204 after following the reunification, but, at that time, based on a
1205 report of the social service agency and the guardian ad litem,
1206 ~~if one has been appointed,~~ and any other relevant factors, the
1207 court shall make a determination as to whether supervision by
1208 the department and the court's jurisdiction shall continue or be
1209 terminated.

1210 2. Notwithstanding subparagraph 1., the court must retain
1211 jurisdiction over a child if the child is placed in the home
1212 with a parent or caregiver with an in-home safety plan and such
1213 safety plan remains necessary for the child to reside safely in
1214 the home.

1215 (f) Notice of a judicial review hearing or a citizen review
1216 panel hearing, and a copy of the motion for judicial review, if
1217 any, must be served by the clerk of the court upon all of the
1218 following persons, if available to be served, regardless of

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1219 whether the person was present at the previous hearing at which
1220 the date, time, and location of the hearing was announced:

1221 1. The social service agency charged with the supervision
1222 of care, custody, or guardianship of the child, if that agency
1223 is not the movant.

1224 2. The foster parent or legal custodian in whose home the
1225 child resides.

1226 3. The parents.

1227 4. The guardian ad litem for the child, ~~or the~~
1228 ~~representative of the guardian ad litem program if the program~~
1229 ~~has been appointed.~~

1230 5. The attorney ad litem for the child, if one is
1231 appointed.

1232 6. The child, if the child is 13 years of age or older.

1233 7. Any preadoptive parent.

1234 8. Such other persons as the court may direct.

1235 (2) REVIEW HEARINGS FOR CHILDREN YOUNGER THAN 18 YEARS OF
1236 AGE.—

1237 (c) *Review determinations.*—The court and any citizen review
1238 panel shall take into consideration the information contained in
1239 the social services study and investigation and all medical,
1240 psychological, and educational records that support the terms of
1241 the case plan; testimony by the social services agency, the
1242 parent, the foster parent or caregiver, the guardian ad litem,
1243 the ~~or~~ surrogate parent for educational decisionmaking if one
1244 has been appointed for the child, and any other person deemed
1245 appropriate; and any relevant and material evidence submitted to
1246 the court, including written and oral reports to the extent of
1247 their probative value. These reports and evidence may be

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1248 received by the court in its effort to determine the action to
1249 be taken with regard to the child and may be relied upon to the
1250 extent of their probative value, even though not competent in an
1251 adjudicatory hearing. In its deliberations, the court and any
1252 citizen review panel shall seek to determine:

1253 1. If the parent was advised of the right to receive
1254 assistance from any person or social service agency in the
1255 preparation of the case plan.

1256 2. If the parent has been advised of the right to have
1257 counsel present at the judicial review or citizen review
1258 hearings. If not so advised, the court or citizen review panel
1259 shall advise the parent of such right.

1260 3. If a guardian ad litem needs to be appointed for the
1261 child in a case in which a guardian ad litem has not previously
1262 been appointed ~~or if there is a need to continue a guardian ad~~
1263 ~~litem in a case in which a guardian ad litem has been appointed.~~

1264 4. Who holds the rights to make educational decisions for
1265 the child. If appropriate, the court may refer the child to the
1266 district school superintendent for appointment of a surrogate
1267 parent or may itself appoint a surrogate parent under the
1268 Individuals with Disabilities Education Act and s. 39.0016.

1269 5. The compliance or lack of compliance of all parties with
1270 applicable items of the case plan, including the parents'
1271 compliance with child support orders.

1272 6. The compliance or lack of compliance with a visitation
1273 contract between the parent and the social service agency for
1274 contact with the child, including the frequency, duration, and
1275 results of the parent-child visitation and the reason for any
1276 noncompliance.

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1277 7. The frequency, kind, and duration of contacts among
1278 siblings who have been separated during placement, as well as
1279 any efforts undertaken to reunite separated siblings if doing so
1280 is in the best interests of the child.

1281 8. The compliance or lack of compliance of the parent in
1282 meeting specified financial obligations pertaining to the care
1283 of the child, including the reason for failure to comply, if
1284 applicable.

1285 9. Whether the child is receiving safe and proper care
1286 according to s. 39.6012, including, but not limited to, the
1287 appropriateness of the child's current placement, including
1288 whether the child is in a setting that is as family-like and as
1289 close to the parent's home as possible, consistent with the
1290 child's best interests and special needs, and including
1291 maintaining stability in the child's educational placement, as
1292 documented by assurances from the community-based care lead
1293 agency that:

1294 a. The placement of the child takes into account the
1295 appropriateness of the current educational setting and the
1296 proximity to the school in which the child is enrolled at the
1297 time of placement.

1298 b. The community-based care lead agency has coordinated
1299 with appropriate local educational agencies to ensure that the
1300 child remains in the school in which the child is enrolled at
1301 the time of placement.

1302 10. A projected date likely for the child's return home or
1303 other permanent placement.

1304 11. When appropriate, the basis for the unwillingness or
1305 inability of the parent to become a party to a case plan. The

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1306 court and the citizen review panel shall determine if the
1307 efforts of the social service agency to secure party
1308 participation in a case plan were sufficient.

1309 12. For a child who has reached 13 years of age but is not
1310 yet 18 years of age, the adequacy of the child's preparation for
1311 adulthood and independent living. For a child who is 15 years of
1312 age or older, the court shall determine if appropriate steps are
1313 being taken for the child to obtain a driver license or
1314 learner's driver license.

1315 13. If amendments to the case plan are required. Amendments
1316 to the case plan must be made under s. 39.6013.

1317 14. If the parents and caregivers have developed a
1318 productive relationship that includes meaningful communication
1319 and mutual support.

1320 (3) REVIEW HEARINGS FOR CHILDREN 16 AND 17 YEARS OF AGE.—At
1321 each review hearing held under this subsection, the court shall
1322 give the child and the guardian ad litem the opportunity to
1323 address the court and provide any information relevant to the
1324 child's best interest, particularly in relation to independent
1325 living transition services. The foster parent or legal
1326 custodian, ~~or guardian ad litem~~ may also provide any information
1327 relevant to the child's best interest to the court. In addition
1328 to the review and report required under paragraphs (1)(a) and
1329 (2)(a), respectively, and the review and report required under
1330 s. 39.822(2)(a)2., the court shall:

1331 (a) Inquire about the life skills the child has acquired
1332 and whether those services are age appropriate, at the first
1333 judicial review hearing held subsequent to the child's 16th
1334 birthday. At the judicial review hearing, the department shall

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1335 provide the court with a report that includes specific
1336 information related to the life skills that the child has
1337 acquired since the child's 13th birthday or since the date the
1338 child came into foster care, whichever came later. For any child
1339 who may meet the requirements for appointment of a guardian
1340 advocate under s. 393.12 or a guardian under chapter 744, the
1341 updated case plan must be developed in a face-to-face conference
1342 with the child, if appropriate; the child's attorney ad litem,
1343 if one is appointed; the child's; ~~any court-appointed~~ guardian
1344 ad litem; the temporary custodian of the child; and the parent
1345 of the child, if the parent's rights have not been terminated.

1346 (b) The court shall hold a judicial review hearing within
1347 90 days after a child's 17th birthday. The court shall issue an
1348 order, separate from the order on judicial review, that the
1349 disability of nonage of the child has been removed under ss.
1350 743.044-743.047 for any disability that the court finds is in
1351 the child's best interest to remove. The department shall
1352 include in the social study report for the first judicial review
1353 that occurs after the child's 17th birthday written verification
1354 that the child has:

1355 1. A current Medicaid card and all necessary information
1356 concerning the Medicaid program sufficient to prepare the child
1357 to apply for coverage upon reaching the age of 18, if such
1358 application is appropriate.

1359 2. A certified copy of the child's birth certificate and,
1360 if the child does not have a valid driver license, a Florida
1361 identification card issued under s. 322.051.

1362 3. A social security card and information relating to
1363 social security insurance benefits if the child is eligible for

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1364 those benefits. If the child has received such benefits and they
1365 are being held in trust for the child, a full accounting of
1366 these funds must be provided and the child must be informed as
1367 to how to access those funds.

1368 4. All relevant information related to the Road-to-
1369 Independence Program under s. 409.1451, including, but not
1370 limited to, eligibility requirements, information on
1371 participation, and assistance in gaining admission to the
1372 program. If the child is eligible for the Road-to-Independence
1373 Program, he or she must be advised that he or she may continue
1374 to reside with the licensed family home or group care provider
1375 with whom the child was residing at the time the child attained
1376 his or her 18th birthday, in another licensed family home, or
1377 with a group care provider arranged by the department.

1378 5. An open bank account or the identification necessary to
1379 open a bank account and to acquire essential banking and
1380 budgeting skills.

1381 6. Information on public assistance and how to apply for
1382 public assistance.

1383 7. A clear understanding of where he or she will be living
1384 on his or her 18th birthday, how living expenses will be paid,
1385 and the educational program or school in which he or she will be
1386 enrolled.

1387 8. Information related to the ability of the child to
1388 remain in care until he or she reaches 21 years of age under s.
1389 39.013.

1390 9. A letter providing the dates that the child is under the
1391 jurisdiction of the court.

1392 10. A letter stating that the child is in compliance with

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1393 financial aid documentation requirements.

1394 11. The child's educational records.

1395 12. The child's entire health and mental health records.

1396 13. The process for accessing the child's case file.

1397 14. A statement encouraging the child to attend all

1398 judicial review hearings.

1399 15. Information on how to obtain a driver license or

1400 learner's driver license.

1401 (c) At the first judicial review hearing held subsequent to

1402 the child's 17th birthday, if the court determines pursuant to

1403 chapter 744 that there is a good faith basis to believe that the

1404 child qualifies for appointment of a guardian advocate, limited

1405 guardian, or plenary guardian for the child and that no less

1406 restrictive decisionmaking assistance will meet the child's

1407 needs:

1408 1. The department shall complete a multidisciplinary report

1409 which must include, but is not limited to, a psychosocial

1410 evaluation and educational report if such a report has not been

1411 completed within the previous 2 years.

1412 2. The department shall identify one or more individuals

1413 who are willing to serve as the guardian advocate under s.

1414 393.12 or as the plenary or limited guardian under chapter 744.

1415 Any other interested parties or participants may make efforts to

1416 identify such a guardian advocate, limited guardian, or plenary

1417 guardian. The child's biological or adoptive family members,

1418 including the child's parents if the parents' rights have not

1419 been terminated, may not be considered for service as the

1420 plenary or limited guardian unless the court enters a written

1421 order finding that such an appointment is in the child's best

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1422 interests.

1423 3. Proceedings may be initiated within 180 days after the
1424 child's 17th birthday for the appointment of a guardian
1425 advocate, plenary guardian, or limited guardian for the child in
1426 a separate proceeding in the court division with jurisdiction
1427 over guardianship matters and pursuant to chapter 744. The
1428 Legislature encourages the use of pro bono representation to
1429 initiate proceedings under this section.

1430 4. In the event another interested party or participant
1431 initiates proceedings for the appointment of a guardian
1432 advocate, plenary guardian, or limited guardian for the child,
1433 the department shall provide all necessary documentation and
1434 information to the petitioner to complete a petition under s.
1435 393.12 or chapter 744 within 45 days after the first judicial
1436 review hearing after the child's 17th birthday.

1437 5. Any proceedings seeking appointment of a guardian
1438 advocate or a determination of incapacity and the appointment of
1439 a guardian must be conducted in a separate proceeding in the
1440 court division with jurisdiction over guardianship matters and
1441 pursuant to chapter 744.

1442 (d) If the court finds at the judicial review hearing after
1443 the child's 17th birthday that the department has not met its
1444 obligations to the child as stated in this part, in the written
1445 case plan, or in the provision of independent living services,
1446 the court may issue an order directing the department to show
1447 cause as to why it has not done so. If the department cannot
1448 justify its noncompliance, the court may give the department 30
1449 days within which to comply. If the department fails to comply
1450 within 30 days, the court may hold the department in contempt.

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1451 (e) If necessary, the court may review the status of the
1452 child more frequently during the year before the child's 18th
1453 birthday. At the last review hearing before the child reaches 18
1454 years of age, and in addition to the requirements of subsection
1455 (2), the court shall:

1456 1. Address whether the child plans to remain in foster
1457 care, and, if so, ensure that the child's transition plan
1458 includes a plan for meeting one or more of the criteria
1459 specified in s. 39.6251 and determine if the child has entered
1460 into a formal agreement for an ongoing relationship with a
1461 supportive adult.

1462 2. Ensure that the transition plan includes a supervised
1463 living arrangement under s. 39.6251.

1464 3. Ensure the child has been informed of:

1465 a. The right to continued support and services from the
1466 department and the community-based care lead agency.

1467 b. The right to request termination of dependency
1468 jurisdiction and be discharged from foster care.

1469 c. The opportunity to reenter foster care under s. 39.6251.

1470 4. Ensure that the child, if he or she requests termination
1471 of dependency jurisdiction and discharge from foster care, has
1472 been informed of:

1473 a. Services or benefits for which the child may be eligible
1474 based on his or her former placement in foster care, including,
1475 but not limited to, the assistance of the Office of Continuing
1476 Care under s. 414.56.

1477 b. Services or benefits that may be lost through
1478 termination of dependency jurisdiction.

1479 c. Other federal, state, local, or community-based services

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1480 or supports available to him or her.

1481 (4) REVIEW HEARINGS FOR YOUNG ADULTS IN FOSTER CARE.—During
1482 each period of time that a young adult remains in foster care,
1483 the court shall review the status of the young adult at least
1484 every 6 months and must hold a permanency review hearing at
1485 least annually.

1486 (e)1. Notwithstanding the provisions of this subsection, if
1487 a young adult has chosen to remain in extended foster care after
1488 he or she has reached 18 years of age, the department may not
1489 close a case and the court may not terminate jurisdiction until
1490 the court finds, following a hearing, that the following
1491 criteria have been met:

1492 ~~a.1.~~ Attendance of the young adult at the hearing; or

1493 ~~b.2.~~ Findings by the court that:

1494 (I)~~a.~~ The young adult has been informed by the department
1495 of his or her right to attend the hearing and has provided
1496 written consent to waive this right; and

1497 (II)~~b.~~ The young adult has been informed of the potential
1498 negative effects of early termination of care, the option to
1499 reenter care before reaching 21 years of age, the procedure for,
1500 and limitations on, reentering care, and the availability of
1501 alternative services, and has signed a document attesting that
1502 he or she has been so informed and understands these provisions;
1503 or

1504 (III)~~e.~~ The young adult has voluntarily left the program,
1505 has not signed the document in sub-subparagraph b., and is
1506 unwilling to participate in any further court proceeding.

1507 ~~2.3.~~ In all permanency hearings or hearings regarding the
1508 transition of the young adult from care to independent living,

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1509 the court shall consult with the young adult regarding the
1510 proposed permanency plan, case plan, and individual education
1511 plan for the young adult and ensure that he or she has
1512 understood the conversation. The court shall also inquire of the
1513 young adult regarding his or her relationship with the
1514 supportive adult with whom the young adult has entered into a
1515 formal agreement for an ongoing relationship, if such agreement
1516 exists.

1517 Section 26. Paragraph (a) of subsection (3) of section
1518 39.801, Florida Statutes, is amended to read:

1519 39.801 Procedures and jurisdiction; notice; service of
1520 process.—

1521 (3) Before the court may terminate parental rights, in
1522 addition to the other requirements set forth in this part, the
1523 following requirements must be met:

1524 (a) Notice of the date, time, and place of the advisory
1525 hearing for the petition to terminate parental rights; if
1526 applicable, instructions for appearance through audio-video
1527 communication technology; and a copy of the petition must be
1528 personally served upon the following persons, specifically
1529 notifying them that a petition has been filed:

- 1530 1. The parents of the child.
- 1531 2. The legal custodians of the child.
- 1532 3. If the parents who would be entitled to notice are dead
1533 or unknown, a living relative of the child, unless upon diligent
1534 search and inquiry no such relative can be found.
- 1535 4. Any person who has physical custody of the child.
- 1536 5. Any grandparent entitled to priority for adoption under
1537 s. 63.0425.

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1538 6. Any prospective parent who has been identified under s.
1539 39.503 or s. 39.803, unless a court order has been entered
1540 pursuant to s. 39.503(4) or (9) or s. 39.803(4) or (9) which
1541 indicates no further notice is required. Except as otherwise
1542 provided in this section, if there is not a legal father, notice
1543 of the petition for termination of parental rights must be
1544 provided to any known prospective father who is identified under
1545 oath before the court or who is identified by a diligent search
1546 of the Florida Putative Father Registry. Service of the notice
1547 of the petition for termination of parental rights is not
1548 required if the prospective father executes an affidavit of
1549 nonpaternity or a consent to termination of his parental rights
1550 which is accepted by the court after notice and opportunity to
1551 be heard by all parties to address the best interests of the
1552 child in accepting such affidavit.

1553 7. The guardian ad litem for the child ~~or the~~
1554 ~~representative of the guardian ad litem program, if the program~~
1555 ~~has been appointed.~~

1556
1557 A party may consent to service or notice by e-mail by providing
1558 a primary e-mail address to the clerk of the court. The document
1559 containing the notice to respond or appear must contain, in type
1560 at least as large as the type in the balance of the document,
1561 the following or substantially similar language: "FAILURE TO
1562 APPEAR AT THIS ADVISORY HEARING CONSTITUTES CONSENT TO THE
1563 TERMINATION OF PARENTAL RIGHTS OF THIS CHILD (OR CHILDREN). IF
1564 YOU FAIL TO APPEAR ON THE DATE AND TIME SPECIFIED, YOU MAY LOSE
1565 ALL LEGAL RIGHTS AS A PARENT TO THE CHILD OR CHILDREN NAMED IN
1566 THE PETITION ATTACHED TO THIS NOTICE."

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1567 Section 27. Subsection (2) of section 39.807, Florida
1568 Statutes, is amended to read:

1569 39.807 Right to counsel; guardian ad litem.—

1570 (2) (a) The court shall appoint a guardian ad litem to
1571 represent the ~~best interest of the~~ child in any termination of
1572 parental rights proceedings and shall ascertain at each stage of
1573 the proceedings whether a guardian ad litem has been appointed.

1574 (b) The guardian ad litem has the ~~following~~
1575 responsibilities and authority listed in s. 39.822.†

1576 ~~1. To investigate the allegations of the petition and any~~
1577 ~~subsequent matters arising in the case and,~~

1578 (c) Unless excused by the court, the guardian ad litem must
1579 ~~to~~ file a written report. This report must include a statement
1580 of the wishes of the child and the recommendations of the
1581 guardian ad litem and must be provided to all parties and the
1582 court at least 72 hours before the disposition hearing.

1583 ~~2. To be present at all court hearings unless excused by~~
1584 ~~the court.~~

1585 ~~3. To represent the best interests of the child until the~~
1586 ~~jurisdiction of the court over the child terminates or until~~
1587 ~~excused by the court.~~

1588 ~~(c) A guardian ad litem is not required to post bond but~~
1589 ~~shall file an acceptance of the office.~~

1590 ~~(d) A guardian ad litem is entitled to receive service of~~
1591 ~~pleadings and papers as provided by the Florida Rules of~~
1592 ~~Juvenile Procedure.~~

1593 (d)(e) This subsection does not apply to any voluntary
1594 relinquishment of parental rights proceeding.

1595 Section 28. Subsection (2) of section 39.808, Florida

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1596 Statutes, is amended to read:

1597 39.808 Advisory hearing; pretrial status conference.—

1598 (2) At the hearing the court shall inform the parties of
1599 their rights under s. 39.807, ~~shall~~ appoint counsel for the
1600 parties in accordance with legal requirements, and ~~shall~~ appoint
1601 a guardian ad litem to represent the ~~interests of the~~ child if
1602 one has not already been appointed.

1603 Section 29. Subsection (2) of section 39.815, Florida
1604 Statutes, is amended to read:

1605 39.815 Appeal.—

1606 (2) An attorney for the department shall represent the
1607 state upon appeal. When a notice of appeal is filed in the
1608 circuit court, the clerk shall notify the attorney for the
1609 department, ~~together with~~ the attorney for the parent, the
1610 guardian ad litem, and the any attorney ad litem for the child,
1611 if one is appointed.

1612 Section 30. Section 39.820, Florida Statutes, is repealed.

1613 Section 31. Subsections (1) and (3) of section 39.821,
1614 Florida Statutes, are amended to read:

1615 39.821 Qualifications of guardians ad litem.—

1616 (1) Because of the special trust or responsibility placed
1617 in a guardian ad litem, the Statewide Guardian ad Litem Office
1618 ~~Program~~ may use any private funds collected by the office
1619 ~~program~~, or any state funds so designated, to conduct a security
1620 background investigation before certifying a volunteer to serve.
1621 A security background investigation must include, but need not
1622 be limited to, employment history checks, checks of references,
1623 local criminal history records checks through local law
1624 enforcement agencies, and statewide criminal history records

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1625 checks through the Department of Law Enforcement. Upon request,
1626 an employer shall furnish a copy of the personnel record for the
1627 employee or former employee who is the subject of a security
1628 background investigation conducted under this section. The
1629 information contained in the personnel record may include, but
1630 need not be limited to, disciplinary matters and the reason why
1631 the employee was terminated from employment. An employer who
1632 releases a personnel record for purposes of a security
1633 background investigation is presumed to have acted in good faith
1634 and is not liable for information contained in the record
1635 without a showing that the employer maliciously falsified the
1636 record. A security background investigation conducted under this
1637 section must ensure that a person is not certified as a guardian
1638 ad litem if the person has an arrest awaiting final disposition
1639 for, been convicted of, regardless of adjudication, entered a
1640 plea of nolo contendere or guilty to, or been adjudicated
1641 delinquent and the record has not been sealed or expunged for,
1642 any offense prohibited under the provisions listed in s. 435.04.
1643 All applicants must undergo a level 2 background screening
1644 pursuant to chapter 435 before being certified to serve as a
1645 guardian ad litem. In analyzing and evaluating the information
1646 obtained in the security background investigation, the office
1647 ~~program~~ must give particular emphasis to past activities
1648 involving children, including, but not limited to, child-related
1649 criminal offenses or child abuse. The office ~~program~~ has sole
1650 discretion in determining whether to certify a person based on
1651 his or her security background investigation. The information
1652 collected pursuant to the security background investigation is
1653 confidential and exempt from s. 119.07(1).

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1654 (3) It is a misdemeanor of the first degree, punishable as
1655 provided in s. 775.082 or s. 775.083, for any person to
1656 willfully, knowingly, or intentionally fail, by false statement,
1657 misrepresentation, impersonation, or other fraudulent means, to
1658 disclose in any application for a volunteer position or for paid
1659 employment with the Statewide Guardian ad Litem Office ~~Program~~,
1660 any material fact used in making a determination as to the
1661 applicant's qualifications for such position.

1662 Section 32. Section 39.822, Florida Statutes, is amended to
1663 read:

1664 39.822 Appointment of guardian ad litem for abused,
1665 abandoned, or neglected child.—

1666 (1) A guardian ad litem shall be appointed by the court at
1667 the earliest possible time to represent the child in any child
1668 abuse, abandonment, or neglect judicial proceeding, whether
1669 civil or criminal. A guardian ad litem is a fiduciary and must
1670 provide independent representation of the child using a best
1671 interest standard of decisionmaking and advocacy.

1672 (2) (a) A guardian ad litem must:

1673 1. Be present at all court hearings unless excused by the
1674 court.

1675 2. Investigate issues related to the best interest of the
1676 child who is the subject of the appointment, review all
1677 disposition recommendations and changes in placement, and,
1678 unless excused by the court, file written reports and
1679 recommendations in accordance with general law.

1680 3. Represent the child until the court's jurisdiction over
1681 the child terminates or until excused by the court.

1682 4. Advocate for the child's participation in the

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1683 proceedings and to report the child's preferences to the court,
1684 to the extent the child has the ability and desire to express
1685 his or her preferences.

1686 5. Perform other duties that are consistent with the scope
1687 of the appointment.

1688 (b) A guardian ad litem shall have immediate and unlimited
1689 access to the children he or she represents.

1690 (c) A guardian ad litem is not required to post bond but
1691 must file an acceptance of the appointment.

1692 (d) A guardian ad litem is entitled to receive service of
1693 pleadings and papers as provided by the Florida Rules of
1694 Juvenile Procedure.

1695 (3) Any person participating in a civil or criminal
1696 judicial proceeding resulting from such appointment shall be
1697 presumed prima facie to be acting in good faith and in so doing
1698 shall be immune from any liability, civil or criminal, that
1699 otherwise might be incurred or imposed.

1700 (4)~~(2)~~ In those cases in which the parents are financially
1701 able, the parent or parents of the child shall reimburse the
1702 court, in part or in whole, for the cost of provision of
1703 guardian ad litem representation ~~services~~. Reimbursement to the
1704 individual providing guardian ad litem representation is not
1705 ~~services shall not be~~ contingent upon successful collection by
1706 the court from the parent or parents.

1707 (5)~~(3)~~ Upon presentation by a guardian ad litem of a court
1708 order appointing the guardian ad litem:

1709 (a) An agency, as defined in chapter 119, shall allow the
1710 guardian ad litem to inspect and copy records related to the
1711 best interests of the child who is the subject of the

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1712 appointment, including, but not limited to, records made
1713 confidential or exempt from s. 119.07(1) or s. 24(a), Art. I of
1714 the State Constitution. The guardian ad litem shall maintain the
1715 confidential or exempt status of any records shared by an agency
1716 under this paragraph.

1717 (b) A person or an organization, other than an agency under
1718 paragraph (a), shall allow the guardian ad litem to inspect and
1719 copy any records related to the best interests of the child who
1720 is the subject of the appointment, including, but not limited
1721 to, confidential records.

1722
1723 For the purposes of this subsection, the term "records related
1724 to the best interests of the child" includes, but is not limited
1725 to, medical, mental health, substance abuse, child care,
1726 education, law enforcement, court, social services, and
1727 financial records.

1728 ~~(4) The guardian ad litem or the program representative~~
1729 ~~shall review all disposition recommendations and changes in~~
1730 ~~placements, and must be present at all critical stages of the~~
1731 ~~dependency proceeding or submit a written report of~~
1732 ~~recommendations to the court. Written reports must be filed with~~
1733 ~~the court and served on all parties whose whereabouts are known~~
1734 ~~at least 72 hours prior to the hearing.~~

1735 Section 33. Subsection (4) of section 39.827, Florida
1736 Statutes, is amended to read:

1737 39.827 Hearing for appointment of a guardian advocate.—

1738 (4) The hearing under this section must ~~shall~~ remain
1739 confidential and closed to the public. The clerk shall keep all
1740 court records required by this part separate from other records

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1741 of the circuit court. All court records required by this part
1742 are ~~shall be~~ confidential and exempt from the provisions of s.
1743 119.07(1). ~~All~~ Records may only ~~shall~~ be inspected ~~only~~ upon
1744 order of the court by persons deemed by the court to have a
1745 proper interest therein, except that a child and the parents or
1746 custodians of the child and their attorneys, the guardian ad
1747 litem, and the department and its designees, and the attorney ad
1748 litem, if one is appointed, ~~shall~~ always have the right to
1749 inspect and copy any official record pertaining to the child.
1750 The court may permit authorized representatives of recognized
1751 organizations compiling statistics for proper purposes to
1752 inspect and make abstracts from official records, under whatever
1753 conditions upon their use and disposition the court may deem
1754 proper, and may punish by contempt proceedings any violation of
1755 those conditions. All information obtained pursuant to this part
1756 in the discharge of official duty by any judge, employee of the
1757 court, or authorized agent of the department is ~~shall be~~
1758 confidential and exempt from the provisions of s. 119.07(1) and
1759 may ~~shall~~ not be disclosed to anyone other than the authorized
1760 personnel of the court or the department and its designees,
1761 except upon order of the court.

1762 Section 34. Paragraphs (a), (b), and (d) of subsection (1)
1763 and subsection (2) of section 39.8296, Florida Statutes, are
1764 amended to read:

1765 39.8296 Statewide Guardian ad Litem Office; legislative
1766 findings and intent; creation; appointment of executive
1767 director; duties of office.—

1768 (1) LEGISLATIVE FINDINGS AND INTENT.—

1769 (a) The Legislature finds that for the past 20 years, the

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1770 Statewide Guardian Ad Litem Office ~~Program~~ has been the only
1771 mechanism for best interest representation for children in
1772 Florida who are involved in dependency proceedings.

1773 (b) The Legislature also finds that while the Statewide
1774 Guardian Ad Litem Office ~~Program~~ has been supervised by court
1775 administration within the circuit courts since the office's
1776 ~~program's~~ inception, there is a perceived conflict of interest
1777 created by the supervision of program staff by the judges before
1778 whom they appear.

1779 (d) It is therefore the intent of the Legislature to place
1780 the Statewide Guardian Ad Litem Office ~~Program~~ in an appropriate
1781 place and provide a statewide infrastructure to increase
1782 functioning and standardization among the local offices ~~programs~~
1783 currently operating in the 20 judicial circuits.

1784 (2) STATEWIDE GUARDIAN AD LITEM OFFICE.—There is created a
1785 Statewide Guardian ad Litem Office within the Justice
1786 Administrative Commission. The Justice Administrative Commission
1787 shall provide administrative support and service to the office
1788 to the extent requested by the executive director within the
1789 available resources of the commission. The Statewide Guardian ad
1790 Litem Office is not subject to control, supervision, or
1791 direction by the Justice Administrative Commission in the
1792 performance of its duties, but the employees of the office are
1793 governed by the classification plan and salary and benefits plan
1794 approved by the Justice Administrative Commission.

1795 (a) The head of the Statewide Guardian ad Litem Office is
1796 the executive director, who shall be appointed by the Governor
1797 from a list of a minimum of three eligible applicants submitted
1798 by a Guardian ad Litem Qualifications Committee. The Guardian ad

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1799 Litem Qualifications Committee shall be composed of five
1800 persons, two persons appointed by the Governor, two persons
1801 appointed by the Chief Justice of the Supreme Court, and one
1802 person appointed by the Statewide Guardian ad Litem Office
1803 ~~Association~~. The committee shall provide for statewide
1804 advertisement and the receiving of applications for the position
1805 of executive director. The Governor shall appoint an executive
1806 director from among the recommendations, or the Governor may
1807 reject the nominations and request the submission of new
1808 nominees. The executive director must have knowledge in
1809 dependency law and knowledge of social service delivery systems
1810 available to meet the needs of children who are abused,
1811 neglected, or abandoned. The executive director shall serve on a
1812 full-time basis and shall personally, or through representatives
1813 of the office, carry out the purposes and functions of the
1814 Statewide Guardian ad Litem Office in accordance with state and
1815 federal law and the state's long-established policy of
1816 prioritizing children's best interests. The executive director
1817 shall report to the Governor. The executive director shall serve
1818 a 3-year term, subject to removal for cause by the Governor. Any
1819 person appointed to serve as the executive director may be
1820 permitted to serve more than one term without the necessity of
1821 convening the Guardian ad Litem Qualifications Committee.

1822 (b) The Statewide Guardian ad Litem Office shall, within
1823 available resources, have oversight responsibilities for and
1824 provide technical assistance to all guardian ad litem and
1825 attorney ad litem offices ~~programs~~ located within the judicial
1826 circuits.

1827 1. The office shall identify the resources required to

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1828 implement methods of collecting, reporting, and tracking
1829 reliable and consistent case data.

1830 2. The office shall review the current guardian ad litem
1831 offices ~~programs~~ in Florida and other states.

1832 3. The office, in consultation with local guardian ad litem
1833 offices, shall develop statewide performance measures and
1834 standards.

1835 4. The office shall develop and maintain a guardian ad
1836 litem training program, which must be updated regularly, ~~which~~
1837 ~~shall include, but is not limited to, training on the~~
1838 ~~recognition of and responses to head trauma and brain injury in~~
1839 ~~a child under 6 years of age. The office shall establish a~~
1840 ~~curriculum committee to develop the training program specified~~
1841 ~~in this subparagraph. The curriculum committee shall include,~~
1842 ~~but not be limited to, dependency judges, directors of circuit~~
1843 ~~guardian ad litem programs, active certified guardians ad litem,~~
1844 ~~a mental health professional who specializes in the treatment of~~
1845 ~~children, a member of a child advocacy group, a representative~~
1846 ~~of a domestic violence advocacy group, an individual with a~~
1847 ~~degree in social work, and a social worker experienced in~~
1848 ~~working with victims and perpetrators of child abuse.~~

1849 5. The office shall review the various methods of funding
1850 guardian ad litem offices ~~programs~~, maximize the use of those
1851 funding sources to the extent possible, and review the kinds of
1852 services being provided by circuit guardian ad litem offices
1853 ~~programs~~.

1854 6. The office shall determine the feasibility or
1855 desirability of new concepts of organization, administration,
1856 financing, or service delivery designed to preserve the civil

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1857 and constitutional rights and fulfill other needs of dependent
1858 children.

1859 7. The office shall ensure that each child has an attorney
1860 assigned to his or her case and, within available resources, is
1861 represented using multidisciplinary teams that may include
1862 volunteers, pro bono attorneys, social workers, and mentors.

1863 8. The office shall provide oversight and technical
1864 assistance to attorneys ad litem, including, but not limited to,
1865 all of the following:

1866 a. Develop an attorney ad litem training program in
1867 collaboration with dependency court stakeholders, including, but
1868 not limited to, dependency judges, representatives from legal
1869 aid providing attorney ad litem representation, and an attorney
1870 ad litem appointed from a registry maintained by the chief
1871 judge. The training program must be updated regularly with or
1872 without convening the stakeholders group.

1873 b. Offer consultation and technical assistance to chief
1874 judges in maintaining attorney registries for the selection of
1875 attorneys ad litem.

1876 c. Assist with recruitment, training, and mentoring of
1877 attorneys ad litem as needed.

1878 9.7. In an effort to promote normalcy and establish trust
1879 between a ~~court-appointed volunteer~~ guardian ad litem and a
1880 child alleged to be abused, abandoned, or neglected under this
1881 chapter, a guardian ad litem may transport a child. However, a
1882 guardian ad litem ~~volunteer~~ may not be required by a guardian ad
1883 litem circuit office or ordered by ~~or directed by the program or~~
1884 a court to transport a child.

1885 10.8. The office shall submit to the Governor, the

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1886 President of the Senate, the Speaker of the House of
1887 Representatives, and the Chief Justice of the Supreme Court an
1888 interim report describing the progress of the office in meeting
1889 the goals as described in this section. The office shall submit
1890 to the Governor, the President of the Senate, the Speaker of the
1891 House of Representatives, and the Chief Justice of the Supreme
1892 Court a proposed plan including alternatives for meeting the
1893 state's guardian ad litem and attorney ad litem needs. This plan
1894 may include recommendations for less than the entire state, may
1895 include a phase-in system, and shall include estimates of the
1896 cost of each of the alternatives. Each year the office shall
1897 provide a status report and provide further recommendations to
1898 address the need for guardian ad litem representation ~~services~~
1899 and related issues.

1900 Section 35. Section 39.8297, Florida Statutes, is amended
1901 to read:

1902 39.8297 County funding for guardian ad litem employees.—

1903 (1) A county and the executive director of the Statewide
1904 Guardian ad Litem Office may enter into an agreement by which
1905 the county agrees to provide funds to the local guardian ad
1906 litem office in order to employ persons who will assist in the
1907 operation of the guardian ad litem office ~~program~~ in the county.

1908 (2) The agreement, at a minimum, must provide that:

1909 (a) Funding for the persons who are employed will be
1910 provided on at least a fiscal-year basis.

1911 (b) The persons who are employed will be hired, supervised,
1912 managed, and terminated by the executive director of the
1913 Statewide Guardian ad Litem Office. The statewide office is
1914 responsible for compliance with all requirements of federal and

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1915 state employment laws, and shall fully indemnify the county from
1916 any liability under such laws, as authorized by s. 768.28(19),
1917 to the extent such liability is the result of the acts or
1918 omissions of the Statewide Guardian ad Litem Office or its
1919 agents or employees.

1920 (c) The county is the employer for purposes of s. 440.10
1921 and chapter 443.

1922 (d) Employees funded by the county under this section and
1923 other county employees may be aggregated for purposes of a
1924 flexible benefits plan pursuant to s. 125 of the Internal
1925 Revenue Code of 1986.

1926 (e) Persons employed under this section may be terminated
1927 after a substantial breach of the agreement or because funding
1928 to the guardian ad litem office ~~program~~ has expired.

1929 (3) Persons employed under this section may not be counted
1930 in a formula or similar process used by the Statewide Guardian
1931 ad Litem Office to measure personnel needs of a judicial
1932 circuit's guardian ad litem office ~~program~~.

1933 (4) Agreements created pursuant to this section do not
1934 obligate the state to allocate funds to a county to employ
1935 persons in the guardian ad litem office ~~program~~.

1936 Section 36. Section 39.8298, Florida Statutes, is amended
1937 to read:

1938 39.8298 Guardian ad Litem direct-support organizations
1939 ~~organization~~.—

1940 (1) AUTHORITY.—The Statewide Guardian ad Litem Office
1941 created under s. 39.8296 is authorized to create a state direct-
1942 support organization and to create or designate local direct-
1943 support organizations. The executive director of the Statewide

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1944 Guardian ad Litem Office is responsible for designating local
1945 direct-support organizations under this subsection.

1946 (a) The state direct-support organization and the local
1947 direct-support organizations must be ~~a~~ Florida corporations
1948 ~~corporation~~ not for profit, incorporated under ~~the provisions of~~
1949 chapter 617. The state direct-support organization and the local
1950 direct-support organizations ~~shall be~~ exempt from paying
1951 fees under s. 617.0122.

1952 (b) The state direct-support organization and each local
1953 direct-support organization must ~~shall~~ be organized and operated
1954 to conduct programs and activities; raise funds; request and
1955 receive grants, gifts, and bequests of moneys; acquire, receive,
1956 hold, invest, and administer, in its own name, securities,
1957 funds, objects of value, or other property, real or personal;
1958 and make expenditures to or for the direct or indirect benefit
1959 of the Statewide Guardian Ad Litem Office, including the local
1960 guardian ad litem offices.

1961 (c) If the executive director of the Statewide Guardian Ad
1962 Litem Office determines that the state direct-support
1963 organization or a local direct-support organization is operating
1964 in a manner that is inconsistent with the goals and purposes of
1965 the Statewide Guardian Ad Litem Office or not acting in the best
1966 interest of the state, the executive director may terminate the
1967 organization's contract and thereafter the organization may not
1968 use the name of the Statewide Guardian Ad Litem Office.

1969 (2) CONTRACTS ~~CONTRACT~~.—The state direct-support
1970 organization and the local direct-support organizations shall
1971 operate under a written contract with the Statewide Guardian Ad
1972 Litem Office. The written contract must, at a minimum, provide

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1973 for:

1974 (a) Approval of the articles of incorporation and bylaws of
1975 the direct-support organization by the executive director of the
1976 Statewide Guardian Ad Litem Office.

1977 (b) Submission of an annual budget for the approval by the
1978 executive director of the Statewide Guardian Ad Litem Office.

1979 (c) The reversion without penalty to the Statewide Guardian
1980 Ad Litem Office, or to the state if the Statewide Guardian Ad
1981 Litem Office ceases to exist, of all moneys and property held in
1982 trust by the state direct-support organization for the Statewide
1983 Guardian Ad Litem Office if the direct-support organization
1984 ceases to exist or if the contract is terminated.

1985 (d) The fiscal year of the state direct-support
1986 organization and the local direct-support organizations, which
1987 must begin July 1 of each year and end June 30 of the following
1988 year.

1989 (e) The disclosure of material provisions of the contract
1990 and the distinction between the Statewide Guardian Ad Litem
1991 Office and the state direct-support organization or the local
1992 direct-support organization to donors of gifts, contributions,
1993 or bequests, as well as on all promotional and fundraising
1994 publications.

1995 (3) BOARD OF DIRECTORS.—The executive director of the
1996 Statewide Guardian Ad Litem Office shall appoint a board of
1997 directors for the state direct-support organization. The
1998 executive director may designate employees of the Statewide
1999 Guardian Ad Litem Office to serve on the board of directors of
2000 the state direct-support organization or a local direct-support
2001 organization. Members of the board of the state direct-support

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2002 organization or a local direct-support organization shall serve
2003 at the pleasure of the executive director.

2004 (4) USE OF PROPERTY AND SERVICES.—The executive director of
2005 the Statewide Guardian Ad Litem Office:

2006 (a) May authorize the use of facilities and property other
2007 than money that are owned by the Statewide Guardian Ad Litem
2008 Office to be used by the state direct-support organization or a
2009 local direct-support organization.

2010 (b) May authorize the use of personal services provided by
2011 employees of the Statewide Guardian Ad Litem Office to be used
2012 by the state direct-support organization or a local direct-
2013 support organization. For the purposes of this section, the term
2014 "personal services" includes full-time personnel and part-time
2015 personnel as well as payroll processing.

2016 (c) May prescribe the conditions by which the state direct-
2017 support organization or a local direct-support organization may
2018 use property, facilities, or personal services of the office or
2019 the state direct-support organization.

2020 (d) May ~~shall~~ not authorize the use of property,
2021 facilities, or personal services by the state ~~of the~~ direct-
2022 support organization or a local direct-support organization if
2023 the organization does not provide equal employment opportunities
2024 to all persons, regardless of race, color, religion, sex, age,
2025 or national origin.

2026 (5) MONEYS.—Moneys of the state direct-support organization
2027 or a local direct-support organization ~~may~~ must be held in a
2028 separate depository account in the name of the direct-support
2029 organization and subject to the provisions of the contract with
2030 the Statewide Guardian ad Litem Office.

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2031 (6) ANNUAL AUDIT.—The state direct-support organization and
 2032 a local direct-support organization must ~~shall~~ provide for an
 2033 annual financial audit in accordance with s. 215.981.

2034 (7) LIMITS ON DIRECT-SUPPORT ORGANIZATIONS ~~ORGANIZATION~~.—
 2035 The state direct-support organization and a local direct-support
 2036 organization may ~~shall~~ not exercise any power under s.
 2037 617.0302(12) or (16). A ~~No~~ state employee may not ~~shall~~ receive
 2038 compensation from the state direct-support organization or a
 2039 local direct-support organization for service on the board of
 2040 directors or for services rendered to the direct-support
 2041 organization.

2042 Section 37. Section 1009.898, Florida Statutes, is created
 2043 to read:

2044 1009.898 Pathway to Prosperity grants.—

2045 (1) The Pathway to Prosperity program shall administer the
 2046 following grants to youth and young adults aging out of foster
 2047 care:

2048 (a) Grants to provide financial literacy instruction using
 2049 a curriculum developed by the Department of Financial Services.

2050 (b) Grants to provide SAT and ACT preparation, including
 2051 one-on-one support and fee waivers for the examinations.

2052 (c) Grants to youth and young adults planning to pursue
 2053 trade careers or paid apprenticeships.

2054 (2) If a youth who is aging out of foster care is reunited
 2055 with his or her parents, the grants remain available for the
 2056 youth for up to 6 months after reunification.

2057 Section 38. Subsection (1) of section 29.008, Florida
 2058 Statutes, is amended to read:

2059 29.008 County funding of court-related functions.—

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2060 (1) Counties are required by s. 14, Art. V of the State
2061 Constitution to fund the cost of communications services,
2062 existing radio systems, existing multiagency criminal justice
2063 information systems, and the cost of construction or lease,
2064 maintenance, utilities, and security of facilities for the
2065 circuit and county courts, public defenders' offices, state
2066 attorneys' offices, guardian ad litem offices, and the offices
2067 of the clerks of the circuit and county courts performing court-
2068 related functions. For purposes of this section, the term
2069 "circuit and county courts" includes the offices and staffing of
2070 the guardian ad litem offices ~~programs~~, and the term "public
2071 defenders' offices" includes the offices of criminal conflict
2072 and civil regional counsel. The county designated under s.
2073 35.05(1) as the headquarters for each appellate district shall
2074 fund these costs for the appellate division of the public
2075 defender's office in that county. For purposes of implementing
2076 these requirements, the term:

2077 (a) "Facility" means reasonable and necessary buildings and
2078 office space and appurtenant equipment and furnishings,
2079 structures, real estate, easements, and related interests in
2080 real estate, including, but not limited to, those for the
2081 purpose of housing legal materials for use by the general public
2082 and personnel, equipment, or functions of the circuit or county
2083 courts, public defenders' offices, state attorneys' offices, and
2084 court-related functions of the office of the clerks of the
2085 circuit and county courts and all storage. The term "facility"
2086 includes all wiring necessary for court reporting services. The
2087 term also includes access to parking for such facilities in
2088 connection with such court-related functions that may be

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2089 available free or from a private provider or a local government
2090 for a fee. The office space provided by a county may not be less
2091 than the standards for space allotment adopted by the Department
2092 of Management Services, except this requirement applies only to
2093 facilities that are leased, or on which construction commences,
2094 after June 30, 2003. County funding must include physical
2095 modifications and improvements to all facilities as are required
2096 for compliance with the Americans with Disabilities Act. Upon
2097 mutual agreement of a county and the affected entity in this
2098 paragraph, the office space provided by the county may vary from
2099 the standards for space allotment adopted by the Department of
2100 Management Services.

2101 1. As of July 1, 2005, equipment and furnishings shall be
2102 limited to that appropriate and customary for courtrooms,
2103 hearing rooms, jury facilities, and other public areas in
2104 courthouses and any other facility occupied by the courts, state
2105 attorneys, public defenders, guardians ad litem, and criminal
2106 conflict and civil regional counsel. Court reporting equipment
2107 in these areas or facilities is not a responsibility of the
2108 county.

2109 2. Equipment and furnishings under this paragraph in
2110 existence and owned by counties on July 1, 2005, except for that
2111 in the possession of the clerks, for areas other than
2112 courtrooms, hearing rooms, jury facilities, and other public
2113 areas in courthouses and any other facility occupied by the
2114 courts, state attorneys, and public defenders, shall be
2115 transferred to the state at no charge. This provision does not
2116 apply to any communications services as defined in paragraph
2117 (f).

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2118 (b) "Construction or lease" includes, but is not limited
2119 to, all reasonable and necessary costs of the acquisition or
2120 lease of facilities for all judicial officers, staff, jurors,
2121 volunteers of a tenant agency, and the public for the circuit
2122 and county courts, the public defenders' offices, state
2123 attorneys' offices, and for performing the court-related
2124 functions of the offices of the clerks of the circuit and county
2125 courts. This includes expenses related to financing such
2126 facilities and the existing and future cost and bonded
2127 indebtedness associated with placing the facilities in use.

2128 (c) "Maintenance" includes, but is not limited to, all
2129 reasonable and necessary costs of custodial and groundskeeping
2130 services and renovation and reconstruction as needed to
2131 accommodate functions for the circuit and county courts, the
2132 public defenders' offices, and state attorneys' offices and for
2133 performing the court-related functions of the offices of the
2134 clerks of the circuit and county court and for maintaining the
2135 facilities in a condition appropriate and safe for the use
2136 intended.

2137 (d) "Utilities" means all electricity services for light,
2138 heat, and power; natural or manufactured gas services for light,
2139 heat, and power; water and wastewater services and systems,
2140 stormwater or runoff services and systems, sewer services and
2141 systems, all costs or fees associated with these services and
2142 systems, and any costs or fees associated with the mitigation of
2143 environmental impacts directly related to the facility.

2144 (e) "Security" includes but is not limited to, all
2145 reasonable and necessary costs of services of law enforcement
2146 officers or licensed security guards and all electronic,

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2147 cellular, or digital monitoring and screening devices necessary
2148 to ensure the safety and security of all persons visiting or
2149 working in a facility; to provide for security of the facility,
2150 including protection of property owned by the county or the
2151 state; and for security of prisoners brought to any facility.
2152 This includes bailiffs while providing courtroom and other
2153 security for each judge and other quasi-judicial officers.

2154 (f) "Communications services" are defined as any reasonable
2155 and necessary transmission, emission, and reception of signs,
2156 signals, writings, images, and sounds of intelligence of any
2157 nature by wire, radio, optical, audio equipment, or other
2158 electromagnetic systems and includes all facilities and
2159 equipment owned, leased, or used by judges, clerks, public
2160 defenders, state attorneys, guardians ad litem, criminal
2161 conflict and civil regional counsel, and all staff of the state
2162 courts system, state attorneys' offices, public defenders'
2163 offices, and clerks of the circuit and county courts performing
2164 court-related functions. Such system or services shall include,
2165 but not be limited to:

2166 1. Telephone system infrastructure, including computer
2167 lines, telephone switching equipment, and maintenance, and
2168 facsimile equipment, wireless communications, cellular
2169 telephones, pagers, and video teleconferencing equipment and
2170 line charges. Each county shall continue to provide access to a
2171 local carrier for local and long distance service and shall pay
2172 toll charges for local and long distance service.

2173 2. All computer networks, systems and equipment, including
2174 computer hardware and software, modems, printers, wiring,
2175 network connections, maintenance, support staff or services

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2176 including any county-funded support staff located in the offices
2177 of the circuit court, county courts, state attorneys, public
2178 defenders, guardians ad litem, and criminal conflict and civil
2179 regional counsel; training, supplies, and line charges necessary
2180 for an integrated computer system to support the operations and
2181 management of the state courts system, the offices of the public
2182 defenders, the offices of the state attorneys, the guardian ad
2183 litem offices, the offices of criminal conflict and civil
2184 regional counsel, and the offices of the clerks of the circuit
2185 and county courts; and the capability to connect those entities
2186 and reporting data to the state as required for the transmission
2187 of revenue, performance accountability, case management, data
2188 collection, budgeting, and auditing purposes. The integrated
2189 computer system shall be operational by July 1, 2006, and, at a
2190 minimum, permit the exchange of financial, performance
2191 accountability, case management, case disposition, and other
2192 data across multiple state and county information systems
2193 involving multiple users at both the state level and within each
2194 judicial circuit and be able to electronically exchange judicial
2195 case background data, sentencing scoresheets, and video evidence
2196 information stored in integrated case management systems over
2197 secure networks. Once the integrated system becomes operational,
2198 counties may reject requests to purchase communications services
2199 included in this subparagraph not in compliance with standards,
2200 protocols, or processes adopted by the board established
2201 pursuant to former s. 29.0086.

2202 3. Courier messenger and subpoena services.

2203 4. Auxiliary aids and services for qualified individuals
2204 with a disability which are necessary to ensure access to the

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2205 courts. Such auxiliary aids and services include, but are not
2206 limited to, sign language interpretation services required under
2207 the federal Americans with Disabilities Act other than services
2208 required to satisfy due-process requirements and identified as a
2209 state funding responsibility pursuant to ss. 29.004-29.007,
2210 real-time transcription services for individuals who are hearing
2211 impaired, and assistive listening devices and the equipment
2212 necessary to implement such accommodations.

2213 (g) "Existing radio systems" includes, but is not limited
2214 to, law enforcement radio systems that are used by the circuit
2215 and county courts, the offices of the public defenders, the
2216 offices of the state attorneys, and for court-related functions
2217 of the offices of the clerks of the circuit and county courts.
2218 This includes radio systems that were operational or under
2219 contract at the time Revision No. 7, 1998, to Art. V of the
2220 State Constitution was adopted and any enhancements made
2221 thereafter, the maintenance of those systems, and the personnel
2222 and supplies necessary for operation.

2223 (h) "Existing multiagency criminal justice information
2224 systems" includes, but is not limited to, those components of
2225 the multiagency criminal justice information system as defined
2226 in s. 943.045, supporting the offices of the circuit or county
2227 courts, the public defenders' offices, the state attorneys'
2228 offices, or those portions of the offices of the clerks of the
2229 circuit and county courts performing court-related functions
2230 that are used to carry out the court-related activities of those
2231 entities. This includes upgrades and maintenance of the current
2232 equipment, maintenance and upgrades of supporting technology
2233 infrastructure and associated staff, and services and expenses

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2234 to assure continued information sharing and reporting of
2235 information to the state. The counties shall also provide
2236 additional information technology services, hardware, and
2237 software as needed for new judges and staff of the state courts
2238 system, state attorneys' offices, public defenders' offices,
2239 guardian ad litem offices, and the offices of the clerks of the
2240 circuit and county courts performing court-related functions.

2241 Section 39. Paragraph (a) of subsection (1) of section
2242 39.6011, Florida Statutes, is amended to read:

2243 39.6011 Case plan development.—

2244 (1) The department shall prepare a draft of the case plan
2245 for each child receiving services under this chapter. A parent
2246 of a child may not be threatened or coerced with the loss of
2247 custody or parental rights for failing to admit in the case plan
2248 of abusing, neglecting, or abandoning a child. Participating in
2249 the development of a case plan is not an admission to any
2250 allegation of abuse, abandonment, or neglect, and it is not a
2251 consent to a finding of dependency or termination of parental
2252 rights. The case plan shall be developed subject to the
2253 following requirements:

2254 (a) The case plan must be developed in a face-to-face
2255 conference with the parent of the child, the ~~any~~ court-appointed
2256 guardian ad litem, and, if appropriate, the child and the
2257 temporary custodian of the child.

2258 Section 40. Subsection (8) of section 40.24, Florida
2259 Statutes, is amended to read:

2260 40.24 Compensation and reimbursement policy.—

2261 (8) In circuits that elect to allow jurors to donate their
2262 jury service fee upon conclusion of juror service, each juror

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2263 may irrevocably donate all of the juror's compensation to the 26
2264 U.S.C. s. 501(c)(3) organization specified by the Statewide
2265 Guardian ad Litem Office ~~program~~ or to a domestic violence
2266 shelter as specified annually on a rotating basis by the clerk
2267 of court in the circuit for the juror's county of residence. The
2268 funds collected may not reduce or offset the amount of
2269 compensation that the Statewide Guardian ad Litem Office ~~program~~
2270 or domestic violence shelter would otherwise receive from the
2271 state. The clerk of court shall ensure that all jurors are given
2272 written notice at the conclusion of their service that they have
2273 the option to so donate their compensation, and that the
2274 applicable program specified by the Statewide Guardian ad Litem
2275 Office ~~program~~ or a domestic violence shelter receives all funds
2276 donated by the jurors. Any circuit guardian ad litem office
2277 ~~program~~ receiving donations of juror compensation must expend
2278 such moneys on services for children for whom guardians ad litem
2279 have been appointed.

2280 Section 41. Subsections (5), (6), and (7) of section 43.16,
2281 Florida Statutes, are amended to read:

2282 43.16 Justice Administrative Commission; membership, powers
2283 and duties.—

2284 (5) The duties of the commission shall include, but not be
2285 limited to, the following:

2286 (a) The maintenance of a central state office for
2287 administrative services and assistance when possible to and on
2288 behalf of the state attorneys and public defenders of Florida,
2289 the capital collateral regional counsel of Florida, the criminal
2290 conflict and civil regional counsel, and the Statewide Guardian
2291 Ad Litem Office ~~Program~~.

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2292 (b) Each state attorney, public defender, and criminal
2293 conflict and civil regional counsel and the Statewide Guardian
2294 Ad Litem Office ~~Program~~ shall continue to prepare necessary
2295 budgets, vouchers that represent valid claims for reimbursement
2296 by the state for authorized expenses, and other things
2297 incidental to the proper administrative operation of the office,
2298 such as revenue transmittals to the Chief Financial Officer and
2299 automated systems plans, but will forward such items to the
2300 commission for recording and submission to the proper state
2301 officer. However, when requested by a state attorney, a public
2302 defender, a criminal conflict and civil regional counsel, or the
2303 Statewide Guardian Ad Litem Office ~~Program~~, the commission will
2304 either assist in the preparation of budget requests, voucher
2305 schedules, and other forms and reports or accomplish the entire
2306 project involved.

2307 (6) The commission, each state attorney, each public
2308 defender, the criminal conflict and civil regional counsel, the
2309 capital collateral regional counsel, and the Statewide Guardian
2310 Ad Litem Office ~~Program~~ shall establish and maintain internal
2311 controls designed to:

2312 (a) Prevent and detect fraud, waste, and abuse as defined
2313 in s. 11.45(1).

2314 (b) Promote and encourage compliance with applicable laws,
2315 rules, contracts, grant agreements, and best practices.

2316 (c) Support economical and efficient operations.

2317 (d) Ensure reliability of financial records and reports.

2318 (e) Safeguard assets.

2319 (7) ~~The provisions contained in This section is shall be~~
2320 supplemental to ~~those of~~ chapter 27, relating to state

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2321 attorneys, public defenders, criminal conflict and civil
2322 regional counsel, and capital collateral regional counsel; to
2323 ~~those of~~ chapter 39, relating to the Statewide Guardian Ad Litem
2324 Office Program; or to other laws pertaining hereto.

2325 Section 42. Paragraph (a) of subsection (1) and subsection
2326 (4) of section 61.402, Florida Statutes, are amended to read:
2327 61.402 Qualifications of guardians ad litem.—

2328 (1) A person appointed as a guardian ad litem pursuant to
2329 s. 61.401 must be:

2330 (a) Certified by the Statewide Guardian Ad Litem Office
2331 ~~Program~~ pursuant to s. 39.821;

2332 (b) Certified by a not-for-profit legal aid organization as
2333 defined in s. 68.096; or

2334 (c) An attorney who is a member in good standing of The
2335 Florida Bar.

2336 (4) Nothing in this section requires the Statewide Guardian
2337 Ad Litem Office Program or a not-for-profit legal aid
2338 organization to train or certify guardians ad litem appointed
2339 under this chapter.

2340 Section 43. Paragraph (x) of subsection (2) of section
2341 110.205, Florida Statutes, is amended to read:

2342 110.205 Career service; exemptions.—

2343 (2) EXEMPT POSITIONS.—The exempt positions that are not
2344 covered by this part include the following:

2345 (x) All officers and employees of the Justice
2346 Administrative Commission, Office of the State Attorney, Office
2347 of the Public Defender, regional offices of capital collateral
2348 counsel, offices of criminal conflict and civil regional
2349 counsel, and Statewide Guardian Ad Litem Office, including the

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2350 circuit guardian ad litem offices ~~programs~~.

2351 Section 44. Paragraph (b) of subsection (96) of section
2352 320.08058, Florida Statutes, is amended to read:

2353 320.08058 Specialty license plates.—

2354 (96) GUARDIAN AD LITEM LICENSE PLATES.—

2355 (b) The annual use fees from the sale of the plate shall be
2356 distributed to the Florida Guardian Ad Litem Foundation, Inc., a
2357 direct-support organization and a nonprofit corporation under s.
2358 501(c)(3) of the Internal Revenue Code. Up to 10 percent of the
2359 proceeds may be used for administrative costs and the marketing
2360 of the plate. The remainder of the proceeds must be used in this
2361 state to support the mission and efforts of the Statewide
2362 Guardian Ad Litem Office ~~Program~~ to represent abused, abandoned,
2363 and neglected children and advocate for their best interests;
2364 recruit and retain volunteer child advocates; and meet the
2365 unique needs of the dependent children the program serves.

2366 Section 45. Paragraph (e) of subsection (3) of section
2367 943.053, Florida Statutes, is amended to read:

2368 943.053 Dissemination of criminal justice information;
2369 fees.—

2370 (3)

2371 (e) The fee per record for criminal history information
2372 provided pursuant to this subsection and s. 943.0542 is \$24 per
2373 name submitted, except that the fee for the Statewide Guardian
2374 Ad Litem Office ~~program~~ and vendors of the Department of
2375 Children and Families, the Department of Juvenile Justice, the
2376 Agency for Persons with Disabilities, and the Department of
2377 Elderly Affairs is \$8 for each name submitted; the fee for a
2378 state criminal history provided for application processing as

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2379 required by law to be performed by the Department of Agriculture
2380 and Consumer Services is \$15 for each name submitted; and the
2381 fee for requests under s. 943.0542, which implements the
2382 National Child Protection Act, is \$18 for each volunteer name
2383 submitted. An office of the public defender or an office of
2384 criminal conflict and civil regional counsel may not be assessed
2385 a fee for Florida criminal history information or wanted person
2386 information.

2387 Section 46. Subsection (2) of section 985.43, Florida
2388 Statutes, is amended to read:

2389 985.43 Predisposition reports; other evaluations.—

2390 (2) The court shall consider the child's entire assessment
2391 and predisposition report and shall review the records of
2392 earlier judicial proceedings before making a final disposition
2393 of the case. If the child is under the jurisdiction of a
2394 dependency court, the court may receive and consider any
2395 information provided by the Statewide Guardian Ad Litem Office
2396 ~~Program~~ and the child's attorney ad litem, if one is appointed.
2397 The court may, by order, require additional evaluations and
2398 studies to be performed by the department; the county school
2399 system; or any social, psychological, or psychiatric agency of
2400 the state. The court shall order the educational needs
2401 assessment completed under s. 985.18(2) to be included in the
2402 assessment and predisposition report.

2403 Section 47. Subsection (4) of section 985.441, Florida
2404 Statutes, is amended to read:

2405 985.441 Commitment.—

2406 (4) The department may transfer a child, when necessary to
2407 appropriately administer the child's commitment, from one

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2408 facility or program to another facility or program operated,
2409 contracted, subcontracted, or designated by the department,
2410 including a postcommitment nonresidential conditional release
2411 program, except that the department may not transfer any child
2412 adjudicated solely for a misdemeanor to a residential program
2413 except as provided in subsection (2). The department shall
2414 notify the court that committed the child to the department and
2415 any attorney of record for the child, in writing, of its intent
2416 to transfer the child from a commitment facility or program to
2417 another facility or program of a higher or lower restrictiveness
2418 level. If the child is under the jurisdiction of a dependency
2419 court, the department shall also provide notice to the
2420 dependency court, ~~and~~ the Department of Children and Families,
2421 ~~and, if appointed,~~ the Statewide Guardian Ad Litem Office,
2422 ~~Program~~ and the child's attorney ad litem, if one is appointed.
2423 The court that committed the child may agree to the transfer or
2424 may set a hearing to review the transfer. If the court does not
2425 respond within 10 days after receipt of the notice, the transfer
2426 of the child shall be deemed granted.

2427 Section 48. Subsection (3) of section 985.455, Florida
2428 Statutes, is amended to read:

2429 985.455 Other dispositional issues.—

2430 (3) Any commitment of a delinquent child to the department
2431 must be for an indeterminate period of time, which may include
2432 periods of temporary release; however, the period of time may
2433 not exceed the maximum term of imprisonment that an adult may
2434 serve for the same offense, except that the duration of a
2435 minimum-risk nonresidential commitment for an offense that is a
2436 misdemeanor of the second degree, or is equivalent to a

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2437 misdemeanor of the second degree, may be for a period not to
2438 exceed 6 months. The duration of the child's placement in a
2439 commitment program of any restrictiveness level shall be based
2440 on objective performance-based treatment planning. The child's
2441 treatment plan progress and adjustment-related issues shall be
2442 reported to the court quarterly, unless the court requests
2443 monthly reports. If the child is under the jurisdiction of a
2444 dependency court, the court may receive and consider any
2445 information provided by the Statewide Guardian Ad Litem Office
2446 ~~Program~~ or the child's attorney ad litem, if one is appointed.
2447 The child's length of stay in a commitment program may be
2448 extended if the child fails to comply with or participate in
2449 treatment activities. The child's length of stay in the program
2450 shall not be extended for purposes of sanction or punishment.
2451 Any temporary release from such program must be approved by the
2452 court. Any child so committed may be discharged from
2453 institutional confinement or a program upon the direction of the
2454 department with the concurrence of the court. The child's
2455 treatment plan progress and adjustment-related issues must be
2456 communicated to the court at the time the department requests
2457 the court to consider releasing the child from the commitment
2458 program. The department shall give the court that committed the
2459 child to the department reasonable notice, in writing, of its
2460 desire to discharge the child from a commitment facility. The
2461 court that committed the child may thereafter accept or reject
2462 the request. If the court does not respond within 10 days after
2463 receipt of the notice, the request of the department shall be
2464 deemed granted. This section does not limit the department's
2465 authority to revoke a child's temporary release status and

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2466 return the child to a commitment facility for any violation of
2467 the terms and conditions of the temporary release.

2468 Section 49. Paragraph (b) of subsection (4) of section
2469 985.461, Florida Statutes, is amended to read:

2470 985.461 Transition to adulthood.—

2471 (4) As part of the child's treatment plan, the department
2472 may provide transition-to-adulthood services to children
2473 released from residential commitment. To support participation
2474 in transition-to-adulthood services and subject to
2475 appropriation, the department may:

2476 (b) Use community reentry teams to assist in the
2477 development of a list of age-appropriate activities and
2478 responsibilities to be incorporated in the child's written case
2479 plan for any youth who is under the custody or supervision of
2480 the department. Community reentry teams may include
2481 representatives from school districts, law enforcement,
2482 workforce development services, community-based service
2483 providers, the Statewide Guardian Ad Litem Office ~~Program~~, and
2484 the youth's family. Such community reentry teams must be created
2485 within existing resources provided to the department. Activities
2486 may include, but are not limited to, life skills training,
2487 including training to develop banking and budgeting skills,
2488 interviewing and career planning skills, parenting skills,
2489 personal health management, and time management or
2490 organizational skills; educational support; employment training;
2491 and counseling.

2492 Section 50. Subsection (11) of section 985.48, Florida
2493 Statutes, is amended to read:

2494 985.48 Juvenile sexual offender commitment programs; sexual

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2495 abuse intervention networks.—

2496 (11) Membership of a sexual abuse intervention network
2497 shall include, but is not limited to, representatives from:

2498 (a) Local law enforcement agencies;

2499 (b) Local school boards;

2500 (c) Child protective investigators;

2501 (d) The office of the state attorney;

2502 (e) The office of the public defender;

2503 (f) The juvenile division of the circuit court;

2504 (g) Professionals licensed under chapter 458, chapter 459,
2505 s. 490.0145, or s. 491.0144 providing treatment for juvenile
2506 sexual offenders or their victims;

2507 (h) The Statewide Guardian Ad Litem Office ~~program~~;

2508 (i) The Department of Juvenile Justice; and

2509 (j) The Department of Children and Families.

2510 Section 51. Subsection (1) of section 39.302, Florida
2511 Statutes, is amended to read:

2512 39.302 Protective investigations of institutional child
2513 abuse, abandonment, or neglect.—

2514 (1) The department shall conduct a child protective
2515 investigation of each report of institutional child abuse,
2516 abandonment, or neglect. Upon receipt of a report that alleges
2517 that an employee or agent of the department, or any other entity
2518 or person covered by s. 39.01(39) or (57) ~~s. 39.01(36) or (54)~~,
2519 acting in an official capacity, has committed an act of child
2520 abuse, abandonment, or neglect, the department shall initiate a
2521 child protective investigation within the timeframe established
2522 under s. 39.101(2) and notify the appropriate state attorney,
2523 law enforcement agency, and licensing agency, which shall

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2524 immediately conduct a joint investigation, unless independent
2525 investigations are more feasible. When conducting investigations
2526 or having face-to-face interviews with the child, investigation
2527 visits shall be unannounced unless it is determined by the
2528 department or its agent that unannounced visits threaten the
2529 safety of the child. If a facility is exempt from licensing, the
2530 department shall inform the owner or operator of the facility of
2531 the report. Each agency conducting a joint investigation is
2532 entitled to full access to the information gathered by the
2533 department in the course of the investigation. A protective
2534 investigation must include an interview with the child's parent
2535 or legal guardian. The department shall make a full written
2536 report to the state attorney within 3 business days after making
2537 the oral report. A criminal investigation shall be coordinated,
2538 whenever possible, with the child protective investigation of
2539 the department. Any interested person who has information
2540 regarding the offenses described in this subsection may forward
2541 a statement to the state attorney as to whether prosecution is
2542 warranted and appropriate. Within 15 days after the completion
2543 of the investigation, the state attorney shall report the
2544 findings to the department and shall include in the report a
2545 determination of whether or not prosecution is justified and
2546 appropriate in view of the circumstances of the specific case.

2547 Section 52. Paragraph (c) of subsection (1) of section
2548 39.521, Florida Statutes, is amended to read:

2549 39.521 Disposition hearings; powers of disposition.—

2550 (1) A disposition hearing shall be conducted by the court,
2551 if the court finds that the facts alleged in the petition for
2552 dependency were proven in the adjudicatory hearing, or if the

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2553 parents or legal custodians have consented to the finding of
2554 dependency or admitted the allegations in the petition, have
2555 failed to appear for the arraignment hearing after proper
2556 notice, or have not been located despite a diligent search
2557 having been conducted.

2558 (c) When any child is adjudicated by a court to be
2559 dependent, the court having jurisdiction of the child has the
2560 power by order to:

2561 1. Require the parent and, when appropriate, the legal
2562 guardian or the child to participate in treatment and services
2563 identified as necessary. The court may require the person who
2564 has custody or who is requesting custody of the child to submit
2565 to a mental health or substance abuse disorder assessment or
2566 evaluation. The order may be made only upon good cause shown and
2567 pursuant to notice and procedural requirements provided under
2568 the Florida Rules of Juvenile Procedure. The mental health
2569 assessment or evaluation must be administered by a qualified
2570 professional as defined in s. 39.01, and the substance abuse
2571 assessment or evaluation must be administered by a qualified
2572 professional as defined in s. 397.311. The court may also
2573 require such person to participate in and comply with treatment
2574 and services identified as necessary, including, when
2575 appropriate and available, participation in and compliance with
2576 a mental health court program established under chapter 394 or a
2577 treatment-based drug court program established under s. 397.334.
2578 Adjudication of a child as dependent based upon evidence of harm
2579 as defined in s. 39.01(37)(g) ~~s. 39.01(34)(g)~~ demonstrates good
2580 cause, and the court shall require the parent whose actions
2581 caused the harm to submit to a substance abuse disorder

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2582 assessment or evaluation and to participate and comply with
2583 treatment and services identified in the assessment or
2584 evaluation as being necessary. In addition to supervision by the
2585 department, the court, including the mental health court program
2586 or the treatment-based drug court program, may oversee the
2587 progress and compliance with treatment by a person who has
2588 custody or is requesting custody of the child. The court may
2589 impose appropriate available sanctions for noncompliance upon a
2590 person who has custody or is requesting custody of the child or
2591 make a finding of noncompliance for consideration in determining
2592 whether an alternative placement of the child is in the child's
2593 best interests. Any order entered under this subparagraph may be
2594 made only upon good cause shown. This subparagraph does not
2595 authorize placement of a child with a person seeking custody of
2596 the child, other than the child's parent or legal custodian, who
2597 requires mental health or substance abuse disorder treatment.

2598 2. Require, if the court deems necessary, the parties to
2599 participate in dependency mediation.

2600 3. Require placement of the child either under the
2601 protective supervision of an authorized agent of the department
2602 in the home of one or both of the child's parents or in the home
2603 of a relative of the child or another adult approved by the
2604 court, or in the custody of the department. Protective
2605 supervision continues until the court terminates it or until the
2606 child reaches the age of 18, whichever date is first. Protective
2607 supervision shall be terminated by the court whenever the court
2608 determines that permanency has been achieved for the child,
2609 whether with a parent, another relative, or a legal custodian,
2610 and that protective supervision is no longer needed. The

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2611 termination of supervision may be with or without retaining
2612 jurisdiction, at the court's discretion, and shall in either
2613 case be considered a permanency option for the child. The order
2614 terminating supervision by the department must set forth the
2615 powers of the custodian of the child and include the powers
2616 ordinarily granted to a guardian of the person of a minor unless
2617 otherwise specified. Upon the court's termination of supervision
2618 by the department, further judicial reviews are not required if
2619 permanency has been established for the child.

2620 4. Determine whether the child has a strong attachment to
2621 the prospective permanent guardian and whether such guardian has
2622 a strong commitment to permanently caring for the child.

2623 Section 53. Paragraph (c) of subsection (2) of section
2624 61.13, Florida Statutes, is amended to read:

2625 61.13 Support of children; parenting and time-sharing;
2626 powers of court.—

2627 (2)

2628 (c) The court shall determine all matters relating to
2629 parenting and time-sharing of each minor child of the parties in
2630 accordance with the best interests of the child and in
2631 accordance with the Uniform Child Custody Jurisdiction and
2632 Enforcement Act, except that modification of a parenting plan
2633 and time-sharing schedule requires a showing of a substantial
2634 and material change of circumstances.

2635 1. It is the public policy of this state that each minor
2636 child has frequent and continuing contact with both parents
2637 after the parents separate or the marriage of the parties is
2638 dissolved and to encourage parents to share the rights and
2639 responsibilities, and joys, of childrearing. Unless otherwise

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2640 provided in this section or agreed to by the parties, there is a
2641 rebuttable presumption that equal time-sharing of a minor child
2642 is in the best interests of the minor child. To rebut this
2643 presumption, a party must prove by a preponderance of the
2644 evidence that equal time-sharing is not in the best interests of
2645 the minor child. Except when a time-sharing schedule is agreed
2646 to by the parties and approved by the court, the court must
2647 evaluate all of the factors set forth in subsection (3) and make
2648 specific written findings of fact when creating or modifying a
2649 time-sharing schedule.

2650 2. The court shall order that the parental responsibility
2651 for a minor child be shared by both parents unless the court
2652 finds that shared parental responsibility would be detrimental
2653 to the child. In determining detriment to the child, the court
2654 shall consider:

2655 a. Evidence of domestic violence, as defined in s. 741.28;

2656 b. Whether either parent has or has had reasonable cause to
2657 believe that he or she or his or her minor child or children are
2658 or have been in imminent danger of becoming victims of an act of
2659 domestic violence as defined in s. 741.28 or sexual violence as
2660 defined in s. 784.046(1)(c) by the other parent against the
2661 parent or against the child or children whom the parents share
2662 in common regardless of whether a cause of action has been
2663 brought or is currently pending in the court;

2664 c. Whether either parent has or has had reasonable cause to
2665 believe that his or her minor child or children are or have been
2666 in imminent danger of becoming victims of an act of abuse ~~as~~
2667 ~~defined in s. 39.01(2)~~, abandonment ~~as defined in s. 39.01(1)~~,
2668 or neglect, as those terms are defined in s. 39.01, s. 39.01(50)

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2669 by the other parent against the child or children whom the
2670 parents share in common regardless of whether a cause of action
2671 has been brought or is currently pending in the court; and

2672 d. Any other relevant factors.

2673 3. The following evidence creates a rebuttable presumption
2674 that shared parental responsibility is detrimental to the child:

2675 a. A parent has been convicted of a misdemeanor of the
2676 first degree or higher involving domestic violence, as defined
2677 in s. 741.28 and chapter 775;

2678 b. A parent meets the criteria of s. 39.806(1)(d); or

2679 c. A parent has been convicted of or had adjudication
2680 withheld for an offense enumerated in s. 943.0435(1)(h)1.a., and
2681 at the time of the offense:

2682 (I) The parent was 18 years of age or older.

2683 (II) The victim was under 18 years of age or the parent
2684 believed the victim to be under 18 years of age.

2685

2686 If the presumption is not rebutted after the convicted parent is
2687 advised by the court that the presumption exists, shared
2688 parental responsibility, including time-sharing with the child,
2689 and decisions made regarding the child, may not be granted to
2690 the convicted parent. However, the convicted parent is not
2691 relieved of any obligation to provide financial support. If the
2692 court determines that shared parental responsibility would be
2693 detrimental to the child, it may order sole parental
2694 responsibility and make such arrangements for time-sharing as
2695 specified in the parenting plan as will best protect the child
2696 or abused spouse from further harm. Whether or not there is a
2697 conviction of any offense of domestic violence or child abuse or

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2698 the existence of an injunction for protection against domestic
2699 violence, the court shall consider evidence of domestic violence
2700 or child abuse as evidence of detriment to the child.

2701 4. In ordering shared parental responsibility, the court
2702 may consider the expressed desires of the parents and may grant
2703 to one party the ultimate responsibility over specific aspects
2704 of the child's welfare or may divide those responsibilities
2705 between the parties based on the best interests of the child.
2706 Areas of responsibility may include education, health care, and
2707 any other responsibilities that the court finds unique to a
2708 particular family.

2709 5. The court shall order sole parental responsibility for a
2710 minor child to one parent, with or without time-sharing with the
2711 other parent if it is in the best interests of the minor child.

2712 6. There is a rebuttable presumption against granting time-
2713 sharing with a minor child if a parent has been convicted of or
2714 had adjudication withheld for an offense enumerated in s.
2715 943.0435(1)(h)1.a., and at the time of the offense:

2716 a. The parent was 18 years of age or older.

2717 b. The victim was under 18 years of age or the parent
2718 believed the victim to be under 18 years of age.

2719

2720 A parent may rebut the presumption upon a specific finding in
2721 writing by the court that the parent poses no significant risk
2722 of harm to the child and that time-sharing is in the best
2723 interests of the minor child. If the presumption is rebutted,
2724 the court must consider all time-sharing factors in subsection
2725 (3) when developing a time-sharing schedule.

2726 7. Access to records and information pertaining to a minor

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2727 child, including, but not limited to, medical, dental, and
2728 school records, may not be denied to either parent. Full rights
2729 under this subparagraph apply to either parent unless a court
2730 order specifically revokes these rights, including any
2731 restrictions on these rights as provided in a domestic violence
2732 injunction. A parent having rights under this subparagraph has
2733 the same rights upon request as to form, substance, and manner
2734 of access as are available to the other parent of a child,
2735 including, without limitation, the right to in-person
2736 communication with medical, dental, and education providers.

2737 Section 54. Paragraph (d) of subsection (4) of section
2738 119.071, Florida Statutes, is amended to read:

2739 119.071 General exemptions from inspection or copying of
2740 public records.—

2741 (4) AGENCY PERSONNEL INFORMATION.—

2742 (d)1. For purposes of this paragraph, the term:

2743 a. "Home addresses" means the dwelling location at which an
2744 individual resides and includes the physical address, mailing
2745 address, street address, parcel identification number, plot
2746 identification number, legal property description, neighborhood
2747 name and lot number, GPS coordinates, and any other descriptive
2748 property information that may reveal the home address.

2749 b. "Judicial assistant" means a court employee assigned to
2750 the following class codes: 8140, 8150, 8310, and 8320.

2751 c. "Telephone numbers" includes home telephone numbers,
2752 personal cellular telephone numbers, personal pager telephone
2753 numbers, and telephone numbers associated with personal
2754 communications devices.

2755 2.a. The home addresses, telephone numbers, dates of birth,

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2756 and photographs of active or former sworn law enforcement
2757 personnel or of active or former civilian personnel employed by
2758 a law enforcement agency, including correctional and
2759 correctional probation officers, personnel of the Department of
2760 Children and Families whose duties include the investigation of
2761 abuse, neglect, exploitation, fraud, theft, or other criminal
2762 activities, personnel of the Department of Health whose duties
2763 are to support the investigation of child abuse or neglect, and
2764 personnel of the Department of Revenue or local governments
2765 whose responsibilities include revenue collection and
2766 enforcement or child support enforcement; the names, home
2767 addresses, telephone numbers, photographs, dates of birth, and
2768 places of employment of the spouses and children of such
2769 personnel; and the names and locations of schools and day care
2770 facilities attended by the children of such personnel are exempt
2771 from s. 119.07(1) and s. 24(a), Art. I of the State
2772 Constitution.

2773 b. The home addresses, telephone numbers, dates of birth,
2774 and photographs of current or former nonsworn investigative
2775 personnel of the Department of Financial Services whose duties
2776 include the investigation of fraud, theft, workers' compensation
2777 coverage requirements and compliance, other related criminal
2778 activities, or state regulatory requirement violations; the
2779 names, home addresses, telephone numbers, dates of birth, and
2780 places of employment of the spouses and children of such
2781 personnel; and the names and locations of schools and day care
2782 facilities attended by the children of such personnel are exempt
2783 from s. 119.07(1) and s. 24(a), Art. I of the State
2784 Constitution.

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2785 c. The home addresses, telephone numbers, dates of birth,
2786 and photographs of current or former nonsworn investigative
2787 personnel of the Office of Financial Regulation's Bureau of
2788 Financial Investigations whose duties include the investigation
2789 of fraud, theft, other related criminal activities, or state
2790 regulatory requirement violations; the names, home addresses,
2791 telephone numbers, dates of birth, and places of employment of
2792 the spouses and children of such personnel; and the names and
2793 locations of schools and day care facilities attended by the
2794 children of such personnel are exempt from s. 119.07(1) and s.
2795 24(a), Art. I of the State Constitution.

2796 d. The home addresses, telephone numbers, dates of birth,
2797 and photographs of current or former firefighters certified in
2798 compliance with s. 633.408; the names, home addresses, telephone
2799 numbers, photographs, dates of birth, and places of employment
2800 of the spouses and children of such firefighters; and the names
2801 and locations of schools and day care facilities attended by the
2802 children of such firefighters are exempt from s. 119.07(1) and
2803 s. 24(a), Art. I of the State Constitution.

2804 e. The home addresses, dates of birth, and telephone
2805 numbers of current or former justices of the Supreme Court,
2806 district court of appeal judges, circuit court judges, and
2807 county court judges, ~~and of~~ current judicial assistants; the
2808 names, home addresses, telephone numbers, dates of birth, and
2809 places of employment of the spouses and children of current or
2810 former justices and judges and ~~of~~ current judicial assistants;
2811 and the names and locations of schools and day care facilities
2812 attended by the children of current or former justices and
2813 judges and of current judicial assistants are exempt from s.

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2814 119.07(1) and s. 24(a), Art. I of the State Constitution. This
2815 sub-subparagraph is subject to the Open Government Sunset Review
2816 Act in accordance with s. 119.15 and shall stand repealed on
2817 October 2, 2028, unless reviewed and saved from repeal through
2818 reenactment by the Legislature.

2819 f. The home addresses, telephone numbers, dates of birth,
2820 and photographs of current or former state attorneys, assistant
2821 state attorneys, statewide prosecutors, or assistant statewide
2822 prosecutors; the names, home addresses, telephone numbers,
2823 photographs, dates of birth, and places of employment of the
2824 spouses and children of current or former state attorneys,
2825 assistant state attorneys, statewide prosecutors, or assistant
2826 statewide prosecutors; and the names and locations of schools
2827 and day care facilities attended by the children of current or
2828 former state attorneys, assistant state attorneys, statewide
2829 prosecutors, or assistant statewide prosecutors are exempt from
2830 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

2831 g. The home addresses, dates of birth, and telephone
2832 numbers of general magistrates, special magistrates, judges of
2833 compensation claims, administrative law judges of the Division
2834 of Administrative Hearings, and child support enforcement
2835 hearing officers; the names, home addresses, telephone numbers,
2836 dates of birth, and places of employment of the spouses and
2837 children of general magistrates, special magistrates, judges of
2838 compensation claims, administrative law judges of the Division
2839 of Administrative Hearings, and child support enforcement
2840 hearing officers; and the names and locations of schools and day
2841 care facilities attended by the children of general magistrates,
2842 special magistrates, judges of compensation claims,

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2843 administrative law judges of the Division of Administrative
2844 Hearings, and child support enforcement hearing officers are
2845 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2846 Constitution.

2847 h. The home addresses, telephone numbers, dates of birth,
2848 and photographs of current or former human resource, labor
2849 relations, or employee relations directors, assistant directors,
2850 managers, or assistant managers of any local government agency
2851 or water management district whose duties include hiring and
2852 firing employees, labor contract negotiation, administration, or
2853 other personnel-related duties; the names, home addresses,
2854 telephone numbers, dates of birth, and places of employment of
2855 the spouses and children of such personnel; and the names and
2856 locations of schools and day care facilities attended by the
2857 children of such personnel are exempt from s. 119.07(1) and s.
2858 24(a), Art. I of the State Constitution.

2859 i. The home addresses, telephone numbers, dates of birth,
2860 and photographs of current or former code enforcement officers;
2861 the names, home addresses, telephone numbers, dates of birth,
2862 and places of employment of the spouses and children of such
2863 personnel; and the names and locations of schools and day care
2864 facilities attended by the children of such personnel are exempt
2865 from s. 119.07(1) and s. 24(a), Art. I of the State
2866 Constitution.

2867 j. The home addresses, telephone numbers, places of
2868 employment, dates of birth, and photographs of current or former
2869 guardians ad litem, as defined in s. 39.01 ~~s. 39.820~~; the names,
2870 home addresses, telephone numbers, dates of birth, and places of
2871 employment of the spouses and children of such persons; and the

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2872 names and locations of schools and day care facilities attended
2873 by the children of such persons are exempt from s. 119.07(1) and
2874 s. 24(a), Art. I of the State Constitution.

2875 k. The home addresses, telephone numbers, dates of birth,
2876 and photographs of current or former juvenile probation
2877 officers, juvenile probation supervisors, detention
2878 superintendents, assistant detention superintendents, juvenile
2879 justice detention officers I and II, juvenile justice detention
2880 officer supervisors, juvenile justice residential officers,
2881 juvenile justice residential officer supervisors I and II,
2882 juvenile justice counselors, juvenile justice counselor
2883 supervisors, human services counselor administrators, senior
2884 human services counselor administrators, rehabilitation
2885 therapists, and social services counselors of the Department of
2886 Juvenile Justice; the names, home addresses, telephone numbers,
2887 dates of birth, and places of employment of spouses and children
2888 of such personnel; and the names and locations of schools and
2889 day care facilities attended by the children of such personnel
2890 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2891 Constitution.

2892 l. The home addresses, telephone numbers, dates of birth,
2893 and photographs of current or former public defenders, assistant
2894 public defenders, criminal conflict and civil regional counsel,
2895 and assistant criminal conflict and civil regional counsel; the
2896 names, home addresses, telephone numbers, dates of birth, and
2897 places of employment of the spouses and children of current or
2898 former public defenders, assistant public defenders, criminal
2899 conflict and civil regional counsel, and assistant criminal
2900 conflict and civil regional counsel; and the names and locations

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2901 of schools and day care facilities attended by the children of
2902 current or former public defenders, assistant public defenders,
2903 criminal conflict and civil regional counsel, and assistant
2904 criminal conflict and civil regional counsel are exempt from s.
2905 119.07(1) and s. 24(a), Art. I of the State Constitution.

2906 m. The home addresses, telephone numbers, dates of birth,
2907 and photographs of current or former investigators or inspectors
2908 of the Department of Business and Professional Regulation; the
2909 names, home addresses, telephone numbers, dates of birth, and
2910 places of employment of the spouses and children of such current
2911 or former investigators and inspectors; and the names and
2912 locations of schools and day care facilities attended by the
2913 children of such current or former investigators and inspectors
2914 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2915 Constitution.

2916 n. The home addresses, telephone numbers, and dates of
2917 birth of county tax collectors; the names, home addresses,
2918 telephone numbers, dates of birth, and places of employment of
2919 the spouses and children of such tax collectors; and the names
2920 and locations of schools and day care facilities attended by the
2921 children of such tax collectors are exempt from s. 119.07(1) and
2922 s. 24(a), Art. I of the State Constitution.

2923 o. The home addresses, telephone numbers, dates of birth,
2924 and photographs of current or former personnel of the Department
2925 of Health whose duties include, or result in, the determination
2926 or adjudication of eligibility for social security disability
2927 benefits, the investigation or prosecution of complaints filed
2928 against health care practitioners, or the inspection of health
2929 care practitioners or health care facilities licensed by the

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2930 Department of Health; the names, home addresses, telephone
2931 numbers, dates of birth, and places of employment of the spouses
2932 and children of such personnel; and the names and locations of
2933 schools and day care facilities attended by the children of such
2934 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
2935 the State Constitution.

2936 p. The home addresses, telephone numbers, dates of birth,
2937 and photographs of current or former impaired practitioner
2938 consultants who are retained by an agency or current or former
2939 employees of an impaired practitioner consultant whose duties
2940 result in a determination of a person's skill and safety to
2941 practice a licensed profession; the names, home addresses,
2942 telephone numbers, dates of birth, and places of employment of
2943 the spouses and children of such consultants or their employees;
2944 and the names and locations of schools and day care facilities
2945 attended by the children of such consultants or employees are
2946 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2947 Constitution.

2948 q. The home addresses, telephone numbers, dates of birth,
2949 and photographs of current or former emergency medical
2950 technicians or paramedics certified under chapter 401; the
2951 names, home addresses, telephone numbers, dates of birth, and
2952 places of employment of the spouses and children of such
2953 emergency medical technicians or paramedics; and the names and
2954 locations of schools and day care facilities attended by the
2955 children of such emergency medical technicians or paramedics are
2956 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2957 Constitution.

2958 r. The home addresses, telephone numbers, dates of birth,

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2959 and photographs of current or former personnel employed in an
2960 agency's office of inspector general or internal audit
2961 department whose duties include auditing or investigating waste,
2962 fraud, abuse, theft, exploitation, or other activities that
2963 could lead to criminal prosecution or administrative discipline;
2964 the names, home addresses, telephone numbers, dates of birth,
2965 and places of employment of spouses and children of such
2966 personnel; and the names and locations of schools and day care
2967 facilities attended by the children of such personnel are exempt
2968 from s. 119.07(1) and s. 24(a), Art. I of the State
2969 Constitution.

2970 s. The home addresses, telephone numbers, dates of birth,
2971 and photographs of current or former directors, managers,
2972 supervisors, nurses, and clinical employees of an addiction
2973 treatment facility; the home addresses, telephone numbers,
2974 photographs, dates of birth, and places of employment of the
2975 spouses and children of such personnel; and the names and
2976 locations of schools and day care facilities attended by the
2977 children of such personnel are exempt from s. 119.07(1) and s.
2978 24(a), Art. I of the State Constitution. For purposes of this
2979 sub-subparagraph, the term "addiction treatment facility" means
2980 a county government, or agency thereof, that is licensed
2981 pursuant to s. 397.401 and provides substance abuse prevention,
2982 intervention, or clinical treatment, including any licensed
2983 service component described in s. 397.311(26).

2984 t. The home addresses, telephone numbers, dates of birth,
2985 and photographs of current or former directors, managers,
2986 supervisors, and clinical employees of a child advocacy center
2987 that meets the standards of s. 39.3035(2) and fulfills the

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2988 screening requirement of s. 39.3035(3), and the members of a
2989 Child Protection Team as described in s. 39.303 whose duties
2990 include supporting the investigation of child abuse or sexual
2991 abuse, child abandonment, child neglect, and child exploitation
2992 or to provide services as part of a multidisciplinary case
2993 review team; the names, home addresses, telephone numbers,
2994 photographs, dates of birth, and places of employment of the
2995 spouses and children of such personnel and members; and the
2996 names and locations of schools and day care facilities attended
2997 by the children of such personnel and members are exempt from s.
2998 119.07(1) and s. 24(a), Art. I of the State Constitution.

2999 u. The home addresses, telephone numbers, places of
3000 employment, dates of birth, and photographs of current or former
3001 staff and domestic violence advocates, as defined in s.
3002 90.5036(1)(b), of domestic violence centers certified by the
3003 Department of Children and Families under chapter 39; the names,
3004 home addresses, telephone numbers, places of employment, dates
3005 of birth, and photographs of the spouses and children of such
3006 personnel; and the names and locations of schools and day care
3007 facilities attended by the children of such personnel are exempt
3008 from s. 119.07(1) and s. 24(a), Art. I of the State
3009 Constitution.

3010 v. The home addresses, telephone numbers, dates of birth,
3011 and photographs of current or former inspectors or investigators
3012 of the Department of Agriculture and Consumer Services; the
3013 names, home addresses, telephone numbers, dates of birth, and
3014 places of employment of the spouses and children of current or
3015 former inspectors or investigators; and the names and locations
3016 of schools and day care facilities attended by the children of

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3017 current or former inspectors or investigators are exempt from s.
3018 119.07(1) and s. 24(a), Art. I of the State Constitution. This
3019 sub-subparagraph is subject to the Open Government Sunset Review
3020 Act in accordance with s. 119.15 and shall stand repealed on
3021 October 2, 2028, unless reviewed and saved from repeal through
3022 reenactment by the Legislature.

3023 3. An agency that is the custodian of the information
3024 specified in subparagraph 2. and that is not the employer of the
3025 officer, employee, justice, judge, or other person specified in
3026 subparagraph 2. must maintain the exempt status of that
3027 information only if the officer, employee, justice, judge, other
3028 person, or employing agency of the designated employee submits a
3029 written and notarized request for maintenance of the exemption
3030 to the custodial agency. The request must state under oath the
3031 statutory basis for the individual's exemption request and
3032 confirm the individual's status as a party eligible for exempt
3033 status.

3034 4.a. A county property appraiser, as defined in s.
3035 192.001(3), or a county tax collector, as defined in s.
3036 192.001(4), who receives a written and notarized request for
3037 maintenance of the exemption pursuant to subparagraph 3. must
3038 comply by removing the name of the individual with exempt status
3039 and the instrument number or Official Records book and page
3040 number identifying the property with the exempt status from all
3041 publicly available records maintained by the property appraiser
3042 or tax collector. For written requests received on or before
3043 July 1, 2021, a county property appraiser or county tax
3044 collector must comply with this sub-subparagraph by October 1,
3045 2021. A county property appraiser or county tax collector may

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3046 not remove the street address, legal description, or other
3047 information identifying real property within the agency's
3048 records so long as a name or personal information otherwise
3049 exempt from inspection and copying pursuant to this section is
3050 not associated with the property or otherwise displayed in the
3051 public records of the agency.

3052 b. Any information restricted from public display,
3053 inspection, or copying under sub-subparagraph a. must be
3054 provided to the individual whose information was removed.

3055 5. An officer, an employee, a justice, a judge, or other
3056 person specified in subparagraph 2. may submit a written request
3057 for the release of his or her exempt information to the
3058 custodial agency. The written request must be notarized and must
3059 specify the information to be released and the party authorized
3060 to receive the information. Upon receipt of the written request,
3061 the custodial agency must release the specified information to
3062 the party authorized to receive such information.

3063 6. The exemptions in this paragraph apply to information
3064 held by an agency before, on, or after the effective date of the
3065 exemption.

3066 7. Information made exempt under this paragraph may be
3067 disclosed pursuant to s. 28.2221 to a title insurer authorized
3068 pursuant to s. 624.401 and its affiliates as defined in s.
3069 624.10; a title insurance agent or title insurance agency as
3070 defined in s. 626.841(1) or (2), respectively; or an attorney
3071 duly admitted to practice law in this state and in good standing
3072 with The Florida Bar.

3073 8. The exempt status of a home address contained in the
3074 Official Records is maintained only during the period when a

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3075 protected party resides at the dwelling location. Upon
3076 conveyance of real property after October 1, 2021, and when such
3077 real property no longer constitutes a protected party's home
3078 address as defined in sub-subparagraph 1.a., the protected party
3079 must submit a written request to release the removed information
3080 to the county recorder. The written request to release the
3081 removed information must be notarized, must confirm that a
3082 protected party's request for release is pursuant to a
3083 conveyance of his or her dwelling location, and must specify the
3084 Official Records book and page, instrument number, or clerk's
3085 file number for each document containing the information to be
3086 released.

3087 9. Upon the death of a protected party as verified by a
3088 certified copy of a death certificate or court order, any party
3089 can request the county recorder to release a protected
3090 decedent's removed information unless there is a related request
3091 on file with the county recorder for continued removal of the
3092 decedent's information or unless such removal is otherwise
3093 prohibited by statute or by court order. The written request to
3094 release the removed information upon the death of a protected
3095 party must attach the certified copy of a death certificate or
3096 court order and must be notarized, must confirm the request for
3097 release is due to the death of a protected party, and must
3098 specify the Official Records book and page number, instrument
3099 number, or clerk's file number for each document containing the
3100 information to be released. A fee may not be charged for the
3101 release of any document pursuant to such request.

3102 10. Except as otherwise expressly provided in this
3103 paragraph, this paragraph is subject to the Open Government

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3104 Sunset Review Act in accordance with s. 119.15 and shall stand
3105 repealed on October 2, 2024, unless reviewed and saved from
3106 repeal through reenactment by the Legislature.

3107 Section 55. Subsection (4) of section 322.09, Florida
3108 Statutes, is amended to read:

3109 322.09 Application of minors; responsibility for negligence
3110 or misconduct of minor.—

3111 (4) Notwithstanding subsections (1) and (2), if a caregiver
3112 of a minor who is under the age of 18 years and is in out-of-
3113 home care as defined in s. 39.01 ~~s. 39.01(55)~~, an authorized
3114 representative of a residential group home at which such a minor
3115 resides, the caseworker at the agency at which the state has
3116 placed the minor, or a guardian ad litem specifically authorized
3117 by the minor's caregiver to sign for a learner's driver license
3118 signs the minor's application for a learner's driver license,
3119 that caregiver, group home representative, caseworker, or
3120 guardian ad litem does not assume any obligation or become
3121 liable for any damages caused by the negligence or willful
3122 misconduct of the minor by reason of having signed the
3123 application. Before signing the application, the caseworker,
3124 authorized group home representative, or guardian ad litem shall
3125 notify the caregiver or other responsible party of his or her
3126 intent to sign and verify the application.

3127 Section 56. Paragraph (p) of subsection (4) of section
3128 394.495, Florida Statutes, is amended to read:

3129 394.495 Child and adolescent mental health system of care;
3130 programs and services.—

3131 (4) The array of services may include, but is not limited
3132 to:

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3133 (p) Trauma-informed services for children who have suffered
3134 sexual exploitation as defined in s. 39.01(80)(g) ~~s.~~
3135 ~~39.01(77)(g)~~.

3136 Section 57. Section 627.746, Florida Statutes, is amended
3137 to read:

3138 627.746 Coverage for minors who have a learner's driver
3139 license; additional premium prohibited.—An insurer that issues
3140 an insurance policy on a private passenger motor vehicle to a
3141 named insured who is a caregiver of a minor who is under the age
3142 of 18 years and is in out-of-home care as defined in s. 39.01 ~~s.~~
3143 ~~39.01(55)~~ may not charge an additional premium for coverage of
3144 the minor while the minor is operating the insured vehicle, for
3145 the period of time that the minor has a learner's driver
3146 license, until such time as the minor obtains a driver license.

3147 Section 58. Paragraph (c) of subsection (1) of section
3148 934.255, Florida Statutes, is amended to read:

3149 934.255 Subpoenas in investigations of sexual offenses.—

3150 (1) As used in this section, the term:

3151 (c) "Sexual abuse of a child" means a criminal offense
3152 based on any conduct described in s. 39.01(80) ~~s. 39.01(77)~~.

3153 Section 59. Subsection (5) of section 960.065, Florida
3154 Statutes, is amended to read:

3155 960.065 Eligibility for awards.—

3156 (5) A person is not ineligible for an award pursuant to
3157 paragraph (2)(a), paragraph (2)(b), or paragraph (2)(c) if that
3158 person is a victim of sexual exploitation of a child as defined
3159 in s. 39.01(80)(g) ~~s. 39.01(77)(g)~~.

3160 Section 60. The Division of Law Revision is requested to
3161 prepare a reviser's bill for the 2025 Regular Session of the

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3162 Legislature to substitute the term "Statewide Guardian ad Litem
3163 Office" for the term "Guardian ad Litem Program" or "Statewide
3164 Guardian ad Litem Program" throughout the Florida Statutes.

3165 Section 61. This act shall take effect July 1, 2024.