

By the Committee on Children, Families, and Elder Affairs; and
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; amending s.
20 39.01305, F.S.; conforming a provision to changes made
21 by the act; amending s. 39.0132, F.S.; authorizing a
22 child's attorney ad litem to inspect certain records;
23 amending s. 39.0136, F.S.; revising the parties who
24 may request a continuance in a proceeding; amending s.
25 39.01375, F.S.; conforming provisions to changes made
26 by the act; amending s. 39.0139, F.S.; conforming
27 provisions to changes made by the act; amending s.
28 39.202, F.S.; requiring that certain confidential
29 records be released to the guardian ad litem and

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30 attorney ad litem; conforming a cross-reference;
31 amending s. 39.402, F.S.; requiring parents to consent
32 to provide certain information to the guardian ad
33 litem and attorney ad litem; conforming provisions to
34 changes made by the act; amending s. 39.4022, F.S.;
35 revising the participants who must be invited to a
36 multidisciplinary team staffing; amending s. 39.4023,
37 F.S.; requiring that notice of a multidisciplinary
38 team staffing be provided to a child's guardian ad
39 litem and attorney ad litem; conforming provisions to
40 changes made by the act; amending s. 39.407, F.S.;
41 conforming provisions to changes made by the act;
42 amending s. 39.4085, F.S.; providing a goal of
43 permanency; conforming provisions to changes made by
44 the act; amending ss. 39.502 and 39.522, F.S.;
45 conforming provisions to changes made by the act;
46 amending s. 39.6012, F.S.; requiring a case plan to
47 include written descriptions of certain activities;
48 conforming a cross-reference; creating s. 39.6036,
49 F.S.; providing legislative findings and intent;
50 requiring the Statewide Guardian ad Litem Office to
51 work with certain children to identify a supportive
52 adult to enter into a specified agreement; requiring
53 such agreement be documented in the child's court
54 file; requiring the office to coordinate with the
55 Office of Continuing Care for a specified purpose;
56 amending s. 39.621, F.S.; conforming provisions to
57 changes made by the act; amending s. 39.6241, F.S.;
58 requiring a guardian ad litem to advise the court

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59 regarding certain information and to ensure a certain
60 agreement has been documented in the child's court
61 file; amending s. 39.701, F.S.; requiring certain
62 notice be given to an attorney ad litem; requiring a
63 court to give a guardian ad litem an opportunity to
64 address the court in certain proceedings; requiring
65 the court to inquire and determine if a child has a
66 certain agreement documented in his or her court file
67 at a specified hearing; conforming provisions to
68 changes made by the act; amending s. 39.801, F.S.;
69 conforming provisions to changes made by the act;
70 amending s. 39.807, F.S.; requiring a court to appoint
71 a guardian ad litem to represent a child in certain
72 proceedings; revising a guardian ad litem's
73 responsibilities and authorities; deleting provisions
74 relating to bonds and service of pleadings or papers;
75 amending s. 39.808, F.S.; conforming provisions to
76 changes made by the act; amending s. 39.815, F.S.;
77 conforming provisions to changes made by the act;
78 repealing s. 39.820, F.S., relating to definitions of
79 the terms "guardian ad litem" and "guardian advocate";
80 amending s. 39.821, F.S.; conforming provisions to
81 changes made by the act; amending s. 39.822, F.S.;
82 declaring that a guardian ad litem is a fiduciary and
83 must provide independent representation of a child;
84 revising responsibilities of a guardian ad litem;
85 requiring that guardians ad litem have certain access
86 to the children they represent; providing actions that
87 a guardian ad litem does and does not have to fulfill;

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88 making technical changes; amending s. 39.827, F.S.;

89 authorizing a child's guardian ad litem and attorney

90 ad litem to inspect certain records; amending s.

91 39.8296, F.S.; revising the duties and appointment of

92 the executive director of the Statewide Guardian ad

93 Litem Office; requiring the training program for

94 guardians ad litem to be maintained and updated

95 regularly; deleting provisions regarding the training

96 curriculum and the establishment of a curriculum

97 committee; requiring the office to provide oversight

98 and technical assistance to attorneys ad litem;

99 specifying certain requirements of the office;

100 amending s. 39.8297, F.S.; conforming provisions to

101 changes made by the act; creating s. 1009.898, F.S.;

102 authorizing the Pathway to Prosperity program to

103 provide certain grants to youth and young adults who

104 are aging out of foster care; requiring grants to

105 extend for a certain period of time after a recipient

106 is reunited with his or her parents; amending ss.

107 29.008, 39.6011, 40.24, 43.16, 61.402, 110.205,

108 320.08058, 943.053, 985.43, 985.441, 985.455, 985.461,

109 and 985.48, F.S.; conforming provisions to changes

110 made by the act; amending ss. 39.302, 39.521, 61.13,

111 119.071, 322.09, 394.495, 627.746, 934.255, and

112 960.065, F.S.; conforming cross-references; providing

113 a directive to the Division of Law Revision; providing

114 an effective date;

115

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

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

121 39.001 Purposes and intent; personnel standards and
122 screening.—

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

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

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

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

140 (10) PLAN FOR COMPREHENSIVE APPROACH.—

141 (a) The office shall develop a state plan for the promotion
142 of adoption, support of adoptive families, and prevention of
143 abuse, abandonment, and neglect of children. The Department of
144 Children and Families, the Department of Corrections, the
145 Department of Education, the Department of Health, the

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

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

174 39.00145 Records concerning children.-

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

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

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

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

198 (d) For the purposes of this subsection, the term
199 "caregiver" is limited to parents, legal custodians, permanent
200 guardians, or foster parents; employees of a residential home,
201 institution, facility, or agency at which the child resides; and
202 other individuals legally responsible for a child's welfare in a
203 residential setting.

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204 Section 3. Paragraph (a) of subsection (2) of section
205 39.00146, Florida Statutes, is amended to read:

206 39.00146 Case record face sheet.—

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

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

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

216 2. The current county of residence and the county of
217 residence at the time of the referral.†

218 3. The reason for the referral and any family safety
219 concerns.†

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

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

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

229 Section 4. Paragraph (b) of subsection (2) and paragraph
230 (b) of subsection (3) of section 39.0016, Florida Statutes, are
231 amended to read:

232 39.0016 Education of abused, neglected, and abandoned

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233 children; agency agreements; children having or suspected of
234 having a disability.—

235 (2) AGENCY AGREEMENTS.—

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

243 1. A requirement that the department shall:

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

250 b. Notify the school and school district in which a child
251 known to the department is enrolled of the name and phone number
252 of the child known to the department caregiver and caseworker
253 for child safety purposes.

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

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262 about children known to the department, consistent with the
263 Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. s.
264 1232g.

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

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

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

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

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

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

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291 Department of Education shall assess the availability of
292 federal, charitable, or grant funding for such transportation.

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

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

308 a. Referral for screening.

309 b. Sharing of evaluations between the school district and
310 the department where appropriate.

311 c. Provision of education and related services appropriate
312 for the needs and abilities of the child known to the
313 department.

314 d. Coordination of services and plans between the school
315 and the residential setting to avoid duplication or conflicting
316 service plans.

317 e. Appointment of a surrogate parent, consistent with the
318 Individuals with Disabilities Education Act and pursuant to
319 subsection (3), for educational purposes for a child known to

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320 the department who qualifies.

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

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

328 (b)1. Each district school superintendent or dependency
329 court must appoint a surrogate parent for a child known to the
330 department who has or is suspected of having a disability, as
331 defined in s. 1003.01(9), when:

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

333 b. A court of competent jurisdiction over a child under
334 this chapter has determined that no person has the authority
335 under the Individuals with Disabilities Education Act, including
336 the parent or parents subject to the dependency action, or that
337 no person has the authority, willingness, or ability to serve as
338 the educational decisionmaker for the child without judicial
339 action.

340 2. A surrogate parent appointed by the district school
341 superintendent or the court must be at least 18 years old and
342 have no personal or professional interest that conflicts with
343 the interests of the student to be represented. Neither the
344 district school superintendent nor the court may appoint an
345 employee of the Department of Education, the local school
346 district, a community-based care provider, the Department of
347 Children and Families, or any other public or private agency
348 involved in the education or care of the child as appointment of

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349 those persons is prohibited by federal law. This prohibition
350 includes group home staff and therapeutic foster parents.
351 However, a person who acts in a parental role to a child, such
352 as a foster parent or relative caregiver, is not prohibited from
353 serving as a surrogate parent if he or she is employed by such
354 agency, willing to serve, and knowledgeable about the child and
355 the exceptional student education process. The surrogate parent
356 may be a court-appointed guardian ad litem or a relative or
357 nonrelative adult who is involved in the child's life regardless
358 of whether that person has physical custody of the child. Each
359 person appointed as a surrogate parent must have the knowledge
360 and skills acquired by successfully completing training using
361 materials developed and approved by the Department of Education
362 to ensure adequate representation of the child.

363 ~~3. If a guardian ad litem has been appointed for a child,~~
364 The district school superintendent must first consider the
365 child's guardian ad litem when appointing a surrogate parent.
366 The district school superintendent must accept the appointment
367 of the court if he or she has not previously appointed a
368 surrogate parent. Similarly, the court must accept a surrogate
369 parent duly appointed by a district school superintendent.

370 4. A surrogate parent appointed by the district school
371 superintendent or the court must be accepted by any subsequent
372 school or school district without regard to where the child is
373 receiving residential care so that a single surrogate parent can
374 follow the education of the child during his or her entire time
375 in state custody. Nothing in this paragraph or in rule shall
376 limit or prohibit the continuance of a surrogate parent
377 appointment when the responsibility for the student's

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378 educational placement moves among and between public and private
379 agencies.

380 5. For a child known to the department, the responsibility
381 to appoint a surrogate parent resides with both the district
382 school superintendent and the court with jurisdiction over the
383 child. If the court elects to appoint a surrogate parent, notice
384 shall be provided as soon as practicable to the child's school.
385 At any time the court determines that it is in the best
386 interests of a child to remove a surrogate parent, the court may
387 appoint a new surrogate parent for educational decisionmaking
388 purposes for that child.

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

391 a. The child is determined to no longer be eligible or in
392 need of special programs, except when termination of special
393 programs is being contested.

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

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

399 d. The appointed surrogate no longer wishes to represent
400 the child or is unable to represent the child.

401 e. The superintendent of the school district in which the
402 child is attending school, the Department of Education contract
403 designee, or the court that appointed the surrogate determines
404 that the appointed surrogate parent no longer adequately
405 represents the child.

406 f. The child moves to a geographic location that is not

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407 reasonably accessible to the appointed surrogate.

408 7. The appointment and termination of appointment of a
409 surrogate under this paragraph shall be entered as an order of
410 the court with a copy of the order provided to the child's
411 school as soon as practicable.

412 8. The person appointed as a surrogate parent under this
413 paragraph must:

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

416 b. Represent the child in all matters relating to
417 identification, evaluation, and educational placement and the
418 provision of a free and appropriate education to the child.

419 c. Represent the interests and safeguard the rights of the
420 child in educational decisions that affect the child.

421 9. The responsibilities of the person appointed as a
422 surrogate parent shall not extend to the care, maintenance,
423 custody, residential placement, or any other area not
424 specifically related to the education of the child, unless the
425 same person is appointed by the court for such other purposes.

426 10. A person appointed as a surrogate parent shall enjoy
427 all of the procedural safeguards afforded a parent with respect
428 to the identification, evaluation, and educational placement of
429 a student with a disability or a student who is suspected of
430 having a disability.

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

434 Section 5. Present subsections (8) through (30) and (31)
435 through (87) of section 39.01, Florida Statutes, are

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436 redesignated as subsections (9) through (31) and (34) through
437 (90), respectively, present subsections (9), (36), and (58) are
438 amended, and new subsections (8), (32), and (33) are added to
439 that section, to read:

440 39.01 Definitions.—When used in this chapter, unless the
441 context otherwise requires:

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

446 (10)~~(9)~~ "Caregiver" means the parent, legal custodian,
447 permanent guardian, adult household member, or other person
448 responsible for a child's welfare as defined in subsection (57)
449 ~~(54)~~.

450 (32) "Guardian ad litem" means a person or an entity that
451 is a fiduciary appointed by the court to represent a child in
452 any civil, criminal, or administrative proceeding to which the
453 child is a party, including, but not limited to, under this
454 chapter, which uses a best interest standard for decisionmaking
455 and advocacy. For purposes of this chapter, the term includes,
456 but is not limited to, the Statewide Guardian ad Litem Office,
457 which includes all circuit guardian ad litem offices and the
458 duly certified volunteers, staff, and attorneys assigned by the
459 Statewide Guardian ad Litem Office to represent children; a
460 court-appointed attorney; or a responsible adult who is
461 appointed by the court. A guardian ad litem is a party to the
462 judicial proceeding as a representative of the child and serves
463 until the jurisdiction of the court over the child terminates or
464 until excused by the court.

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

468 (39)~~(36)~~ "Institutional child abuse or neglect" means
469 situations of known or suspected child abuse or neglect in which
470 the person allegedly perpetrating the child abuse or neglect is
471 an employee of a public or private school, public or private day
472 care center, residential home, institution, facility, or agency
473 or any other person at such institution responsible for the
474 child's welfare as defined in subsection (57) ~~(54)~~.

475 (61)~~(58)~~ "Party" means the parent or parents of the child,
476 the petitioner, the department, the guardian ad litem ~~or the~~
477 ~~representative of the guardian ad litem program when the program~~
478 ~~has been appointed~~, and the child. The presence of the child may
479 be excused by order of the court when presence would not be in
480 the child's best interest. Notice to the child may be excused by
481 order of the court when the age, capacity, or other condition of
482 the child is such that the notice would be meaningless or
483 detrimental to the child.

484 Section 6. Subsection (11) of section 39.013, Florida
485 Statutes, is amended to read:

486 39.013 Procedures and jurisdiction; right to counsel;
487 guardian ad litem and attorney ad litem.-

488 (11) The court shall appoint a guardian ad litem at the
489 earliest possible time to represent a child throughout the
490 proceedings, including any appeals. The guardian ad litem may
491 represent the child in proceedings outside of the dependency
492 case to secure the services and benefits that provide for the
493 care, safety, and protection of the child ~~encourage the~~

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494 ~~Statewide Guardian Ad Litem Office to provide greater~~
495 ~~representation to those children who are within 1 year of~~
496 ~~transferring out of foster care.~~

497 Section 7. Paragraph (b) of subsection (1) of section
498 39.01305, Florida Statutes, is amended to read:

499 39.01305 Appointment of an attorney for a dependent child
500 with certain special needs.—

501 (1)

502 (b) The Legislature recognizes the existence of
503 organizations that provide attorney representation to children
504 in certain jurisdictions throughout the state. Further, the
505 Statewide Guardian ad Litem Office ~~Program~~ provides best
506 interest representation for dependent children in every
507 jurisdiction in accordance with state and federal law. The
508 Legislature, therefore, does not intend that funding provided
509 for representation under this section supplant proven and
510 existing organizations representing children. Instead, the
511 Legislature intends that funding provided for representation
512 under this section be an additional resource for the
513 representation of more children in these jurisdictions, to the
514 extent necessary to meet the requirements of this chapter, with
515 the cooperation of existing local organizations or through the
516 expansion of those organizations. The Legislature encourages the
517 expansion of pro bono representation for children. This section
518 is not intended to limit the ability of a pro bono attorney to
519 appear on behalf of a child.

520 Section 8. Subsection (3) of section 39.0132, Florida
521 Statutes, is amended to read:

522 39.0132 Oaths, records, and confidential information.—

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523 (3) The clerk shall keep all court records required by this
524 chapter separate from other records of the circuit court. All
525 court records required by this chapter may ~~shall~~ not be open to
526 inspection by the public. All records may ~~shall~~ be inspected
527 only upon order of the court by persons deemed by the court to
528 have a proper interest therein, except that, subject to ~~the~~
529 ~~provisions of~~ s. 63.162, a child, and the parents of the child
530 and their attorneys, the guardian ad litem, criminal conflict
531 and civil regional counsels, law enforcement agencies, ~~and~~ the
532 department and its designees, and the attorney ad litem, if one
533 is appointed, ~~shall~~ always have the right to inspect and copy
534 any official record pertaining to the child. The Justice
535 Administrative Commission may inspect court dockets required by
536 this chapter as necessary to audit compensation of court-
537 appointed attorneys ad litem. If the docket is insufficient for
538 purposes of the audit, the commission may petition the court for
539 additional documentation as necessary and appropriate. The court
540 may permit authorized representatives of recognized
541 organizations compiling statistics for proper purposes to
542 inspect and make abstracts from official records, under whatever
543 conditions upon their use and disposition the court may deem
544 proper, and may punish by contempt proceedings any violation of
545 those conditions.

546 Section 9. Paragraph (a) of subsection (3) of section
547 39.0136, Florida Statutes, is amended to read:

548 39.0136 Time limitations; continuances.—

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

550 (a) Periods of delay resulting from a continuance granted
551 at the request of the child's counsel, ~~or the child's~~ guardian

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552 ~~ad litem, or attorney ad litem, if one is appointed, if the~~
553 ~~child is of sufficient capacity to express reasonable consent,~~
554 ~~at the request or with the consent of the child.~~ The court must
555 consider the best interests of the child when determining
556 periods of delay under this section.

557 Section 10. Subsection (7) of section 39.01375, Florida
558 Statutes, is amended to read:

559 39.01375 Best interest determination for placement.—The
560 department, community-based care lead agency, or court shall
561 consider all of the following factors when determining whether a
562 proposed placement under this chapter is in the child's best
563 interest:

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

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

568 39.0139 Visitation or other contact; restrictions.—

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

573 (a) Before ~~Prior to~~ the hearing, the court shall appoint ~~an~~
574 ~~attorney ad litem or~~ a guardian ad litem for the child if one
575 has not already been appointed. The guardian ad litem and Any
576 attorney ad litem, if one is or guardian ad litem appointed,
577 must shall have special training in the dynamics of child sexual
578 abuse.

579 (b) At the hearing, the court may receive and rely upon any
580 relevant and material evidence submitted to the extent of its

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581 probative value, including written and oral reports or
582 recommendations from the Child Protection Team, the child's
583 therapist, the child's guardian ad litem, or the child's
584 attorney ad litem, if one is appointed, even if these reports,
585 recommendations, and evidence may not be admissible under the
586 rules of evidence.

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

589 39.202 Confidentiality of reports and records in cases of
590 child abuse or neglect; exception.—

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

596 (d) The parent or legal custodian of any child who is
597 alleged to have been abused, abandoned, or neglected; the child;
598 the child's guardian ad litem; the child's attorney ad litem, if
599 one is appointed; or, ~~and the child, and their attorneys,~~
600 ~~including~~ any attorney representing a child in civil or criminal
601 proceedings. This access must ~~shall~~ be made available no later
602 than 60 days after the department receives the initial report of
603 abuse, neglect, or abandonment. However, any information
604 otherwise made confidential or exempt by law may ~~shall~~ not be
605 released pursuant to this paragraph.

606 (t) Persons with whom the department is seeking to place
607 the child or to whom placement has been granted, including
608 foster parents for whom an approved home study has been
609 conducted, the designee of a licensed child-caring agency as

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610 defined in s. 39.01 ~~s. 39.01(41)~~, an approved relative or
611 nonrelative with whom a child is placed pursuant to s. 39.402,
612 preadoptive parents for whom a favorable preliminary adoptive
613 home study has been conducted, adoptive parents, or an adoption
614 entity acting on behalf of preadoptive or adoptive parents.

615 Section 13. Paragraph (c) of subsection (8), paragraphs (b)
616 and (c) of subsection (11), and paragraph (a) of subsection (14)
617 of section 39.402, Florida Statutes, are amended to read:

618 39.402 Placement in a shelter.—

619 (8)

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

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

624 2. Inform the parents or legal custodians of their right to
625 counsel to represent them at the shelter hearing and at each
626 subsequent hearing or proceeding, and the right of the parents
627 to appointed counsel, pursuant to the procedures set forth in s.
628 39.013;

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

631 4. Inquire of those present at the shelter hearing as to
632 the identity and location of the legal father. In determining
633 who the legal father of the child may be, the court shall
634 inquire under oath of those present at the shelter hearing
635 whether they have any of the following information:

636 a. Whether the mother of the child was married at the
637 probable time of conception of the child or at the time of birth
638 of the child.

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

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

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

647 e. Whether any man has acknowledged or claimed paternity of
648 the child in a jurisdiction in which the mother resided at the
649 time of or since conception of the child or in which the child
650 has resided or resides.

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

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

655 h. Whether a man has been determined to be the father of
656 the child by the Department of Revenue as provided in s.
657 409.256.

658 (11)

659 (b) The court shall request that the parents consent to
660 provide access to the child's medical records and provide
661 information to the court, the department or its contract
662 agencies, and the any guardian ad litem or attorney ad litem, if
663 one is appointed, for the child. If a parent is unavailable or
664 unable to consent or withholds consent and the court determines
665 access to the records and information is necessary to provide
666 services to the child, the court shall issue an order granting
667 access. The court may also order the parents to provide all

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668 known medical information to the department and to any others
669 granted access under this subsection.

670 (c) The court shall request that the parents consent to
671 provide access to the child's child care records, early
672 education program records, or other educational records and
673 provide information to the court, the department or its contract
674 agencies, and the any guardian ad litem or attorney ad litem, if
675 one is appointed, for the child. If a parent is unavailable or
676 unable to consent or withholds consent and the court determines
677 access to the records and information is necessary to provide
678 services to the child, the court shall issue an order granting
679 access.

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

681 (a) Periods of delay resulting from a continuance granted
682 at the request or with the consent of the child's ~~counsel or the~~
683 ~~child's~~ guardian ad litem or attorney ad litem, if one is ~~has~~
684 ~~been~~ appointed by the court, ~~or, if the child is of sufficient~~
685 ~~capacity to express reasonable consent, at the request or with~~
686 ~~the consent of the child's attorney or the child's guardian ad~~
687 ~~litem, if one has been appointed by the court, and the child.~~

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

690 39.4022 Multidisciplinary teams; staffings; assessments;
691 report.—

692 (4) PARTICIPANTS.—

693 (a) Collaboration among diverse individuals who are part of
694 the child's network is necessary to make the most informed
695 decisions possible for the child. A diverse team is preferable
696 to ensure that the necessary combination of technical skills,

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697 cultural knowledge, community resources, and personal
698 relationships is developed and maintained for the child and
699 family. The participants necessary to achieve an appropriately
700 diverse team for a child may vary by child and may include
701 extended family, friends, neighbors, coaches, clergy, coworkers,
702 or others the family identifies as potential sources of support.

703 1. Each multidisciplinary team staffing must invite the
704 following members:

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

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

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

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

718 e. A representative from the community-based care lead
719 agency, when the lead agency is directly involved in the goal
720 identified by the staffing;

721 f. The case manager for the child, or his or her case
722 manager supervisor; and

723 g. A representative from the Department of Juvenile
724 Justice, if the child is dually involved with both the
725 department and the Department of Juvenile Justice.

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726 2. The multidisciplinary team must make reasonable efforts
727 to have all mandatory invitees attend. However, the
728 multidisciplinary team staffing may not be delayed if the
729 invitees in subparagraph 1. fail to attend after being provided
730 reasonable opportunities.

731 (b) Based on the particular goal the multidisciplinary team
732 staffing identifies as the purpose of convening the staffing as
733 provided under subsection (5), the department or lead agency may
734 also invite to the meeting other professionals, including, but
735 not limited to:

- 736 1. A representative from Children's Medical Services;
737 2. ~~A guardian ad litem, if one is appointed;~~
738 ~~3.~~ A school personnel representative who has direct contact
739 with the child;
740 3.4. A therapist or other behavioral health professional,
741 if applicable;
742 4.5. A mental health professional with expertise in sibling
743 bonding, if the department or lead agency deems such expert is
744 necessary; or
745 5.6. Other community providers of services to the child or
746 stakeholders, when applicable.

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

750 39.4023 Placement and education transitions; transition
751 plans.—

752 (3) PLACEMENT TRANSITIONS.—

753 (d) *Transition planning.*—

754 1. If the supportive services provided pursuant to

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755 paragraph (c) have not been successful to make the maintenance
756 of the placement suitable or if there are other circumstances
757 that require the child to be moved, the department or the
758 community-based care lead agency must convene a
759 multidisciplinary team staffing as required under s. 39.4022
760 before the child's placement is changed, or within 72 hours of
761 moving the child in an emergency situation, for the purpose of
762 developing an appropriate transition plan.

763 2. A placement change may occur immediately in an emergency
764 situation without convening a multidisciplinary team staffing.
765 However, a multidisciplinary team staffing must be held within
766 72 hours after the emergency situation arises.

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

774 a. The child, unless he or she, due to age or capacity, is
775 unable to comprehend the written notice, which will necessitate
776 the department or lead agency to provide notice in an age-
777 appropriate and capacity-appropriate alternative manner.~~†~~

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

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

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

781 e. The attorney ad litem for the child, if one is
782 appointed.~~†; and~~

783 f. The attorney for the department.

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784 4. The transition plan must be developed through
785 cooperation among the persons included in subparagraph 3., and
786 such persons must share any relevant information necessary for
787 its development. Subject to the child's needs and preferences,
788 the transition plan must meet the requirements of s.
789 409.1415(2)(b)8. and exclude any placement changes that occur
790 between 7 p.m. and 8 a.m.

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

795 (4) EDUCATION TRANSITIONS.—

796 (c) *Minimizing school changes.*—

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

801 2. Members of a multidisciplinary team staffing convened
802 for a purpose other than a school change must determine the
803 child's best interest regarding remaining in the school or
804 program of origin if the child's educational options are
805 affected by any other decision being made by the
806 multidisciplinary team.

807 3. The determination of whether it is in the child's best
808 interest to remain in the school of origin, and if not, of which
809 school the child will attend in the future, must be made in
810 consultation with the following individuals, including, but not
811 limited to, the child; the parents; the caregiver; the child
812 welfare professional; the guardian ad litem, ~~if appointed~~; the

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813 educational surrogate, if appointed; child care and educational
814 staff, including teachers and guidance counselors; and the
815 school district representative or foster care liaison. A
816 multidisciplinary team member may contact any of these
817 individuals in advance of a multidisciplinary team staffing to
818 obtain his or her recommendation. An individual may remotely
819 attend the multidisciplinary team staffing if one of the
820 identified goals is related to determining an educational
821 placement. The multidisciplinary team may rely on a report from
822 the child's current school or program district and, if
823 applicable, any other school district being considered for the
824 educational placement if the required school personnel are not
825 available to attend the multidisciplinary team staffing in
826 person or remotely.

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

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

834 b. The preference of the child's parents or legal
835 guardians.

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

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

840 e. Whether the child is suspected of having a disability
841 under the Individuals with Disabilities Education Act (IDEA) or

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842 s. 504 of the Rehabilitation Act of 1973, or has begun receiving
843 interventions under this state's multitiered system of supports.

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

847 g. Whether the child is a student with a disability under
848 IDEA who is receiving special education and related services or
849 a student with a disability under s. 504 of the Rehabilitation
850 Act of 1973 who is receiving accommodations and services and, if
851 so, whether those required services are available in a school or
852 program other than the school or program of origin.

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

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

859 j. The availability of extracurricular activities important
860 to the child.

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

865 l. The child's permanency goal and timeframe for achieving
866 permanency.

867 m. The child's history of school transfers and how such
868 transfers have impacted the child academically, emotionally, and
869 behaviorally.

870 n. The length of the commute to the school or program from

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871 the child's home or placement and how such commute would impact
872 the child.

873 o. The length of time the child has attended the school or
874 program of origin.

875 5. The cost of transportation cannot be a factor in making
876 a best interest determination.

877 Section 16. Paragraph (f) of subsection (3) of section
878 39.407, Florida Statutes, is amended to read:

879 39.407 Medical, psychiatric, and psychological examination
880 and treatment of child; physical, mental, or substance abuse
881 examination of person with or requesting child custody.—

882 (3)

883 (f)1. The department shall fully inform the court of the
884 child's medical and behavioral status as part of the social
885 services report prepared for each judicial review hearing held
886 for a child for whom psychotropic medication has been prescribed
887 or provided under this subsection. As a part of the information
888 provided to the court, the department shall furnish copies of
889 all pertinent medical records concerning the child which have
890 been generated since the previous hearing. On its own motion or
891 on good cause shown by any party, including the ~~any~~ guardian ad
892 litem, ~~attorney,~~ or attorney ad litem, if one is ~~who has been~~
893 ~~appointed to represent the child or the child's interests,~~ the
894 court may review the status more frequently than required in
895 this subsection.

896 2. The court may, in the best interests of the child, order
897 the department to obtain a medical opinion addressing whether
898 the continued use of the medication under the circumstances is
899 safe and medically appropriate.

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

902 39.4085 Goals for dependent children; responsibilities;
903 education; Office of the Children's Ombudsman.—

904 (1) The Legislature finds that the design and delivery of
905 child welfare services should be directed by the principle that
906 the health and safety of children, including the freedom from
907 abuse, abandonment, or neglect, is of paramount concern and,
908 therefore, establishes the following goals for children in
909 shelter or foster care:

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

916 (t) To have a guardian ad litem appointed ~~to represent,~~
917 ~~within reason, their best interests~~ and, if appropriate, an
918 attorney ad litem ~~appointed to represent their legal interests;~~
919 the guardian ad litem or and attorney ad litem, if one is
920 appointed, shall have immediate and unlimited access to the
921 children they represent.

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

925
926 This subsection establishes goals and not rights. This
927 subsection does not require the delivery of any particular
928 service or level of service in excess of existing

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929 appropriations. A person does not have a cause of action against
930 the state or any of its subdivisions, agencies, contractors,
931 subcontractors, or agents, based upon the adoption of or failure
932 to provide adequate funding for the achievement of these goals
933 by the Legislature. This subsection does not require the
934 expenditure of funds to meet the goals established in this
935 subsection except those funds specifically appropriated for such
936 purpose.

937 Section 18. Subsection (8) of section 39.502, Florida
938 Statutes, is amended to read:

939 39.502 Notice, process, and service.—

940 (8) It is not necessary to the validity of a proceeding
941 covered by this part that the parents be present if their
942 identity or residence is unknown after a diligent search has
943 been made; however, ~~but in this event~~ the petitioner must ~~shall~~
944 file an affidavit of diligent search prepared by the person who
945 made the search and inquiry, and the court must ~~may~~ appoint a
946 guardian ad litem for the child if a guardian ad litem has not
947 previously been appointed.

948 Section 19. Paragraph (c) of subsection (3) of section
949 39.522, Florida Statutes, is amended to read:

950 39.522 Postdisposition change of custody.—

951 (3)

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

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

965 2. A caregiver who objects to the department's official
966 position on the change in physical custody must notify the court
967 and the department or community-based care lead agency of his or
968 her objection and the intent to request an evidentiary hearing
969 in writing in accordance with this section within 5 days after
970 receiving notice of the department's official position provided
971 under subparagraph 1. The transition of the child to the new
972 caregiver may not begin before the expiration of the 5-day
973 period within which the current caregiver may object.

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

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

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

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987 presenting evidence pursuant to this subsection.~~†~~

988 ~~b. Appoint an attorney for the child who is the subject of~~
989 ~~the permanent custody proceeding, in addition to the guardian ad~~
990 ~~litem, if one is appointed;†~~

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

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

996 Section 20. Paragraph (c) of subsection (1) and paragraph
997 (c) of subsection (3) of section 39.6012, Florida Statutes, are
998 amended to read:

999 39.6012 Case plan tasks; services.—

1000 (1) The services to be provided to the parent and the tasks
1001 that must be completed are subject to the following:

1002 (c) If there is evidence of harm as defined in s.
1003 39.01(37)(g) ~~s. 39.01(34)(g)~~, the case plan must include as a
1004 required task for the parent whose actions caused the harm that
1005 the parent submit to a substance abuse disorder assessment or
1006 evaluation and participate and comply with treatment and
1007 services identified in the assessment or evaluation as being
1008 necessary.

1009 (3) In addition to any other requirement, if the child is
1010 in an out-of-home placement, the case plan must include:

1011 (c) When appropriate, for a child who is 13 years of age or
1012 older, a written description of the programs and services that
1013 will help the child prepare for the transition from foster care
1014 to independent living. The written description must include age-
1015 appropriate activities for the child's development of

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1016 relationships, coping skills, and emotional well-being.

1017 Section 21. Section 39.6036, Florida Statutes, is created
1018 to read:

1019 39.6036 Supportive adults for children transitioning out of
1020 foster care.-

1021 (1) The Legislature finds that a committed, caring adult
1022 provides a lifeline for a child transitioning out of foster care
1023 to live independently. Accordingly, it is the intent of the
1024 Legislature that the Statewide Guardian ad Litem Office help
1025 children connect with supportive adults with the hope of
1026 creating an ongoing relationship that lasts into adulthood.

1027 (2) The Statewide Guardian ad Litem Office shall work with
1028 a child who is transitioning out of foster care to identify at
1029 least one supportive adult with whom the child can enter into a
1030 formal agreement for an ongoing relationship and document such
1031 agreement in the child's court file. If the child cannot
1032 identify a supportive adult, the Statewide Guardian ad Litem
1033 Office shall work in coordination with the Office of Continuing
1034 Care to identify at least one supportive adult with whom the
1035 child can enter into a formal agreement for an ongoing
1036 relationship and document such agreement in the child's court
1037 file.

1038 Section 22. Paragraph (c) of subsection (10) of section
1039 39.621, Florida Statutes, is amended to read:

1040 39.621 Permanency determination by the court.-

1041 (10) The permanency placement is intended to continue until
1042 the child reaches the age of majority and may not be disturbed
1043 absent a finding by the court that the circumstances of the
1044 permanency placement are no longer in the best interest of the

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1045 child.

1046 (c) The court shall base its decision concerning any motion
1047 by a parent for reunification or increased contact with a child
1048 on the effect of the decision on the safety, well-being, and
1049 physical and emotional health of the child. Factors that must be
1050 considered and addressed in the findings of fact of the order on
1051 the motion must include:

1052 1. The compliance or noncompliance of the parent with the
1053 case plan;

1054 2. The circumstances which caused the child's dependency
1055 and whether those circumstances have been resolved;

1056 3. The stability and longevity of the child's placement;

1057 4. The preferences of the child, if the child is of
1058 sufficient age and understanding to express a preference;

1059 5. The recommendation of the current custodian; and

1060 6. Any ~~The~~ recommendation of the guardian ad litem, ~~if one~~
1061 ~~has been appointed.~~

1062 Section 23. Subsection (2) of section 39.6241, Florida
1063 Statutes, is amended to read:

1064 39.6241 Another planned permanent living arrangement.—

1065 (2) The department and the guardian ad litem must provide
1066 the court with a recommended list and description of services
1067 needed by the child, such as independent living services and
1068 medical, dental, educational, or psychological referrals, and a
1069 recommended list and description of services needed by his or
1070 her caregiver. The guardian ad litem must also advise the court
1071 whether the child has been connected with a supportive adult
1072 and, if the child has been connected with a supportive adult,
1073 whether the child has entered into a formal agreement with the

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1074 adult. If the child has entered into a formal agreement pursuant
1075 to s. 39.6036, the guardian ad litem must ensure that the
1076 agreement is documented in the child's court file.

1077 Section 24. Paragraphs (b) and (f) of subsection (1),
1078 paragraph (c) of subsection (2), subsection (3), and paragraph
1079 (e) of subsection (4) of section 39.701, Florida Statutes, are
1080 amended to read:

1081 39.701 Judicial review.—

1082 (1) GENERAL PROVISIONS.—

1083 (b)1. The court shall retain jurisdiction over a child
1084 returned to his or her parents for a minimum period of 6 months
1085 after ~~following~~ the reunification, but, at that time, based on a
1086 report of the social service agency and the guardian ad litem,
1087 ~~if one has been appointed,~~ and any other relevant factors, the
1088 court shall make a determination as to whether supervision by
1089 the department and the court's jurisdiction shall continue or be
1090 terminated.

1091 2. Notwithstanding subparagraph 1., the court must retain
1092 jurisdiction over a child if the child is placed in the home
1093 with a parent or caregiver with an in-home safety plan and such
1094 safety plan remains necessary for the child to reside safely in
1095 the home.

1096 (f) Notice of a judicial review hearing or a citizen review
1097 panel hearing, and a copy of the motion for judicial review, if
1098 any, must be served by the clerk of the court upon all of the
1099 following persons, if available to be served, regardless of
1100 whether the person was present at the previous hearing at which
1101 the date, time, and location of the hearing was announced:

1102 1. The social service agency charged with the supervision

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1103 of care, custody, or guardianship of the child, if that agency
1104 is not the movant.

1105 2. The foster parent or legal custodian in whose home the
1106 child resides.

1107 3. The parents.

1108 4. The guardian ad litem for the child, ~~or the~~
1109 ~~representative of the guardian ad litem program if the program~~
1110 ~~has been appointed.~~

1111 5. The attorney ad litem for the child, if one is
1112 appointed.

1113 6. The child, if the child is 13 years of age or older.

1114 7. Any preadoptive parent.

1115 8. Such other persons as the court may direct.

1116 (2) REVIEW HEARINGS FOR CHILDREN YOUNGER THAN 18 YEARS OF
1117 AGE.—

1118 (c) *Review determinations.*—The court and any citizen review
1119 panel shall take into consideration the information contained in
1120 the social services study and investigation and all medical,
1121 psychological, and educational records that support the terms of
1122 the case plan; testimony by the social services agency, the
1123 parent, the foster parent or caregiver, the guardian ad litem,
1124 the ~~or~~ surrogate parent for educational decisionmaking if one
1125 has been appointed for the child, and any other person deemed
1126 appropriate; and any relevant and material evidence submitted to
1127 the court, including written and oral reports to the extent of
1128 their probative value. These reports and evidence may be
1129 received by the court in its effort to determine the action to
1130 be taken with regard to the child and may be relied upon to the
1131 extent of their probative value, even though not competent in an

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1132 adjudicatory hearing. In its deliberations, the court and any
1133 citizen review panel shall seek to determine:

1134 1. If the parent was advised of the right to receive
1135 assistance from any person or social service agency in the
1136 preparation of the case plan.

1137 2. If the parent has been advised of the right to have
1138 counsel present at the judicial review or citizen review
1139 hearings. If not so advised, the court or citizen review panel
1140 shall advise the parent of such right.

1141 3. If a guardian ad litem needs to be appointed for the
1142 child in a case in which a guardian ad litem has not previously
1143 been appointed ~~or if there is a need to continue a guardian ad~~
1144 ~~litem in a case in which a guardian ad litem has been appointed.~~

1145 4. Who holds the rights to make educational decisions for
1146 the child. If appropriate, the court may refer the child to the
1147 district school superintendent for appointment of a surrogate
1148 parent or may itself appoint a surrogate parent under the
1149 Individuals with Disabilities Education Act and s. 39.0016.

1150 5. The compliance or lack of compliance of all parties with
1151 applicable items of the case plan, including the parents'
1152 compliance with child support orders.

1153 6. The compliance or lack of compliance with a visitation
1154 contract between the parent and the social service agency for
1155 contact with the child, including the frequency, duration, and
1156 results of the parent-child visitation and the reason for any
1157 noncompliance.

1158 7. The frequency, kind, and duration of contacts among
1159 siblings who have been separated during placement, as well as
1160 any efforts undertaken to reunite separated siblings if doing so

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1161 is in the best interests of the child.

1162 8. The compliance or lack of compliance of the parent in
1163 meeting specified financial obligations pertaining to the care
1164 of the child, including the reason for failure to comply, if
1165 applicable.

1166 9. Whether the child is receiving safe and proper care
1167 according to s. 39.6012, including, but not limited to, the
1168 appropriateness of the child's current placement, including
1169 whether the child is in a setting that is as family-like and as
1170 close to the parent's home as possible, consistent with the
1171 child's best interests and special needs, and including
1172 maintaining stability in the child's educational placement, as
1173 documented by assurances from the community-based care lead
1174 agency that:

1175 a. The placement of the child takes into account the
1176 appropriateness of the current educational setting and the
1177 proximity to the school in which the child is enrolled at the
1178 time of placement.

1179 b. The community-based care lead agency has coordinated
1180 with appropriate local educational agencies to ensure that the
1181 child remains in the school in which the child is enrolled at
1182 the time of placement.

1183 10. A projected date likely for the child's return home or
1184 other permanent placement.

1185 11. When appropriate, the basis for the unwillingness or
1186 inability of the parent to become a party to a case plan. The
1187 court and the citizen review panel shall determine if the
1188 efforts of the social service agency to secure party
1189 participation in a case plan were sufficient.

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1190 12. For a child who has reached 13 years of age but is not
1191 yet 18 years of age, the adequacy of the child's preparation for
1192 adulthood and independent living. For a child who is 15 years of
1193 age or older, the court shall determine if appropriate steps are
1194 being taken for the child to obtain a driver license or
1195 learner's driver license.

1196 13. If amendments to the case plan are required. Amendments
1197 to the case plan must be made under s. 39.6013.

1198 14. If the parents and caregivers have developed a
1199 productive relationship that includes meaningful communication
1200 and mutual support.

1201 (3) REVIEW HEARINGS FOR CHILDREN 16 AND 17 YEARS OF AGE.—At
1202 each review hearing held under this subsection, the court shall
1203 give the child and the guardian ad litem the opportunity to
1204 address the court and provide any information relevant to the
1205 child's best interest, particularly in relation to independent
1206 living transition services. The foster parent or legal
1207 custodian, ~~or guardian ad litem~~ may also provide any information
1208 relevant to the child's best interest to the court. In addition
1209 to the review and report required under paragraphs (1)(a) and
1210 (2)(a), respectively, and the review and report required under
1211 s. 39.822(2)(a)2., the court shall:

1212 (a) Inquire about the life skills the child has acquired
1213 and whether those services are age appropriate, at the first
1214 judicial review hearing held subsequent to the child's 16th
1215 birthday. At the judicial review hearing, the department shall
1216 provide the court with a report that includes specific
1217 information related to the life skills that the child has
1218 acquired since the child's 13th birthday or since the date the

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1219 child came into foster care, whichever came later. For any child
1220 who may meet the requirements for appointment of a guardian
1221 advocate under s. 393.12 or a guardian under chapter 744, the
1222 updated case plan must be developed in a face-to-face conference
1223 with the child, if appropriate; the child's attorney ad litem,
1224 if one is appointed; the child's; ~~any court-appointed~~ guardian
1225 ad litem; the temporary custodian of the child; and the parent
1226 of the child, if the parent's rights have not been terminated.

1227 (b) The court shall hold a judicial review hearing within
1228 90 days after a child's 17th birthday. The court shall issue an
1229 order, separate from the order on judicial review, that the
1230 disability of nonage of the child has been removed under ss.
1231 743.044-743.047 for any disability that the court finds is in
1232 the child's best interest to remove. The department shall
1233 include in the social study report for the first judicial review
1234 that occurs after the child's 17th birthday written verification
1235 that the child has:

1236 1. A current Medicaid card and all necessary information
1237 concerning the Medicaid program sufficient to prepare the child
1238 to apply for coverage upon reaching the age of 18, if such
1239 application is appropriate.

1240 2. A certified copy of the child's birth certificate and,
1241 if the child does not have a valid driver license, a Florida
1242 identification card issued under s. 322.051.

1243 3. A social security card and information relating to
1244 social security insurance benefits if the child is eligible for
1245 those benefits. If the child has received such benefits and they
1246 are being held in trust for the child, a full accounting of
1247 these funds must be provided and the child must be informed as

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1248 to how to access those funds.

1249 4. All relevant information related to the Road-to-
1250 Independence Program under s. 409.1451, including, but not
1251 limited to, eligibility requirements, information on
1252 participation, and assistance in gaining admission to the
1253 program. If the child is eligible for the Road-to-Independence
1254 Program, he or she must be advised that he or she may continue
1255 to reside with the licensed family home or group care provider
1256 with whom the child was residing at the time the child attained
1257 his or her 18th birthday, in another licensed family home, or
1258 with a group care provider arranged by the department.

1259 5. An open bank account or the identification necessary to
1260 open a bank account and to acquire essential banking and
1261 budgeting skills.

1262 6. Information on public assistance and how to apply for
1263 public assistance.

1264 7. A clear understanding of where he or she will be living
1265 on his or her 18th birthday, how living expenses will be paid,
1266 and the educational program or school in which he or she will be
1267 enrolled.

1268 8. Information related to the ability of the child to
1269 remain in care until he or she reaches 21 years of age under s.
1270 39.013.

1271 9. A letter providing the dates that the child is under the
1272 jurisdiction of the court.

1273 10. A letter stating that the child is in compliance with
1274 financial aid documentation requirements.

1275 11. The child's educational records.

1276 12. The child's entire health and mental health records.

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- 1277 13. The process for accessing the child's case file.
- 1278 14. A statement encouraging the child to attend all
1279 judicial review hearings.
- 1280 15. Information on how to obtain a driver license or
1281 learner's driver license.
- 1282 (c) At the first judicial review hearing held subsequent to
1283 the child's 17th birthday, if the court determines pursuant to
1284 chapter 744 that there is a good faith basis to believe that the
1285 child qualifies for appointment of a guardian advocate, limited
1286 guardian, or plenary guardian for the child and that no less
1287 restrictive decisionmaking assistance will meet the child's
1288 needs:
- 1289 1. The department shall complete a multidisciplinary report
1290 which must include, but is not limited to, a psychosocial
1291 evaluation and educational report if such a report has not been
1292 completed within the previous 2 years.
- 1293 2. The department shall identify one or more individuals
1294 who are willing to serve as the guardian advocate under s.
1295 393.12 or as the plenary or limited guardian under chapter 744.
1296 Any other interested parties or participants may make efforts to
1297 identify such a guardian advocate, limited guardian, or plenary
1298 guardian. The child's biological or adoptive family members,
1299 including the child's parents if the parents' rights have not
1300 been terminated, may not be considered for service as the
1301 plenary or limited guardian unless the court enters a written
1302 order finding that such an appointment is in the child's best
1303 interests.
- 1304 3. Proceedings may be initiated within 180 days after the
1305 child's 17th birthday for the appointment of a guardian

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1306 advocate, plenary guardian, or limited guardian for the child in
1307 a separate proceeding in the court division with jurisdiction
1308 over guardianship matters and pursuant to chapter 744. The
1309 Legislature encourages the use of pro bono representation to
1310 initiate proceedings under this section.

1311 4. In the event another interested party or participant
1312 initiates proceedings for the appointment of a guardian
1313 advocate, plenary guardian, or limited guardian for the child,
1314 the department shall provide all necessary documentation and
1315 information to the petitioner to complete a petition under s.
1316 393.12 or chapter 744 within 45 days after the first judicial
1317 review hearing after the child's 17th birthday.

1318 5. Any proceedings seeking appointment of a guardian
1319 advocate or a determination of incapacity and the appointment of
1320 a guardian must be conducted in a separate proceeding in the
1321 court division with jurisdiction over guardianship matters and
1322 pursuant to chapter 744.

1323 (d) If the court finds at the judicial review hearing after
1324 the child's 17th birthday that the department has not met its
1325 obligations to the child as stated in this part, in the written
1326 case plan, or in the provision of independent living services,
1327 the court may issue an order directing the department to show
1328 cause as to why it has not done so. If the department cannot
1329 justify its noncompliance, the court may give the department 30
1330 days within which to comply. If the department fails to comply
1331 within 30 days, the court may hold the department in contempt.

1332 (e) If necessary, the court may review the status of the
1333 child more frequently during the year before the child's 18th
1334 birthday. At the last review hearing before the child reaches 18

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1335 years of age, and in addition to the requirements of subsection
1336 (2), the court shall:

1337 1. Address whether the child plans to remain in foster
1338 care, and, if so, ensure that the child's transition plan
1339 includes a plan for meeting one or more of the criteria
1340 specified in s. 39.6251 and determine if the child has entered
1341 into a formal agreement for an ongoing relationship with a
1342 supportive adult.

1343 2. Ensure that the transition plan includes a supervised
1344 living arrangement under s. 39.6251.

1345 3. Ensure the child has been informed of:

1346 a. The right to continued support and services from the
1347 department and the community-based care lead agency.

1348 b. The right to request termination of dependency
1349 jurisdiction and be discharged from foster care.

1350 c. The opportunity to reenter foster care under s. 39.6251.

1351 4. Ensure that the child, if he or she requests termination
1352 of dependency jurisdiction and discharge from foster care, has
1353 been informed of:

1354 a. Services or benefits for which the child may be eligible
1355 based on his or her former placement in foster care, including,
1356 but not limited to, the assistance of the Office of Continuing
1357 Care under s. 414.56.

1358 b. Services or benefits that may be lost through
1359 termination of dependency jurisdiction.

1360 c. Other federal, state, local, or community-based services
1361 or supports available to him or her.

1362 (4) REVIEW HEARINGS FOR YOUNG ADULTS IN FOSTER CARE.—During
1363 each period of time that a young adult remains in foster care,

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1364 the court shall review the status of the young adult at least
1365 every 6 months and must hold a permanency review hearing at
1366 least annually.

1367 (e)1. Notwithstanding the provisions of this subsection, if
1368 a young adult has chosen to remain in extended foster care after
1369 he or she has reached 18 years of age, the department may not
1370 close a case and the court may not terminate jurisdiction until
1371 the court finds, following a hearing, that the following
1372 criteria have been met:

1373 a.1. Attendance of the young adult at the hearing; or

1374 b.2. Findings by the court that:

1375 (I)a. The young adult has been informed by the department
1376 of his or her right to attend the hearing and has provided
1377 written consent to waive this right; and

1378 (II)b. The young adult has been informed of the potential
1379 negative effects of early termination of care, the option to
1380 reenter care before reaching 21 years of age, the procedure for,
1381 and limitations on, reentering care, and the availability of
1382 alternative services, and has signed a document attesting that
1383 he or she has been so informed and understands these provisions;
1384 or

1385 (III)e. The young adult has voluntarily left the program,
1386 has not signed the document in sub-subparagraph b., and is
1387 unwilling to participate in any further court proceeding.

1388 2.3. In all permanency hearings or hearings regarding the
1389 transition of the young adult from care to independent living,
1390 the court shall consult with the young adult regarding the
1391 proposed permanency plan, case plan, and individual education
1392 plan for the young adult and ensure that he or she has

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1393 understood the conversation. The court shall also inquire of the
1394 young adult regarding his or her relationship with the
1395 supportive adult with whom the young adult has entered into a
1396 formal agreement for an ongoing relationship, if such agreement
1397 exists.

1398 Section 25. Paragraph (a) of subsection (3) of section
1399 39.801, Florida Statutes, is amended to read:

1400 39.801 Procedures and jurisdiction; notice; service of
1401 process.—

1402 (3) Before the court may terminate parental rights, in
1403 addition to the other requirements set forth in this part, the
1404 following requirements must be met:

1405 (a) Notice of the date, time, and place of the advisory
1406 hearing for the petition to terminate parental rights; if
1407 applicable, instructions for appearance through audio-video
1408 communication technology; and a copy of the petition must be
1409 personally served upon the following persons, specifically
1410 notifying them that a petition has been filed:

1411 1. The parents of the child.

1412 2. The legal custodians of the child.

1413 3. If the parents who would be entitled to notice are dead
1414 or unknown, a living relative of the child, unless upon diligent
1415 search and inquiry no such relative can be found.

1416 4. Any person who has physical custody of the child.

1417 5. Any grandparent entitled to priority for adoption under
1418 s. 63.0425.

1419 6. Any prospective parent who has been identified under s.
1420 39.503 or s. 39.803, unless a court order has been entered
1421 pursuant to s. 39.503(4) or (9) or s. 39.803(4) or (9) which

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1422 indicates no further notice is required. Except as otherwise
1423 provided in this section, if there is not a legal father, notice
1424 of the petition for termination of parental rights must be
1425 provided to any known prospective father who is identified under
1426 oath before the court or who is identified by a diligent search
1427 of the Florida Putative Father Registry. Service of the notice
1428 of the petition for termination of parental rights is not
1429 required if the prospective father executes an affidavit of
1430 nonpaternity or a consent to termination of his parental rights
1431 which is accepted by the court after notice and opportunity to
1432 be heard by all parties to address the best interests of the
1433 child in accepting such affidavit.

1434 7. The guardian ad litem for the child ~~or the~~
1435 ~~representative of the guardian ad litem program, if the program~~
1436 ~~has been appointed.~~

1437
1438 A party may consent to service or notice by e-mail by providing
1439 a primary e-mail address to the clerk of the court. The document
1440 containing the notice to respond or appear must contain, in type
1441 at least as large as the type in the balance of the document,
1442 the following or substantially similar language: "FAILURE TO
1443 APPEAR AT THIS ADVISORY HEARING CONSTITUTES CONSENT TO THE
1444 TERMINATION OF PARENTAL RIGHTS OF THIS CHILD (OR CHILDREN). IF
1445 YOU FAIL TO APPEAR ON THE DATE AND TIME SPECIFIED, YOU MAY LOSE
1446 ALL LEGAL RIGHTS AS A PARENT TO THE CHILD OR CHILDREN NAMED IN
1447 THE PETITION ATTACHED TO THIS NOTICE."

1448 Section 26. Subsection (2) of section 39.807, Florida
1449 Statutes, is amended to read:

1450 39.807 Right to counsel; guardian ad litem.—

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1451 (2) (a) The court shall appoint a guardian ad litem to
 1452 represent the ~~best interest of the~~ child in any termination of
 1453 parental rights proceedings and shall ascertain at each stage of
 1454 the proceedings whether a guardian ad litem has been appointed.

1455 (b) The guardian ad litem has the ~~following~~
 1456 responsibilities and authority specified in s. 39.822.÷

1457 ~~1. To investigate the allegations of the petition and any~~
 1458 ~~subsequent matters arising in the case and,~~

1459 (c) Unless excused by the court, the guardian ad litem must
 1460 ~~to~~ file a written report. This report must include a statement
 1461 of the wishes of the child and the recommendations of the
 1462 guardian ad litem and must be provided to all parties and the
 1463 court at least 72 hours before the disposition hearing.

1464 ~~2. To be present at all court hearings unless excused by~~
 1465 ~~the court.~~

1466 ~~3. To represent the best interests of the child until the~~
 1467 ~~jurisdiction of the court over the child terminates or until~~
 1468 ~~excused by the court.~~

1469 ~~(c) A guardian ad litem is not required to post bond but~~
 1470 ~~shall file an acceptance of the office.~~

1471 ~~(d) A guardian ad litem is entitled to receive service of~~
 1472 ~~pleadings and papers as provided by the Florida Rules of~~
 1473 ~~Juvenile Procedure.~~

1474 (d)(e) This subsection does not apply to any voluntary
 1475 relinquishment of parental rights proceeding.

1476 Section 27. Subsection (2) of section 39.808, Florida
 1477 Statutes, is amended to read:

1478 39.808 Advisory hearing; pretrial status conference.-

1479 (2) At the hearing the court shall inform the parties of

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1480 their rights under s. 39.807, ~~shall~~ appoint counsel for the
1481 parties in accordance with legal requirements, and ~~shall~~ appoint
1482 a guardian ad litem to represent the ~~interests of the~~ child if
1483 one has not already been appointed.

1484 Section 28. Subsection (2) of section 39.815, Florida
1485 Statutes, is amended to read:

1486 39.815 Appeal.—

1487 (2) An attorney for the department shall represent the
1488 state upon appeal. When a notice of appeal is filed in the
1489 circuit court, the clerk shall notify the attorney for the
1490 department, ~~together with~~ the attorney for the parent, the
1491 guardian ad litem, and the any attorney ad litem for the child,
1492 if one is appointed.

1493 Section 29. Section 39.820, Florida Statutes, is repealed.

1494 Section 30. Subsections (1) and (3) of section 39.821,
1495 Florida Statutes, are amended to read:

1496 39.821 Qualifications of guardians ad litem.—

1497 (1) Because of the special trust or responsibility placed
1498 in a guardian ad litem, the Statewide Guardian ad Litem Office
1499 Program may use any private funds collected by the office
1500 program, or any state funds so designated, to conduct a security
1501 background investigation before certifying a volunteer to serve.
1502 A security background investigation must include, but need not
1503 be limited to, employment history checks, checks of references,
1504 local criminal history records checks through local law
1505 enforcement agencies, and statewide criminal history records
1506 checks through the Department of Law Enforcement. Upon request,
1507 an employer shall furnish a copy of the personnel record for the
1508 employee or former employee who is the subject of a security

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1509 background investigation conducted under this section. The
1510 information contained in the personnel record may include, but
1511 need not be limited to, disciplinary matters and the reason why
1512 the employee was terminated from employment. An employer who
1513 releases a personnel record for purposes of a security
1514 background investigation is presumed to have acted in good faith
1515 and is not liable for information contained in the record
1516 without a showing that the employer maliciously falsified the
1517 record. A security background investigation conducted under this
1518 section must ensure that a person is not certified as a guardian
1519 ad litem if the person has an arrest awaiting final disposition
1520 for, been convicted of, regardless of adjudication, entered a
1521 plea of nolo contendere or guilty to, or been adjudicated
1522 delinquent and the record has not been sealed or expunged for,
1523 any offense prohibited under the provisions listed in s. 435.04.
1524 All applicants must undergo a level 2 background screening
1525 pursuant to chapter 435 before being certified to serve as a
1526 guardian ad litem. In analyzing and evaluating the information
1527 obtained in the security background investigation, the office
1528 ~~program~~ must give particular emphasis to past activities
1529 involving children, including, but not limited to, child-related
1530 criminal offenses or child abuse. The office ~~program~~ has sole
1531 discretion in determining whether to certify a person based on
1532 his or her security background investigation. The information
1533 collected pursuant to the security background investigation is
1534 confidential and exempt from s. 119.07(1).

1535 (3) It is a misdemeanor of the first degree, punishable as
1536 provided in s. 775.082 or s. 775.083, for any person to
1537 willfully, knowingly, or intentionally fail, by false statement,

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1538 misrepresentation, impersonation, or other fraudulent means, to
1539 disclose in any application for a volunteer position or for paid
1540 employment with the Statewide Guardian ad Litem Office Program,
1541 any material fact used in making a determination as to the
1542 applicant's qualifications for such position.

1543 Section 31. Section 39.822, Florida Statutes, is amended to
1544 read:

1545 39.822 Appointment of guardian ad litem for abused,
1546 abandoned, or neglected child.—

1547 (1) A guardian ad litem shall be appointed by the court at
1548 the earliest possible time to represent the child in any child
1549 abuse, abandonment, or neglect judicial proceeding, whether
1550 civil or criminal. A guardian ad litem is a fiduciary and must
1551 provide independent representation of the child using a best
1552 interest standard of decisionmaking and advocacy.

1553 (2) (a) A guardian ad litem must:

1554 1. Be present at all court hearings unless excused by the
1555 court.

1556 2. Investigate issues related to the best interest of the
1557 child who is the subject of the appointment, review all
1558 disposition recommendations and changes in placement, and,
1559 unless excused by the court, file written reports and
1560 recommendations in accordance with general law.

1561 3. Represent the child until the court's jurisdiction over
1562 the child terminates or until excused by the court.

1563 4. Advocate for the child's participation in the
1564 proceedings and to report the child's preferences to the court,
1565 to the extent the child has the ability and desire to express
1566 his or her preferences.

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1567 5. Perform other duties that are consistent with the scope
1568 of the appointment.

1569 (b) A guardian ad litem shall have immediate and unlimited
1570 access to the children he or she represents.

1571 (c) A guardian ad litem is not required to post bond but
1572 must file an acceptance of the appointment.

1573 (d) A guardian ad litem is entitled to receive service of
1574 pleadings and papers as provided by the Florida Rules of
1575 Juvenile Procedure.

1576 (3) Any person participating in a civil or criminal
1577 judicial proceeding resulting from such appointment shall be
1578 presumed prima facie to be acting in good faith and in so doing
1579 shall be immune from any liability, civil or criminal, that
1580 otherwise might be incurred or imposed.

1581 (4)~~(2)~~ In those cases in which the parents are financially
1582 able, the parent or parents of the child shall reimburse the
1583 court, in part or in whole, for the cost of provision of
1584 guardian ad litem representation services. Reimbursement to the
1585 individual providing guardian ad litem representation is not
1586 ~~services shall not be~~ contingent upon successful collection by
1587 the court from the parent or parents.

1588 (5)~~(3)~~ Upon presentation by a guardian ad litem of a court
1589 order appointing the guardian ad litem:

1590 (a) An agency, as defined in chapter 119, shall allow the
1591 guardian ad litem to inspect and copy records related to the
1592 best interests of the child who is the subject of the
1593 appointment, including, but not limited to, records made
1594 confidential or exempt from s. 119.07(1) or s. 24(a), Art. I of
1595 the State Constitution. The guardian ad litem shall maintain the

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1596 confidential or exempt status of any records shared by an agency
1597 under this paragraph.

1598 (b) A person or an organization, other than an agency under
1599 paragraph (a), shall allow the guardian ad litem to inspect and
1600 copy any records related to the best interests of the child who
1601 is the subject of the appointment, including, but not limited
1602 to, confidential records.

1603

1604 For the purposes of this subsection, the term "records related
1605 to the best interests of the child" includes, but is not limited
1606 to, medical, mental health, substance abuse, child care,
1607 education, law enforcement, court, social services, and
1608 financial records.

1609 ~~(4) The guardian ad litem or the program representative~~
1610 ~~shall review all disposition recommendations and changes in~~
1611 ~~placements, and must be present at all critical stages of the~~
1612 ~~dependency proceeding or submit a written report of~~
1613 ~~recommendations to the court. Written reports must be filed with~~
1614 ~~the court and served on all parties whose whereabouts are known~~
1615 ~~at least 72 hours prior to the hearing.~~

1616 Section 32. Subsection (4) of section 39.827, Florida
1617 Statutes, is amended to read:

1618 39.827 Hearing for appointment of a guardian advocate.—

1619 (4) The hearing under this section must ~~shall~~ remain
1620 confidential and closed to the public. The clerk shall keep all
1621 court records required by this part separate from other records
1622 of the circuit court. All court records required by this part
1623 are ~~shall be~~ confidential and exempt from ~~the provisions of s.~~
1624 119.07(1). ~~All~~ Records may only ~~shall~~ be inspected ~~only~~ upon

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1625 order of the court by persons deemed by the court to have a
1626 proper interest therein, except that a child and the parents or
1627 custodians of the child and their attorneys, the guardian ad
1628 litem, and the department and its designees, and the attorney ad
1629 litem, if one is appointed, shall always have the right to
1630 inspect and copy any official record pertaining to the child.
1631 The court may permit authorized representatives of recognized
1632 organizations compiling statistics for proper purposes to
1633 inspect and make abstracts from official records, under whatever
1634 conditions upon their use and disposition the court may deem
1635 proper, and may punish by contempt proceedings any violation of
1636 those conditions. All information obtained pursuant to this part
1637 in the discharge of official duty by any judge, employee of the
1638 court, or authorized agent of the department is ~~shall be~~
1639 confidential and exempt from ~~the provisions of~~ s. 119.07(1) and
1640 may ~~shall~~ not be disclosed to anyone other than the authorized
1641 personnel of the court or the department and its designees,
1642 except upon order of the court.

1643 Section 33. Paragraphs (a), (b), and (d) of subsection (1)
1644 and subsection (2) of section 39.8296, Florida Statutes, are
1645 amended to read:

1646 39.8296 Statewide Guardian ad Litem Office; legislative
1647 findings and intent; creation; appointment of executive
1648 director; duties of office.—

1649 (1) LEGISLATIVE FINDINGS AND INTENT.—

1650 (a) The Legislature finds that for the past 20 years, the
1651 Statewide Guardian ad Litem Office Program has been the only
1652 mechanism for best interest representation for children in
1653 Florida who are involved in dependency proceedings.

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1654 (b) The Legislature also finds that while the Statewide
1655 Guardian ad Litem Office ~~Program~~ has been supervised by court
1656 administration within the circuit courts since the office's
1657 ~~program's~~ inception, there is a perceived conflict of interest
1658 created by the supervision of program staff by the judges before
1659 whom they appear.

1660 (d) It is therefore the intent of the Legislature to place
1661 the Statewide Guardian ad Litem Office ~~Program~~ in an appropriate
1662 place and provide a statewide infrastructure to increase
1663 functioning and standardization among the local offices ~~programs~~
1664 currently operating in the 20 judicial circuits.

1665 (2) STATEWIDE GUARDIAN AD LITEM OFFICE.—There is created a
1666 Statewide Guardian ad Litem Office within the Justice
1667 Administrative Commission. The Justice Administrative Commission
1668 shall provide administrative support and service to the office
1669 to the extent requested by the executive director within the
1670 available resources of the commission. The Statewide Guardian ad
1671 Litem Office is not subject to control, supervision, or
1672 direction by the Justice Administrative Commission in the
1673 performance of its duties, but the employees of the office are
1674 governed by the classification plan and salary and benefits plan
1675 approved by the Justice Administrative Commission.

1676 (a) The head of the Statewide Guardian ad Litem Office is
1677 the executive director, who shall be appointed by the Governor
1678 from a list of a minimum of three eligible applicants submitted
1679 by a Guardian ad Litem Qualifications Committee. The Guardian ad
1680 Litem Qualifications Committee shall be composed of five
1681 persons, two persons appointed by the Governor, two persons
1682 appointed by the Chief Justice of the Supreme Court, and one

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1683 person appointed by the Statewide Guardian ad Litem Office
1684 ~~Association~~. The committee shall provide for statewide
1685 advertisement and the receiving of applications for the position
1686 of executive director. The Governor shall appoint an executive
1687 director from among the recommendations, or the Governor may
1688 reject the nominations and request the submission of new
1689 nominees. The executive director must have knowledge in
1690 dependency law and knowledge of social service delivery systems
1691 available to meet the needs of children who are abused,
1692 neglected, or abandoned. The executive director shall serve on a
1693 full-time basis and shall personally, or through representatives
1694 of the office, carry out the purposes and functions of the
1695 Statewide Guardian ad Litem Office in accordance with state and
1696 federal law and the state's long-established policy of
1697 prioritizing children's best interests. The executive director
1698 shall report to the Governor. The executive director shall serve
1699 a 3-year term, subject to removal for cause by the Governor. Any
1700 person appointed to serve as the executive director may be
1701 permitted to serve more than one term without the necessity of
1702 convening the Guardian ad Litem Qualifications Committee.

1703 (b) The Statewide Guardian ad Litem Office shall, within
1704 available resources, have oversight responsibilities for and
1705 provide technical assistance to all guardian ad litem and
1706 attorney ad litem offices ~~programs~~ located within the judicial
1707 circuits.

1708 1. The office shall identify the resources required to
1709 implement methods of collecting, reporting, and tracking
1710 reliable and consistent case data.

1711 2. The office shall review the current guardian ad litem

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1712 ~~offices programs~~ in Florida and other states.

1713 3. The office, in consultation with local guardian ad litem
1714 offices, shall develop statewide performance measures and
1715 standards.

1716 4. The office shall develop and maintain a guardian ad
1717 litem training program, which must be updated regularly, ~~which~~
1718 ~~shall include, but is not limited to, training on the~~
1719 ~~recognition of and responses to head trauma and brain injury in~~
1720 ~~a child under 6 years of age. The office shall establish a~~
1721 ~~curriculum committee to develop the training program specified~~
1722 ~~in this subparagraph. The curriculum committee shall include,~~
1723 ~~but not be limited to, dependency judges, directors of circuit~~
1724 ~~guardian ad litem programs, active certified guardians ad litem,~~
1725 ~~a mental health professional who specializes in the treatment of~~
1726 ~~children, a member of a child advocacy group, a representative~~
1727 ~~of a domestic violence advocacy group, an individual with a~~
1728 ~~degree in social work, and a social worker experienced in~~
1729 ~~working with victims and perpetrators of child abuse.~~

1730 5. The office shall review the various methods of funding
1731 guardian ad litem offices programs, maximize the use of those
1732 funding sources to the extent possible, and review the kinds of
1733 services being provided by circuit guardian ad litem offices
1734 ~~programs~~.

1735 6. The office shall determine the feasibility or
1736 desirability of new concepts of organization, administration,
1737 financing, or service delivery designed to preserve the civil
1738 and constitutional rights and fulfill other needs of dependent
1739 children.

1740 7. The office shall ensure that each child has an attorney

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1741 assigned to his or her case and, within available resources, is
1742 represented using multidisciplinary teams that may include
1743 volunteers, pro bono attorneys, social workers, and mentors.

1744 8. The office shall provide oversight and technical
1745 assistance to attorneys ad litem, including, but not limited to,
1746 all of the following:

1747 a. Develop an attorney ad litem training program in
1748 collaboration with dependency court stakeholders, including, but
1749 not limited to, dependency judges, representatives from legal
1750 aid providing attorney ad litem representation, and an attorney
1751 ad litem appointed from a registry maintained by the chief
1752 judge. The training program must be updated regularly with or
1753 without convening the stakeholders group.

1754 b. Offer consultation and technical assistance to chief
1755 judges in maintaining attorney registries for the selection of
1756 attorneys ad litem.

1757 c. Assist with recruitment, training, and mentoring of
1758 attorneys ad litem as needed.

1759 ~~9.7.~~ In an effort to promote normalcy and establish trust
1760 between a court-appointed volunteer guardian ad litem and a
1761 child alleged to be abused, abandoned, or neglected under this
1762 chapter, a guardian ad litem may transport a child. However, a
1763 guardian ad litem ~~volunteer~~ may not be required by a guardian ad
1764 litem circuit office or ordered by ~~or directed by the program or~~
1765 a court to transport a child.

1766 ~~10.8.~~ The office shall submit to the Governor, the
1767 President of the Senate, the Speaker of the House of
1768 Representatives, and the Chief Justice of the Supreme Court an
1769 interim report describing the progress of the office in meeting

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1770 the goals as described in this section. The office shall submit
1771 to the Governor, the President of the Senate, the Speaker of the
1772 House of Representatives, and the Chief Justice of the Supreme
1773 Court a proposed plan including alternatives for meeting the
1774 state's guardian ad litem and attorney ad litem needs. This plan
1775 may include recommendations for less than the entire state, may
1776 include a phase-in system, and shall include estimates of the
1777 cost of each of the alternatives. Each year the office shall
1778 provide a status report and provide further recommendations to
1779 address the need for guardian ad litem representation ~~services~~
1780 and related issues.

1781 Section 34. Section 39.8297, Florida Statutes, is amended
1782 to read:

1783 39.8297 County funding for guardian ad litem employees.—

1784 (1) A county and the executive director of the Statewide
1785 Guardian ad Litem Office may enter into an agreement by which
1786 the county agrees to provide funds to the local guardian ad
1787 litem office in order to employ persons who will assist in the
1788 operation of the guardian ad litem office ~~program~~ in the county.

1789 (2) The agreement, at a minimum, must provide that:

1790 (a) Funding for the persons who are employed will be
1791 provided on at least a fiscal-year basis.

1792 (b) The persons who are employed will be hired, supervised,
1793 managed, and terminated by the executive director of the
1794 Statewide Guardian ad Litem Office. The statewide office is
1795 responsible for compliance with all requirements of federal and
1796 state employment laws, and shall fully indemnify the county from
1797 any liability under such laws, as authorized by s. 768.28(19),
1798 to the extent such liability is the result of the acts or

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1799 omissions of the Statewide Guardian ad Litem Office or its
1800 agents or employees.

1801 (c) The county is the employer for purposes of s. 440.10
1802 and chapter 443.

1803 (d) Employees funded by the county under this section and
1804 other county employees may be aggregated for purposes of a
1805 flexible benefits plan pursuant to s. 125 of the Internal
1806 Revenue Code of 1986.

1807 (e) Persons employed under this section may be terminated
1808 after a substantial breach of the agreement or because funding
1809 to the guardian ad litem office ~~program~~ has expired.

1810 (3) Persons employed under this section may not be counted
1811 in a formula or similar process used by the Statewide Guardian
1812 ad Litem Office to measure personnel needs of a judicial
1813 circuit's guardian ad litem office ~~program~~.

1814 (4) Agreements created pursuant to this section do not
1815 obligate the state to allocate funds to a county to employ
1816 persons in the guardian ad litem office ~~program~~.

1817 Section 35. Section 1009.898, Florida Statutes, is created
1818 to read:

1819 1009.898 Pathway to Prosperity grants.-

1820 (1) The Pathway to Prosperity program shall administer the
1821 following grants to youth and young adults aging out of foster
1822 care:

1823 (a) Grants to provide financial literacy instruction using
1824 a curriculum developed by the Department of Financial Services
1825 in consultation with the Department of Education.

1826 (b) Grants to provide CLT, SAT, or ACT preparation,
1827 including one-on-one support and fee waivers for the

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1828 examinations.

1829 (c) Grants to youth and young adults planning to pursue
1830 trade careers or paid apprenticeships.

1831 (2) If a youth who is aging out of foster care is reunited
1832 with his or her parents, the grants remain available for the
1833 youth for up to 1 year after reunification.

1834 (3) The State Board of Education shall adopt rules to
1835 administer this section.

1836 Section 36. Subsection (1) of section 29.008, Florida
1837 Statutes, is amended to read:

1838 29.008 County funding of court-related functions.—

1839 (1) Counties are required by s. 14, Art. V of the State
1840 Constitution to fund the cost of communications services,
1841 existing radio systems, existing multiagency criminal justice
1842 information systems, and the cost of construction or lease,
1843 maintenance, utilities, and security of facilities for the
1844 circuit and county courts, public defenders' offices, state
1845 attorneys' offices, guardian ad litem offices, and the offices
1846 of the clerks of the circuit and county courts performing court-
1847 related functions. For purposes of this section, the term
1848 "circuit and county courts" includes the offices and staffing of
1849 the guardian ad litem offices ~~programs~~, and the term "public
1850 defenders' offices" includes the offices of criminal conflict
1851 and civil regional counsel. The county designated under s.
1852 35.05(1) as the headquarters for each appellate district shall
1853 fund these costs for the appellate division of the public
1854 defender's office in that county. For purposes of implementing
1855 these requirements, the term:

1856 (a) "Facility" means reasonable and necessary buildings and

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1857 office space and appurtenant equipment and furnishings,
1858 structures, real estate, easements, and related interests in
1859 real estate, including, but not limited to, those for the
1860 purpose of housing legal materials for use by the general public
1861 and personnel, equipment, or functions of the circuit or county
1862 courts, public defenders' offices, state attorneys' offices, and
1863 court-related functions of the office of the clerks of the
1864 circuit and county courts and all storage. The term "facility"
1865 includes all wiring necessary for court reporting services. The
1866 term also includes access to parking for such facilities in
1867 connection with such court-related functions that may be
1868 available free or from a private provider or a local government
1869 for a fee. The office space provided by a county may not be less
1870 than the standards for space allotment adopted by the Department
1871 of Management Services, except this requirement applies only to
1872 facilities that are leased, or on which construction commences,
1873 after June 30, 2003. County funding must include physical
1874 modifications and improvements to all facilities as are required
1875 for compliance with the Americans with Disabilities Act. Upon
1876 mutual agreement of a county and the affected entity in this
1877 paragraph, the office space provided by the county may vary from
1878 the standards for space allotment adopted by the Department of
1879 Management Services.

1880 1. As of July 1, 2005, equipment and furnishings shall be
1881 limited to that appropriate and customary for courtrooms,
1882 hearing rooms, jury facilities, and other public areas in
1883 courthouses and any other facility occupied by the courts, state
1884 attorneys, public defenders, guardians ad litem, and criminal
1885 conflict and civil regional counsel. Court reporting equipment

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1886 in these areas or facilities is not a responsibility of the
1887 county.

1888 2. Equipment and furnishings under this paragraph in
1889 existence and owned by counties on July 1, 2005, except for that
1890 in the possession of the clerks, for areas other than
1891 courtrooms, hearing rooms, jury facilities, and other public
1892 areas in courthouses and any other facility occupied by the
1893 courts, state attorneys, and public defenders, shall be
1894 transferred to the state at no charge. This provision does not
1895 apply to any communications services as defined in paragraph
1896 (f).

1897 (b) "Construction or lease" includes, but is not limited
1898 to, all reasonable and necessary costs of the acquisition or
1899 lease of facilities for all judicial officers, staff, jurors,
1900 volunteers of a tenant agency, and the public for the circuit
1901 and county courts, the public defenders' offices, state
1902 attorneys' offices, and for performing the court-related
1903 functions of the offices of the clerks of the circuit and county
1904 courts. This includes expenses related to financing such
1905 facilities and the existing and future cost and bonded
1906 indebtedness associated with placing the facilities in use.

1907 (c) "Maintenance" includes, but is not limited to, all
1908 reasonable and necessary costs of custodial and groundskeeping
1909 services and renovation and reconstruction as needed to
1910 accommodate functions for the circuit and county courts, the
1911 public defenders' offices, and state attorneys' offices and for
1912 performing the court-related functions of the offices of the
1913 clerks of the circuit and county court and for maintaining the
1914 facilities in a condition appropriate and safe for the use

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1915 intended.

1916 (d) "Utilities" means all electricity services for light,
1917 heat, and power; natural or manufactured gas services for light,
1918 heat, and power; water and wastewater services and systems,
1919 stormwater or runoff services and systems, sewer services and
1920 systems, all costs or fees associated with these services and
1921 systems, and any costs or fees associated with the mitigation of
1922 environmental impacts directly related to the facility.

1923 (e) "Security" includes but is not limited to, all
1924 reasonable and necessary costs of services of law enforcement
1925 officers or licensed security guards and all electronic,
1926 cellular, or digital monitoring and screening devices necessary
1927 to ensure the safety and security of all persons visiting or
1928 working in a facility; to provide for security of the facility,
1929 including protection of property owned by the county or the
1930 state; and for security of prisoners brought to any facility.
1931 This includes bailiffs while providing courtroom and other
1932 security for each judge and other quasi-judicial officers.

1933 (f) "Communications services" are defined as any reasonable
1934 and necessary transmission, emission, and reception of signs,
1935 signals, writings, images, and sounds of intelligence of any
1936 nature by wire, radio, optical, audio equipment, or other
1937 electromagnetic systems and includes all facilities and
1938 equipment owned, leased, or used by judges, clerks, public
1939 defenders, state attorneys, guardians ad litem, criminal
1940 conflict and civil regional counsel, and all staff of the state
1941 courts system, state attorneys' offices, public defenders'
1942 offices, and clerks of the circuit and county courts performing
1943 court-related functions. Such system or services shall include,

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1944 but not be limited to:

1945 1. Telephone system infrastructure, including computer
1946 lines, telephone switching equipment, and maintenance, and
1947 facsimile equipment, wireless communications, cellular
1948 telephones, pagers, and video teleconferencing equipment and
1949 line charges. Each county shall continue to provide access to a
1950 local carrier for local and long distance service and shall pay
1951 toll charges for local and long distance service.

1952 2. All computer networks, systems and equipment, including
1953 computer hardware and software, modems, printers, wiring,
1954 network connections, maintenance, support staff or services
1955 including any county-funded support staff located in the offices
1956 of the circuit court, county courts, state attorneys, public
1957 defenders, guardians ad litem, and criminal conflict and civil
1958 regional counsel; training, supplies, and line charges necessary
1959 for an integrated computer system to support the operations and
1960 management of the state courts system, the offices of the public
1961 defenders, the offices of the state attorneys, the guardian ad
1962 litem offices, the offices of criminal conflict and civil
1963 regional counsel, and the offices of the clerks of the circuit
1964 and county courts; and the capability to connect those entities
1965 and reporting data to the state as required for the transmission
1966 of revenue, performance accountability, case management, data
1967 collection, budgeting, and auditing purposes. The integrated
1968 computer system shall be operational by July 1, 2006, and, at a
1969 minimum, permit the exchange of financial, performance
1970 accountability, case management, case disposition, and other
1971 data across multiple state and county information systems
1972 involving multiple users at both the state level and within each

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1973 judicial circuit and be able to electronically exchange judicial
1974 case background data, sentencing scoresheets, and video evidence
1975 information stored in integrated case management systems over
1976 secure networks. Once the integrated system becomes operational,
1977 counties may reject requests to purchase communications services
1978 included in this subparagraph not in compliance with standards,
1979 protocols, or processes adopted by the board established
1980 pursuant to former s. 29.0086.

1981 3. Courier messenger and subpoena services.

1982 4. Auxiliary aids and services for qualified individuals
1983 with a disability which are necessary to ensure access to the
1984 courts. Such auxiliary aids and services include, but are not
1985 limited to, sign language interpretation services required under
1986 the federal Americans with Disabilities Act other than services
1987 required to satisfy due-process requirements and identified as a
1988 state funding responsibility pursuant to ss. 29.004-29.007,
1989 real-time transcription services for individuals who are hearing
1990 impaired, and assistive listening devices and the equipment
1991 necessary to implement such accommodations.

1992 (g) "Existing radio systems" includes, but is not limited
1993 to, law enforcement radio systems that are used by the circuit
1994 and county courts, the offices of the public defenders, the
1995 offices of the state attorneys, and for court-related functions
1996 of the offices of the clerks of the circuit and county courts.
1997 This includes radio systems that were operational or under
1998 contract at the time Revision No. 7, 1998, to Art. V of the
1999 State Constitution was adopted and any enhancements made
2000 thereafter, the maintenance of those systems, and the personnel
2001 and supplies necessary for operation.

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2002 (h) "Existing multiagency criminal justice information
2003 systems" includes, but is not limited to, those components of
2004 the multiagency criminal justice information system as defined
2005 in s. 943.045, supporting the offices of the circuit or county
2006 courts, the public defenders' offices, the state attorneys'
2007 offices, or those portions of the offices of the clerks of the
2008 circuit and county courts performing court-related functions
2009 that are used to carry out the court-related activities of those
2010 entities. This includes upgrades and maintenance of the current
2011 equipment, maintenance and upgrades of supporting technology
2012 infrastructure and associated staff, and services and expenses
2013 to assure continued information sharing and reporting of
2014 information to the state. The counties shall also provide
2015 additional information technology services, hardware, and
2016 software as needed for new judges and staff of the state courts
2017 system, state attorneys' offices, public defenders' offices,
2018 guardian ad litem offices, and the offices of the clerks of the
2019 circuit and county courts performing court-related functions.

2020 Section 37. Paragraph (a) of subsection (1) of section
2021 39.6011, Florida Statutes, is amended to read:

2022 39.6011 Case plan development.—

2023 (1) The department shall prepare a draft of the case plan
2024 for each child receiving services under this chapter. A parent
2025 of a child may not be threatened or coerced with the loss of
2026 custody or parental rights for failing to admit in the case plan
2027 of abusing, neglecting, or abandoning a child. Participating in
2028 the development of a case plan is not an admission to any
2029 allegation of abuse, abandonment, or neglect, and it is not a
2030 consent to a finding of dependency or termination of parental

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2031 rights. The case plan shall be developed subject to the
2032 following requirements:

2033 (a) The case plan must be developed in a face-to-face
2034 conference with the parent of the child, the ~~any~~ court-appointed
2035 guardian ad litem, and, if appropriate, the child and the
2036 temporary custodian of the child.

2037 Section 38. Subsection (8) of section 40.24, Florida
2038 Statutes, is amended to read:

2039 40.24 Compensation and reimbursement policy.—

2040 (8) In circuits that elect to allow jurors to donate their
2041 jury service fee upon conclusion of juror service, each juror
2042 may irrevocably donate all of the juror's compensation to the 26
2043 U.S.C. s. 501(c)(3) organization specified by the Statewide
2044 Guardian ad Litem Office ~~program~~ or to a domestic violence
2045 shelter as specified annually on a rotating basis by the clerk
2046 of court in the circuit for the juror's county of residence. The
2047 funds collected may not reduce or offset the amount of
2048 compensation that the Statewide Guardian ad Litem Office ~~program~~
2049 or domestic violence shelter would otherwise receive from the
2050 state. The clerk of court shall ensure that all jurors are given
2051 written notice at the conclusion of their service that they have
2052 the option to so donate their compensation, and that the
2053 applicable program specified by the Statewide Guardian ad Litem
2054 Office ~~program~~ or a domestic violence shelter receives all funds
2055 donated by the jurors. Any circuit guardian ad litem office
2056 ~~program~~ receiving donations of juror compensation must expend
2057 such moneys on services for children for whom guardians ad litem
2058 have been appointed.

2059 Section 39. Subsections (5), (6), and (7) of section 43.16,

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2060 Florida Statutes, are amended to read:

2061 43.16 Justice Administrative Commission; membership, powers
2062 and duties.—

2063 (5) The duties of the commission shall include, but not be
2064 limited to, the following:

2065 (a) The maintenance of a central state office for
2066 administrative services and assistance when possible to and on
2067 behalf of the state attorneys and public defenders of Florida,
2068 the capital collateral regional counsel of Florida, the criminal
2069 conflict and civil regional counsel, and the Statewide Guardian
2070 Ad Litem Office ~~Program~~.

2071 (b) Each state attorney, public defender, and criminal
2072 conflict and civil regional counsel and the Statewide Guardian
2073 Ad Litem Office ~~Program~~ shall continue to prepare necessary
2074 budgets, vouchers that represent valid claims for reimbursement
2075 by the state for authorized expenses, and other things
2076 incidental to the proper administrative operation of the office,
2077 such as revenue transmittals to the Chief Financial Officer and
2078 automated systems plans, but will forward such items to the
2079 commission for recording and submission to the proper state
2080 officer. However, when requested by a state attorney, a public
2081 defender, a criminal conflict and civil regional counsel, or the
2082 Statewide Guardian Ad Litem Office ~~Program~~, the commission will
2083 either assist in the preparation of budget requests, voucher
2084 schedules, and other forms and reports or accomplish the entire
2085 project involved.

2086 (6) The commission, each state attorney, each public
2087 defender, the criminal conflict and civil regional counsel, the
2088 capital collateral regional counsel, and the Statewide Guardian

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2089 Ad Litem Office Program shall establish and maintain internal
2090 controls designed to:

2091 (a) Prevent and detect fraud, waste, and abuse as defined
2092 in s. 11.45(1).

2093 (b) Promote and encourage compliance with applicable laws,
2094 rules, contracts, grant agreements, and best practices.

2095 (c) Support economical and efficient operations.

2096 (d) Ensure reliability of financial records and reports.

2097 (e) Safeguard assets.

2098 (7) ~~The provisions contained in~~ This section ~~is shall be~~
2099 supplemental to ~~those of~~ chapter 27, relating to state
2100 attorneys, public defenders, criminal conflict and civil
2101 regional counsel, and capital collateral regional counsel; to
2102 ~~those of~~ chapter 39, relating to the Statewide Guardian Ad Litem
2103 Office Program; or to other laws pertaining hereto.

2104 Section 40. Paragraph (a) of subsection (1) and subsection
2105 (4) of section 61.402, Florida Statutes, are amended to read:

2106 61.402 Qualifications of guardians ad litem.—

2107 (1) A person appointed as a guardian ad litem pursuant to
2108 s. 61.401 must be:

2109 (a) Certified by the Statewide Guardian Ad Litem Office
2110 ~~Program~~ pursuant to s. 39.821;

2111 (b) Certified by a not-for-profit legal aid organization as
2112 defined in s. 68.096; or

2113 (c) An attorney who is a member in good standing of The
2114 Florida Bar.

2115 (4) Nothing in this section requires the Statewide Guardian
2116 Ad Litem Office Program or a not-for-profit legal aid
2117 organization to train or certify guardians ad litem appointed

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2118 under this chapter.

2119 Section 41. Paragraph (x) of subsection (2) of section
2120 110.205, Florida Statutes, is amended to read:

2121 110.205 Career service; exemptions.—

2122 (2) EXEMPT POSITIONS.—The exempt positions that are not
2123 covered by this part include the following:

2124 (x) All officers and employees of the Justice
2125 Administrative Commission, Office of the State Attorney, Office
2126 of the Public Defender, regional offices of capital collateral
2127 counsel, offices of criminal conflict and civil regional
2128 counsel, and Statewide Guardian Ad Litem Office, including the
2129 circuit guardian ad litem offices ~~programs~~.

2130 Section 42. Paragraph (b) of subsection (96) of section
2131 320.08058, Florida Statutes, is amended to read:

2132 320.08058 Specialty license plates.—

2133 (96) GUARDIAN AD LITEM LICENSE PLATES.—

2134 (b) The annual use fees from the sale of the plate shall be
2135 distributed to the Florida Guardian Ad Litem Foundation, Inc., a
2136 direct-support organization and a nonprofit corporation under s.
2137 501(c)(3) of the Internal Revenue Code. Up to 10 percent of the
2138 proceeds may be used for administrative costs and the marketing
2139 of the plate. The remainder of the proceeds must be used in this
2140 state to support the mission and efforts of the Statewide
2141 Guardian Ad Litem Office ~~Program~~ to represent abused, abandoned,
2142 and neglected children and advocate for their best interests;
2143 recruit and retain volunteer child advocates; and meet the
2144 unique needs of the dependent children the program serves.

2145 Section 43. Paragraph (e) of subsection (3) of section
2146 943.053, Florida Statutes, is amended to read:

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2147 943.053 Dissemination of criminal justice information;
2148 fees.—

2149 (3)

2150 (e) The fee per record for criminal history information
2151 provided pursuant to this subsection and s. 943.0542 is \$24 per
2152 name submitted, except that the fee for the Statewide Guardian
2153 Ad Litem Office ~~program~~ and vendors of the Department of
2154 Children and Families, the Department of Juvenile Justice, the
2155 Agency for Persons with Disabilities, and the Department of
2156 Elderly Affairs is \$8 for each name submitted; the fee for a
2157 state criminal history provided for application processing as
2158 required by law to be performed by the Department of Agriculture
2159 and Consumer Services is \$15 for each name submitted; and the
2160 fee for requests under s. 943.0542, which implements the
2161 National Child Protection Act, is \$18 for each volunteer name
2162 submitted. An office of the public defender or an office of
2163 criminal conflict and civil regional counsel may not be assessed
2164 a fee for Florida criminal history information or wanted person
2165 information.

2166 Section 44. Subsection (2) of section 985.43, Florida
2167 Statutes, is amended to read:

2168 985.43 Predisposition reports; other evaluations.—

2169 (2) The court shall consider the child's entire assessment
2170 and predisposition report and shall review the records of
2171 earlier judicial proceedings before making a final disposition
2172 of the case. If the child is under the jurisdiction of a
2173 dependency court, the court may receive and consider any
2174 information provided by the Statewide Guardian Ad Litem Office
2175 ~~Program~~ and the child's attorney ad litem, if one is appointed.

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2176 The court may, by order, require additional evaluations and
2177 studies to be performed by the department; the county school
2178 system; or any social, psychological, or psychiatric agency of
2179 the state. The court shall order the educational needs
2180 assessment completed under s. 985.18(2) to be included in the
2181 assessment and predisposition report.

2182 Section 45. Subsection (4) of section 985.441, Florida
2183 Statutes, is amended to read:

2184 985.441 Commitment.—

2185 (4) The department may transfer a child, when necessary to
2186 appropriately administer the child's commitment, from one
2187 facility or program to another facility or program operated,
2188 contracted, subcontracted, or designated by the department,
2189 including a postcommitment nonresidential conditional release
2190 program, except that the department may not transfer any child
2191 adjudicated solely for a misdemeanor to a residential program
2192 except as provided in subsection (2). The department shall
2193 notify the court that committed the child to the department and
2194 any attorney of record for the child, in writing, of its intent
2195 to transfer the child from a commitment facility or program to
2196 another facility or program of a higher or lower restrictiveness
2197 level. If the child is under the jurisdiction of a dependency
2198 court, the department shall also provide notice to the
2199 dependency court, ~~and~~ the Department of Children and Families,
2200 ~~and, if appointed, the Statewide Guardian Ad Litem Office,~~
2201 ~~Program~~ and the child's attorney ad litem, if one is appointed.
2202 The court that committed the child may agree to the transfer or
2203 may set a hearing to review the transfer. If the court does not
2204 respond within 10 days after receipt of the notice, the transfer

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2205 of the child shall be deemed granted.

2206 Section 46. Subsection (3) of section 985.455, Florida
2207 Statutes, is amended to read:

2208 985.455 Other dispositional issues.—

2209 (3) Any commitment of a delinquent child to the department
2210 must be for an indeterminate period of time, which may include
2211 periods of temporary release; however, the period of time may
2212 not exceed the maximum term of imprisonment that an adult may
2213 serve for the same offense, except that the duration of a
2214 minimum-risk nonresidential commitment for an offense that is a
2215 misdemeanor of the second degree, or is equivalent to a
2216 misdemeanor of the second degree, may be for a period not to
2217 exceed 6 months. The duration of the child's placement in a
2218 commitment program of any restrictiveness level shall be based
2219 on objective performance-based treatment planning. The child's
2220 treatment plan progress and adjustment-related issues shall be
2221 reported to the court quarterly, unless the court requests
2222 monthly reports. If the child is under the jurisdiction of a
2223 dependency court, the court may receive and consider any
2224 information provided by the Statewide Guardian Ad Litem Office
2225 ~~Program~~ or the child's attorney ad litem, if one is appointed.
2226 The child's length of stay in a commitment program may be
2227 extended if the child fails to comply with or participate in
2228 treatment activities. The child's length of stay in the program
2229 shall not be extended for purposes of sanction or punishment.
2230 Any temporary release from such program must be approved by the
2231 court. Any child so committed may be discharged from
2232 institutional confinement or a program upon the direction of the
2233 department with the concurrence of the court. The child's

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2234 treatment plan progress and adjustment-related issues must be
2235 communicated to the court at the time the department requests
2236 the court to consider releasing the child from the commitment
2237 program. The department shall give the court that committed the
2238 child to the department reasonable notice, in writing, of its
2239 desire to discharge the child from a commitment facility. The
2240 court that committed the child may thereafter accept or reject
2241 the request. If the court does not respond within 10 days after
2242 receipt of the notice, the request of the department shall be
2243 deemed granted. This section does not limit the department's
2244 authority to revoke a child's temporary release status and
2245 return the child to a commitment facility for any violation of
2246 the terms and conditions of the temporary release.

2247 Section 47. Paragraph (b) of subsection (4) of section
2248 985.461, Florida Statutes, is amended to read:

2249 985.461 Transition to adulthood.—

2250 (4) As part of the child's treatment plan, the department
2251 may provide transition-to-adulthood services to children
2252 released from residential commitment. To support participation
2253 in transition-to-adulthood services and subject to
2254 appropriation, the department may:

2255 (b) Use community reentry teams to assist in the
2256 development of a list of age-appropriate activities and
2257 responsibilities to be incorporated in the child's written case
2258 plan for any youth who is under the custody or supervision of
2259 the department. Community reentry teams may include
2260 representatives from school districts, law enforcement,
2261 workforce development services, community-based service
2262 providers, the Statewide Guardian Ad Litem Office Program, and

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2263 the youth's family. Such community reentry teams must be created
2264 within existing resources provided to the department. Activities
2265 may include, but are not limited to, life skills training,
2266 including training to develop banking and budgeting skills,
2267 interviewing and career planning skills, parenting skills,
2268 personal health management, and time management or
2269 organizational skills; educational support; employment training;
2270 and counseling.

2271 Section 48. Subsection (11) of section 985.48, Florida
2272 Statutes, is amended to read:

2273 985.48 Juvenile sexual offender commitment programs; sexual
2274 abuse intervention networks.—

2275 (11) Membership of a sexual abuse intervention network
2276 shall include, but is not limited to, representatives from:

- 2277 (a) Local law enforcement agencies;
2278 (b) Local school boards;
2279 (c) Child protective investigators;
2280 (d) The office of the state attorney;
2281 (e) The office of the public defender;
2282 (f) The juvenile division of the circuit court;
2283 (g) Professionals licensed under chapter 458, chapter 459,
2284 s. 490.0145, or s. 491.0144 providing treatment for juvenile
2285 sexual offenders or their victims;
2286 (h) The Statewide Guardian Ad Litem Office ~~program~~;
2287 (i) The Department of Juvenile Justice; and
2288 (j) The Department of Children and Families.

2289 Section 49. Subsection (1) of section 39.302, Florida
2290 Statutes, is amended to read:

2291 39.302 Protective investigations of institutional child

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2292 abuse, abandonment, or neglect.—

2293 (1) The department shall conduct a child protective
2294 investigation of each report of institutional child abuse,
2295 abandonment, or neglect. Upon receipt of a report that alleges
2296 that an employee or agent of the department, or any other entity
2297 or person covered by s. 39.01(39) or (57) ~~s. 39.01(36) or (54)~~,
2298 acting in an official capacity, has committed an act of child
2299 abuse, abandonment, or neglect, the department shall initiate a
2300 child protective investigation within the timeframe established
2301 under s. 39.101(2) and notify the appropriate state attorney,
2302 law enforcement agency, and licensing agency, which shall
2303 immediately conduct a joint investigation, unless independent
2304 investigations are more feasible. When conducting investigations
2305 or having face-to-face interviews with the child, investigation
2306 visits shall be unannounced unless it is determined by the
2307 department or its agent that unannounced visits threaten the
2308 safety of the child. If a facility is exempt from licensing, the
2309 department shall inform the owner or operator of the facility of
2310 the report. Each agency conducting a joint investigation is
2311 entitled to full access to the information gathered by the
2312 department in the course of the investigation. A protective
2313 investigation must include an interview with the child's parent
2314 or legal guardian. The department shall make a full written
2315 report to the state attorney within 3 business days after making
2316 the oral report. A criminal investigation shall be coordinated,
2317 whenever possible, with the child protective investigation of
2318 the department. Any interested person who has information
2319 regarding the offenses described in this subsection may forward
2320 a statement to the state attorney as to whether prosecution is

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2321 warranted and appropriate. Within 15 days after the completion
2322 of the investigation, the state attorney shall report the
2323 findings to the department and shall include in the report a
2324 determination of whether or not prosecution is justified and
2325 appropriate in view of the circumstances of the specific case.

2326 Section 50. Paragraph (c) of subsection (1) of section
2327 39.521, Florida Statutes, is amended to read:

2328 39.521 Disposition hearings; powers of disposition.—

2329 (1) A disposition hearing shall be conducted by the court,
2330 if the court finds that the facts alleged in the petition for
2331 dependency were proven in the adjudicatory hearing, or if the
2332 parents or legal custodians have consented to the finding of
2333 dependency or admitted the allegations in the petition, have
2334 failed to appear for the arraignment hearing after proper
2335 notice, or have not been located despite a diligent search
2336 having been conducted.

2337 (c) When any child is adjudicated by a court to be
2338 dependent, the court having jurisdiction of the child has the
2339 power by order to:

2340 1. Require the parent and, when appropriate, the legal
2341 guardian or the child to participate in treatment and services
2342 identified as necessary. The court may require the person who
2343 has custody or who is requesting custody of the child to submit
2344 to a mental health or substance abuse disorder assessment or
2345 evaluation. The order may be made only upon good cause shown and
2346 pursuant to notice and procedural requirements provided under
2347 the Florida Rules of Juvenile Procedure. The mental health
2348 assessment or evaluation must be administered by a qualified
2349 professional as defined in s. 39.01, and the substance abuse

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2350 assessment or evaluation must be administered by a qualified
2351 professional as defined in s. 397.311. The court may also
2352 require such person to participate in and comply with treatment
2353 and services identified as necessary, including, when
2354 appropriate and available, participation in and compliance with
2355 a mental health court program established under chapter 394 or a
2356 treatment-based drug court program established under s. 397.334.
2357 Adjudication of a child as dependent based upon evidence of harm
2358 as defined in s. 39.01(37)(g) ~~s. 39.01(34)(g)~~ demonstrates good
2359 cause, and the court shall require the parent whose actions
2360 caused the harm to submit to a substance abuse disorder
2361 assessment or evaluation and to participate and comply with
2362 treatment and services identified in the assessment or
2363 evaluation as being necessary. In addition to supervision by the
2364 department, the court, including the mental health court program
2365 or the treatment-based drug court program, may oversee the
2366 progress and compliance with treatment by a person who has
2367 custody or is requesting custody of the child. The court may
2368 impose appropriate available sanctions for noncompliance upon a
2369 person who has custody or is requesting custody of the child or
2370 make a finding of noncompliance for consideration in determining
2371 whether an alternative placement of the child is in the child's
2372 best interests. Any order entered under this subparagraph may be
2373 made only upon good cause shown. This subparagraph does not
2374 authorize placement of a child with a person seeking custody of
2375 the child, other than the child's parent or legal custodian, who
2376 requires mental health or substance abuse disorder treatment.

2377 2. Require, if the court deems necessary, the parties to
2378 participate in dependency mediation.

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2379 3. Require placement of the child either under the
2380 protective supervision of an authorized agent of the department
2381 in the home of one or both of the child's parents or in the home
2382 of a relative of the child or another adult approved by the
2383 court, or in the custody of the department. Protective
2384 supervision continues until the court terminates it or until the
2385 child reaches the age of 18, whichever date is first. Protective
2386 supervision shall be terminated by the court whenever the court
2387 determines that permanency has been achieved for the child,
2388 whether with a parent, another relative, or a legal custodian,
2389 and that protective supervision is no longer needed. The
2390 termination of supervision may be with or without retaining
2391 jurisdiction, at the court's discretion, and shall in either
2392 case be considered a permanency option for the child. The order
2393 terminating supervision by the department must set forth the
2394 powers of the custodian of the child and include the powers
2395 ordinarily granted to a guardian of the person of a minor unless
2396 otherwise specified. Upon the court's termination of supervision
2397 by the department, further judicial reviews are not required if
2398 permanency has been established for the child.

2399 4. Determine whether the child has a strong attachment to
2400 the prospective permanent guardian and whether such guardian has
2401 a strong commitment to permanently caring for the child.

2402 Section 51. Paragraph (c) of subsection (2) of section
2403 61.13, Florida Statutes, is amended to read:

2404 61.13 Support of children; parenting and time-sharing;
2405 powers of court.—

2406 (2)

2407 (c) The court shall determine all matters relating to

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2408 parenting and time-sharing of each minor child of the parties in
2409 accordance with the best interests of the child and in
2410 accordance with the Uniform Child Custody Jurisdiction and
2411 Enforcement Act, except that modification of a parenting plan
2412 and time-sharing schedule requires a showing of a substantial
2413 and material change of circumstances.

2414 1. It is the public policy of this state that each minor
2415 child has frequent and continuing contact with both parents
2416 after the parents separate or the marriage of the parties is
2417 dissolved and to encourage parents to share the rights and
2418 responsibilities, and joys, of childrearing. Unless otherwise
2419 provided in this section or agreed to by the parties, there is a
2420 rebuttable presumption that equal time-sharing of a minor child
2421 is in the best interests of the minor child. To rebut this
2422 presumption, a party must prove by a preponderance of the
2423 evidence that equal time-sharing is not in the best interests of
2424 the minor child. Except when a time-sharing schedule is agreed
2425 to by the parties and approved by the court, the court must
2426 evaluate all of the factors set forth in subsection (3) and make
2427 specific written findings of fact when creating or modifying a
2428 time-sharing schedule.

2429 2. The court shall order that the parental responsibility
2430 for a minor child be shared by both parents unless the court
2431 finds that shared parental responsibility would be detrimental
2432 to the child. In determining detriment to the child, the court
2433 shall consider:

- 2434 a. Evidence of domestic violence, as defined in s. 741.28;
2435 b. Whether either parent has or has had reasonable cause to
2436 believe that he or she or his or her minor child or children are

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2437 or have been in imminent danger of becoming victims of an act of
2438 domestic violence as defined in s. 741.28 or sexual violence as
2439 defined in s. 784.046(1)(c) by the other parent against the
2440 parent or against the child or children whom the parents share
2441 in common regardless of whether a cause of action has been
2442 brought or is currently pending in the court;

2443 c. Whether either parent has or has had reasonable cause to
2444 believe that his or her minor child or children are or have been
2445 in imminent danger of becoming victims of an act of abuse ~~as~~
2446 ~~defined in s. 39.01(2)~~, abandonment ~~as defined in s. 39.01(1)~~,
2447 or neglect, as those terms are defined in s. 39.01, ~~s. 39.01(50)~~
2448 by the other parent against the child or children whom the
2449 parents share in common regardless of whether a cause of action
2450 has been brought or is currently pending in the court; and

2451 d. Any other relevant factors.

2452 3. The following evidence creates a rebuttable presumption
2453 that shared parental responsibility is detrimental to the child:

2454 a. A parent has been convicted of a misdemeanor of the
2455 first degree or higher involving domestic violence, as defined
2456 in s. 741.28 and chapter 775;

2457 b. A parent meets the criteria of s. 39.806(1)(d); or

2458 c. A parent has been convicted of or had adjudication
2459 withheld for an offense enumerated in s. 943.0435(1)(h)1.a., and
2460 at the time of the offense:

2461 (I) The parent was 18 years of age or older.

2462 (II) The victim was under 18 years of age or the parent
2463 believed the victim to be under 18 years of age.

2464

2465 If the presumption is not rebutted after the convicted parent is

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2466 advised by the court that the presumption exists, shared
2467 parental responsibility, including time-sharing with the child,
2468 and decisions made regarding the child, may not be granted to
2469 the convicted parent. However, the convicted parent is not
2470 relieved of any obligation to provide financial support. If the
2471 court determines that shared parental responsibility would be
2472 detrimental to the child, it may order sole parental
2473 responsibility and make such arrangements for time-sharing as
2474 specified in the parenting plan as will best protect the child
2475 or abused spouse from further harm. Whether or not there is a
2476 conviction of any offense of domestic violence or child abuse or
2477 the existence of an injunction for protection against domestic
2478 violence, the court shall consider evidence of domestic violence
2479 or child abuse as evidence of detriment to the child.

2480 4. In ordering shared parental responsibility, the court
2481 may consider the expressed desires of the parents and may grant
2482 to one party the ultimate responsibility over specific aspects
2483 of the child's welfare or may divide those responsibilities
2484 between the parties based on the best interests of the child.
2485 Areas of responsibility may include education, health care, and
2486 any other responsibilities that the court finds unique to a
2487 particular family.

2488 5. The court shall order sole parental responsibility for a
2489 minor child to one parent, with or without time-sharing with the
2490 other parent if it is in the best interests of the minor child.

2491 6. There is a rebuttable presumption against granting time-
2492 sharing with a minor child if a parent has been convicted of or
2493 had adjudication withheld for an offense enumerated in s.
2494 943.0435(1)(h)1.a., and at the time of the offense:

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2495 a. The parent was 18 years of age or older.

2496 b. The victim was under 18 years of age or the parent
2497 believed the victim to be under 18 years of age.

2498
2499 A parent may rebut the presumption upon a specific finding in
2500 writing by the court that the parent poses no significant risk
2501 of harm to the child and that time-sharing is in the best
2502 interests of the minor child. If the presumption is rebutted,
2503 the court must consider all time-sharing factors in subsection
2504 (3) when developing a time-sharing schedule.

2505 7. Access to records and information pertaining to a minor
2506 child, including, but not limited to, medical, dental, and
2507 school records, may not be denied to either parent. Full rights
2508 under this subparagraph apply to either parent unless a court
2509 order specifically revokes these rights, including any
2510 restrictions on these rights as provided in a domestic violence
2511 injunction. A parent having rights under this subparagraph has
2512 the same rights upon request as to form, substance, and manner
2513 of access as are available to the other parent of a child,
2514 including, without limitation, the right to in-person
2515 communication with medical, dental, and education providers.

2516 Section 52. Paragraph (d) of subsection (4) of section
2517 119.071, Florida Statutes, is amended to read:

2518 119.071 General exemptions from inspection or copying of
2519 public records.—

2520 (4) AGENCY PERSONNEL INFORMATION.—

2521 (d)1. For purposes of this paragraph, the term:

2522 a. "Home addresses" means the dwelling location at which an
2523 individual resides and includes the physical address, mailing

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2524 address, street address, parcel identification number, plot
2525 identification number, legal property description, neighborhood
2526 name and lot number, GPS coordinates, and any other descriptive
2527 property information that may reveal the home address.

2528 b. "Judicial assistant" means a court employee assigned to
2529 the following class codes: 8140, 8150, 8310, and 8320.

2530 c. "Telephone numbers" includes home telephone numbers,
2531 personal cellular telephone numbers, personal pager telephone
2532 numbers, and telephone numbers associated with personal
2533 communications devices.

2534 2.a. The home addresses, telephone numbers, dates of birth,
2535 and photographs of active or former sworn law enforcement
2536 personnel or of active or former civilian personnel employed by
2537 a law enforcement agency, including correctional and
2538 correctional probation officers, personnel of the Department of
2539 Children and Families whose duties include the investigation of
2540 abuse, neglect, exploitation, fraud, theft, or other criminal
2541 activities, personnel of the Department of Health whose duties
2542 are to support the investigation of child abuse or neglect, and
2543 personnel of the Department of Revenue or local governments
2544 whose responsibilities include revenue collection and
2545 enforcement or child support enforcement; the names, home
2546 addresses, telephone numbers, photographs, dates of birth, and
2547 places of employment of the spouses and children of such
2548 personnel; and the names and locations of schools and day care
2549 facilities attended by the children of such personnel are exempt
2550 from s. 119.07(1) and s. 24(a), Art. I of the State
2551 Constitution.

2552 b. The home addresses, telephone numbers, dates of birth,

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2553 and photographs of current or former nonsworn investigative
2554 personnel of the Department of Financial Services whose duties
2555 include the investigation of fraud, theft, workers' compensation
2556 coverage requirements and compliance, other related criminal
2557 activities, or state regulatory requirement violations; the
2558 names, home addresses, telephone numbers, dates of birth, and
2559 places of employment of the spouses and children of such
2560 personnel; and the names and locations of schools and day care
2561 facilities attended by the children of such personnel are exempt
2562 from s. 119.07(1) and s. 24(a), Art. I of the State
2563 Constitution.

2564 c. The home addresses, telephone numbers, dates of birth,
2565 and photographs of current or former nonsworn investigative
2566 personnel of the Office of Financial Regulation's Bureau of
2567 Financial Investigations whose duties include the investigation
2568 of fraud, theft, other related criminal activities, or state
2569 regulatory requirement violations; the names, home addresses,
2570 telephone numbers, dates of birth, and places of employment of
2571 the spouses and children of such personnel; and the names and
2572 locations of schools and day care facilities attended by the
2573 children of such personnel are exempt from s. 119.07(1) and s.
2574 24(a), Art. I of the State Constitution.

2575 d. The home addresses, telephone numbers, dates of birth,
2576 and photographs of current or former firefighters certified in
2577 compliance with s. 633.408; the names, home addresses, telephone
2578 numbers, photographs, dates of birth, and places of employment
2579 of the spouses and children of such firefighters; and the names
2580 and locations of schools and day care facilities attended by the
2581 children of such firefighters are exempt from s. 119.07(1) and

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2582 s. 24(a), Art. I of the State Constitution.

2583 e. The home addresses, dates of birth, and telephone
2584 numbers of current or former justices of the Supreme Court,
2585 district court of appeal judges, circuit court judges, and
2586 county court judges, ~~and of~~ current judicial assistants; the
2587 names, home addresses, telephone numbers, dates of birth, and
2588 places of employment of the spouses and children of current or
2589 former justices and judges and ~~of~~ current judicial assistants;
2590 and the names and locations of schools and day care facilities
2591 attended by the children of current or former justices and
2592 judges and of current judicial assistants are exempt from s.
2593 119.07(1) and s. 24(a), Art. I of the State Constitution. This
2594 sub-subparagraph is subject to the Open Government Sunset Review
2595 Act in accordance with s. 119.15 and shall stand repealed on
2596 October 2, 2028, unless reviewed and saved from repeal through
2597 reenactment by the Legislature.

2598 f. The home addresses, telephone numbers, dates of birth,
2599 and photographs of current or former state attorneys, assistant
2600 state attorneys, statewide prosecutors, or assistant statewide
2601 prosecutors; the names, home addresses, telephone numbers,
2602 photographs, dates of birth, and places of employment of the
2603 spouses and children of current or former state attorneys,
2604 assistant state attorneys, statewide prosecutors, or assistant
2605 statewide prosecutors; and the names and locations of schools
2606 and day care facilities attended by the children of current or
2607 former state attorneys, assistant state attorneys, statewide
2608 prosecutors, or assistant statewide prosecutors are exempt from
2609 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

2610 g. The home addresses, dates of birth, and telephone

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2611 numbers of general magistrates, special magistrates, judges of
2612 compensation claims, administrative law judges of the Division
2613 of Administrative Hearings, and child support enforcement
2614 hearing officers; the names, home addresses, telephone numbers,
2615 dates of birth, and places of employment of the spouses and
2616 children of general magistrates, special magistrates, judges of
2617 compensation claims, administrative law judges of the Division
2618 of Administrative Hearings, and child support enforcement
2619 hearing officers; and the names and locations of schools and day
2620 care facilities attended by the children of general magistrates,
2621 special magistrates, judges of compensation claims,
2622 administrative law judges of the Division of Administrative
2623 Hearings, and child support enforcement hearing officers are
2624 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2625 Constitution.

2626 h. The home addresses, telephone numbers, dates of birth,
2627 and photographs of current or former human resource, labor
2628 relations, or employee relations directors, assistant directors,
2629 managers, or assistant managers of any local government agency
2630 or water management district whose duties include hiring and
2631 firing employees, labor contract negotiation, administration, or
2632 other personnel-related duties; the names, home addresses,
2633 telephone numbers, dates of birth, and places of employment of
2634 the spouses and children of such personnel; and the names and
2635 locations of schools and day care facilities attended by the
2636 children of such personnel are exempt from s. 119.07(1) and s.
2637 24(a), Art. I of the State Constitution.

2638 i. The home addresses, telephone numbers, dates of birth,
2639 and photographs of current or former code enforcement officers;

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2640 the names, home addresses, telephone numbers, dates of birth,
2641 and places of employment of the spouses and children of such
2642 personnel; and the names and locations of schools and day care
2643 facilities attended by the children of such personnel are exempt
2644 from s. 119.07(1) and s. 24(a), Art. I of the State
2645 Constitution.

2646 j. The home addresses, telephone numbers, places of
2647 employment, dates of birth, and photographs of current or former
2648 guardians ad litem, as defined in s. 39.01 ~~s. 39.820~~; the names,
2649 home addresses, telephone numbers, dates of birth, and places of
2650 employment of the spouses and children of such persons; and the
2651 names and locations of schools and day care facilities attended
2652 by the children of such persons are exempt from s. 119.07(1) and
2653 s. 24(a), Art. I of the State Constitution.

2654 k. The home addresses, telephone numbers, dates of birth,
2655 and photographs of current or former juvenile probation
2656 officers, juvenile probation supervisors, detention
2657 superintendents, assistant detention superintendents, juvenile
2658 justice detention officers I and II, juvenile justice detention
2659 officer supervisors, juvenile justice residential officers,
2660 juvenile justice residential officer supervisors I and II,
2661 juvenile justice counselors, juvenile justice counselor
2662 supervisors, human services counselor administrators, senior
2663 human services counselor administrators, rehabilitation
2664 therapists, and social services counselors of the Department of
2665 Juvenile Justice; the names, home addresses, telephone numbers,
2666 dates of birth, and places of employment of spouses and children
2667 of such personnel; and the names and locations of schools and
2668 day care facilities attended by the children of such personnel

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2669 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2670 Constitution.

2671 1. The home addresses, telephone numbers, dates of birth,
2672 and photographs of current or former public defenders, assistant
2673 public defenders, criminal conflict and civil regional counsel,
2674 and assistant criminal conflict and civil regional counsel; the
2675 names, home addresses, telephone numbers, dates of birth, and
2676 places of employment of the spouses and children of current or
2677 former public defenders, assistant public defenders, criminal
2678 conflict and civil regional counsel, and assistant criminal
2679 conflict and civil regional counsel; and the names and locations
2680 of schools and day care facilities attended by the children of
2681 current or former public defenders, assistant public defenders,
2682 criminal conflict and civil regional counsel, and assistant
2683 criminal conflict and civil regional counsel are exempt from s.
2684 119.07(1) and s. 24(a), Art. I of the State Constitution.

2685 m. The home addresses, telephone numbers, dates of birth,
2686 and photographs of current or former investigators or inspectors
2687 of the Department of Business and Professional Regulation; the
2688 names, home addresses, telephone numbers, dates of birth, and
2689 places of employment of the spouses and children of such current
2690 or former investigators and inspectors; and the names and
2691 locations of schools and day care facilities attended by the
2692 children of such current or former investigators and inspectors
2693 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2694 Constitution.

2695 n. The home addresses, telephone numbers, and dates of
2696 birth of county tax collectors; the names, home addresses,
2697 telephone numbers, dates of birth, and places of employment of

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2698 the spouses and children of such tax collectors; and the names
2699 and locations of schools and day care facilities attended by the
2700 children of such tax collectors are exempt from s. 119.07(1) and
2701 s. 24(a), Art. I of the State Constitution.

2702 o. The home addresses, telephone numbers, dates of birth,
2703 and photographs of current or former personnel of the Department
2704 of Health whose duties include, or result in, the determination
2705 or adjudication of eligibility for social security disability
2706 benefits, the investigation or prosecution of complaints filed
2707 against health care practitioners, or the inspection of health
2708 care practitioners or health care facilities licensed by the
2709 Department of Health; the names, home addresses, telephone
2710 numbers, dates of birth, and places of employment of the spouses
2711 and children of such personnel; and the names and locations of
2712 schools and day care facilities attended by the children of such
2713 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
2714 the State Constitution.

2715 p. The home addresses, telephone numbers, dates of birth,
2716 and photographs of current or former impaired practitioner
2717 consultants who are retained by an agency or current or former
2718 employees of an impaired practitioner consultant whose duties
2719 result in a determination of a person's skill and safety to
2720 practice a licensed profession; the names, home addresses,
2721 telephone numbers, dates of birth, and places of employment of
2722 the spouses and children of such consultants or their employees;
2723 and the names and locations of schools and day care facilities
2724 attended by the children of such consultants or employees are
2725 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2726 Constitution.

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2727 q. The home addresses, telephone numbers, dates of birth,
2728 and photographs of current or former emergency medical
2729 technicians or paramedics certified under chapter 401; the
2730 names, home addresses, telephone numbers, dates of birth, and
2731 places of employment of the spouses and children of such
2732 emergency medical technicians or paramedics; and the names and
2733 locations of schools and day care facilities attended by the
2734 children of such emergency medical technicians or paramedics are
2735 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2736 Constitution.

2737 r. The home addresses, telephone numbers, dates of birth,
2738 and photographs of current or former personnel employed in an
2739 agency's office of inspector general or internal audit
2740 department whose duties include auditing or investigating waste,
2741 fraud, abuse, theft, exploitation, or other activities that
2742 could lead to criminal prosecution or administrative discipline;
2743 the names, home addresses, telephone numbers, dates of birth,
2744 and places of employment of spouses and children of such
2745 personnel; and the names and locations of schools and day care
2746 facilities attended by the children of such personnel are exempt
2747 from s. 119.07(1) and s. 24(a), Art. I of the State
2748 Constitution.

2749 s. The home addresses, telephone numbers, dates of birth,
2750 and photographs of current or former directors, managers,
2751 supervisors, nurses, and clinical employees of an addiction
2752 treatment facility; the home addresses, telephone numbers,
2753 photographs, dates of birth, and places of employment of the
2754 spouses and children of such personnel; and the names and
2755 locations of schools and day care facilities attended by the

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2756 children of such personnel are exempt from s. 119.07(1) and s.
2757 24(a), Art. I of the State Constitution. For purposes of this
2758 sub-subparagraph, the term "addiction treatment facility" means
2759 a county government, or agency thereof, that is licensed
2760 pursuant to s. 397.401 and provides substance abuse prevention,
2761 intervention, or clinical treatment, including any licensed
2762 service component described in s. 397.311(26).

2763 t. The home addresses, telephone numbers, dates of birth,
2764 and photographs of current or former directors, managers,
2765 supervisors, and clinical employees of a child advocacy center
2766 that meets the standards of s. 39.3035(2) and fulfills the
2767 screening requirement of s. 39.3035(3), and the members of a
2768 Child Protection Team as described in s. 39.303 whose duties
2769 include supporting the investigation of child abuse or sexual
2770 abuse, child abandonment, child neglect, and child exploitation
2771 or to provide services as part of a multidisciplinary case
2772 review team; the names, home addresses, telephone numbers,
2773 photographs, dates of birth, and places of employment of the
2774 spouses and children of such personnel and members; and the
2775 names and locations of schools and day care facilities attended
2776 by the children of such personnel and members are exempt from s.
2777 119.07(1) and s. 24(a), Art. I of the State Constitution.

2778 u. The home addresses, telephone numbers, places of
2779 employment, dates of birth, and photographs of current or former
2780 staff and domestic violence advocates, as defined in s.
2781 90.5036(1)(b), of domestic violence centers certified by the
2782 Department of Children and Families under chapter 39; the names,
2783 home addresses, telephone numbers, places of employment, dates
2784 of birth, and photographs of the spouses and children of such

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2785 personnel; and the names and locations of schools and day care
2786 facilities attended by the children of such personnel are exempt
2787 from s. 119.07(1) and s. 24(a), Art. I of the State
2788 Constitution.

2789 v. The home addresses, telephone numbers, dates of birth,
2790 and photographs of current or former inspectors or investigators
2791 of the Department of Agriculture and Consumer Services; the
2792 names, home addresses, telephone numbers, dates of birth, and
2793 places of employment of the spouses and children of current or
2794 former inspectors or investigators; and the names and locations
2795 of schools and day care facilities attended by the children of
2796 current or former inspectors or investigators are exempt from s.
2797 119.07(1) and s. 24(a), Art. I of the State Constitution. This
2798 sub-subparagraph is subject to the Open Government Sunset Review
2799 Act in accordance with s. 119.15 and shall stand repealed on
2800 October 2, 2028, unless reviewed and saved from repeal through
2801 reenactment by the Legislature.

2802 3. An agency that is the custodian of the information
2803 specified in subparagraph 2. and that is not the employer of the
2804 officer, employee, justice, judge, or other person specified in
2805 subparagraph 2. must maintain the exempt status of that
2806 information only if the officer, employee, justice, judge, other
2807 person, or employing agency of the designated employee submits a
2808 written and notarized request for maintenance of the exemption
2809 to the custodial agency. The request must state under oath the
2810 statutory basis for the individual's exemption request and
2811 confirm the individual's status as a party eligible for exempt
2812 status.

2813 4.a. A county property appraiser, as defined in s.

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2814 192.001(3), or a county tax collector, as defined in s.
2815 192.001(4), who receives a written and notarized request for
2816 maintenance of the exemption pursuant to subparagraph 3. must
2817 comply by removing the name of the individual with exempt status
2818 and the instrument number or Official Records book and page
2819 number identifying the property with the exempt status from all
2820 publicly available records maintained by the property appraiser
2821 or tax collector. For written requests received on or before
2822 July 1, 2021, a county property appraiser or county tax
2823 collector must comply with this sub-subparagraph by October 1,
2824 2021. A county property appraiser or county tax collector may
2825 not remove the street address, legal description, or other
2826 information identifying real property within the agency's
2827 records so long as a name or personal information otherwise
2828 exempt from inspection and copying pursuant to this section is
2829 not associated with the property or otherwise displayed in the
2830 public records of the agency.

2831 b. Any information restricted from public display,
2832 inspection, or copying under sub-subparagraph a. must be
2833 provided to the individual whose information was removed.

2834 5. An officer, an employee, a justice, a judge, or other
2835 person specified in subparagraph 2. may submit a written request
2836 for the release of his or her exempt information to the
2837 custodial agency. The written request must be notarized and must
2838 specify the information to be released and the party authorized
2839 to receive the information. Upon receipt of the written request,
2840 the custodial agency must release the specified information to
2841 the party authorized to receive such information.

2842 6. The exemptions in this paragraph apply to information

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2843 held by an agency before, on, or after the effective date of the
2844 exemption.

2845 7. Information made exempt under this paragraph may be
2846 disclosed pursuant to s. 28.2221 to a title insurer authorized
2847 pursuant to s. 624.401 and its affiliates as defined in s.
2848 624.10; a title insurance agent or title insurance agency as
2849 defined in s. 626.841(1) or (2), respectively; or an attorney
2850 duly admitted to practice law in this state and in good standing
2851 with The Florida Bar.

2852 8. The exempt status of a home address contained in the
2853 Official Records is maintained only during the period when a
2854 protected party resides at the dwelling location. Upon
2855 conveyance of real property after October 1, 2021, and when such
2856 real property no longer constitutes a protected party's home
2857 address as defined in sub-subparagraph 1.a., the protected party
2858 must submit a written request to release the removed information
2859 to the county recorder. The written request to release the
2860 removed information must be notarized, must confirm that a
2861 protected party's request for release is pursuant to a
2862 conveyance of his or her dwelling location, and must specify the
2863 Official Records book and page, instrument number, or clerk's
2864 file number for each document containing the information to be
2865 released.

2866 9. Upon the death of a protected party as verified by a
2867 certified copy of a death certificate or court order, any party
2868 can request the county recorder to release a protected
2869 decedent's removed information unless there is a related request
2870 on file with the county recorder for continued removal of the
2871 decedent's information or unless such removal is otherwise

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2872 prohibited by statute or by court order. The written request to
2873 release the removed information upon the death of a protected
2874 party must attach the certified copy of a death certificate or
2875 court order and must be notarized, must confirm the request for
2876 release is due to the death of a protected party, and must
2877 specify the Official Records book and page number, instrument
2878 number, or clerk's file number for each document containing the
2879 information to be released. A fee may not be charged for the
2880 release of any document pursuant to such request.

2881 10. Except as otherwise expressly provided in this
2882 paragraph, this paragraph is subject to the Open Government
2883 Sunset Review Act in accordance with s. 119.15 and shall stand
2884 repealed on October 2, 2024, unless reviewed and saved from
2885 repeal through reenactment by the Legislature.

2886 Section 53. Subsection (4) of section 322.09, Florida
2887 Statutes, is amended to read:

2888 322.09 Application of minors; responsibility for negligence
2889 or misconduct of minor.—

2890 (4) Notwithstanding subsections (1) and (2), if a caregiver
2891 of a minor who is under the age of 18 years and is in out-of-
2892 home care as defined in s. 39.01 ~~s. 39.01(55)~~, an authorized
2893 representative of a residential group home at which such a minor
2894 resides, the caseworker at the agency at which the state has
2895 placed the minor, or a guardian ad litem specifically authorized
2896 by the minor's caregiver to sign for a learner's driver license
2897 signs the minor's application for a learner's driver license,
2898 that caregiver, group home representative, caseworker, or
2899 guardian ad litem does not assume any obligation or become
2900 liable for any damages caused by the negligence or willful

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2901 misconduct of the minor by reason of having signed the
2902 application. Before signing the application, the caseworker,
2903 authorized group home representative, or guardian ad litem shall
2904 notify the caregiver or other responsible party of his or her
2905 intent to sign and verify the application.

2906 Section 54. Paragraph (p) of subsection (4) of section
2907 394.495, Florida Statutes, is amended to read:

2908 394.495 Child and adolescent mental health system of care;
2909 programs and services.—

2910 (4) The array of services may include, but is not limited
2911 to:

2912 (p) Trauma-informed services for children who have suffered
2913 sexual exploitation as defined in s. 39.01(80)(g) ~~s.~~
2914 ~~39.01(77)(g)~~.

2915 Section 55. Section 627.746, Florida Statutes, is amended
2916 to read:

2917 627.746 Coverage for minors who have a learner's driver
2918 license; additional premium prohibited.—An insurer that issues
2919 an insurance policy on a private passenger motor vehicle to a
2920 named insured who is a caregiver of a minor who is under the age
2921 of 18 years and is in out-of-home care as defined in s. 39.01 ~~s.~~
2922 ~~39.01(55)~~ may not charge an additional premium for coverage of
2923 the minor while the minor is operating the insured vehicle, for
2924 the period of time that the minor has a learner's driver
2925 license, until such time as the minor obtains a driver license.

2926 Section 56. Paragraph (c) of subsection (1) of section
2927 934.255, Florida Statutes, is amended to read:

2928 934.255 Subpoenas in investigations of sexual offenses.—

2929 (1) As used in this section, the term:

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2930 (c) "Sexual abuse of a child" means a criminal offense
2931 based on any conduct described in s. 39.01(80) ~~s. 39.01(77)~~.

2932 Section 57. Subsection (5) of section 960.065, Florida
2933 Statutes, is amended to read:

2934 960.065 Eligibility for awards.—

2935 (5) A person is not ineligible for an award pursuant to
2936 paragraph (2) (a), paragraph (2) (b), or paragraph (2) (c) if that
2937 person is a victim of sexual exploitation of a child as defined
2938 in s. 39.01(80) (g) ~~s. 39.01(77) (g)~~.

2939 Section 58. The Division of Law Revision is requested to
2940 prepare a reviser's bill for the 2025 Regular Session of the
2941 Legislature to substitute the term "Statewide Guardian ad Litem
2942 Office" for the term "Guardian ad Litem Program" or "Statewide
2943 Guardian ad Litem Program" throughout the Florida Statutes.

2944 Section 59. This act shall take effect July 1, 2024.