

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

26 appointment of an attorney for certain children;
27 authorizing the court to appoint an attorney ad litem
28 after making certain determinations; providing
29 requirements for the appointment and discharge of an
30 attorney ad litem; authorizing an attorney ad litem to
31 represent a child in other proceedings to secure
32 certain services and benefits; conforming provisions
33 to changes made by the act; providing applicability;
34 amending s. 39.0132, F.S.; authorizing a child's
35 attorney ad litem to inspect certain records; amending
36 s. 39.0136, F.S.; revising the parties who may request
37 a continuance in a proceeding; amending s. 39.01375,
38 F.S.; conforming provisions to changes made by the
39 act; amending s. 39.0139, F.S.; conforming provisions
40 to changes made by the act; amending s. 39.202, F.S.;
41 requiring that certain confidential records be
42 released to the guardian ad litem and attorney ad
43 litem; conforming a cross-reference; amending s.
44 39.402, F.S.; requiring parents to consent to provide
45 certain information to the guardian ad litem and
46 attorney ad litem; conforming provisions to changes
47 made by the act; amending s. 39.4022, F.S.; revising
48 the participants who must be invited to a
49 multidisciplinary team staffing; amending s. 39.4023,
50 F.S.; requiring notice of a multidisciplinary team

51 staffing be provided to a child's guardian ad litem
52 and attorney ad litem; conforming provisions to
53 changes made by the act; amending s. 39.407, F.S.;
54 conforming provisions to changes made by the act;
55 amending s. 39.4085, F.S.; providing a goal of
56 permanency; conforming provisions to changes made by
57 the act; amending ss. 39.502 and 39.522, F.S.;
58 conforming provisions to changes made by the act;
59 amending s. 39.6012, F.S.; requiring a case plan to
60 include written descriptions of certain activities;
61 conforming a cross-reference; creating s. 39.6036,
62 F.S.; providing legislative findings and intent;
63 requiring the Statewide Guardian ad Litem Office to
64 work with certain children to identify a supportive
65 adult to enter into a specified agreement; requiring
66 such agreement be documented in the child's court
67 file; requiring the office to coordinate with the
68 Office of Continuing Care for a specified purpose;
69 amending s. 39.621, F.S.; conforming provisions to
70 changes made by the act; amending s. 39.6241, F.S.;
71 requiring a guardian ad litem to advise the court
72 regarding certain information and to ensure a certain
73 agreement has been documented in the child's court
74 file; amending s. 39.701, F.S.; requiring certain
75 notice be given to an attorney ad litem; requiring a

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

101 to fulfill; amending s. 39.827, F.S.; authorizing a
102 child's guardian ad litem and attorney ad litem to
103 inspect certain records; amending s. 39.8296, F.S.;
104 revising the duties and appointment of the executive
105 director of the Statewide Guardian ad Litem Office;
106 requiring the training program for guardians ad litem
107 to be updated regularly; requiring the office to
108 provide oversight and technical assistance to
109 attorneys ad litem; specifying certain requirements of
110 the office; amending s. 39.8297, F.S.; conforming
111 provisions to changes made by the act; amending s.
112 39.8298, F.S.; authorizing the executive director of
113 the Statewide Guardian ad Litem Office to create or
114 designate local direct-support organizations;
115 providing responsibilities for the executive director
116 of the office; requiring that certain moneys be held
117 in a separate depository account; conforming
118 provisions to changes made by the act; amending s.
119 414.56, F.S.; requiring the Office of Continuing Care
120 to work in coordination with the Statewide Guardian ad
121 Litem Office for a specified purpose; creating s.
122 1009.898, F.S.; authorizing the Pathway to Prosperity
123 program to provide certain grants to youth and young
124 adults who are aging out of foster care; requiring
125 grants to extend for a certain period of time after a

126 recipient is reunited with his or her parents;
 127 amending ss. 29.008, 39.6011, 40.24, 43.16, 61.402,
 128 110.205, 320.08058, 943.053, 985.43, 985.441, 985.455,
 129 985.461, and 985.48, F.S.; conforming provisions to
 130 changes made by the act; amending ss. 39.302, 39.521,
 131 61.13, 119.071, 322.09, 394.495, 627.746, 934.255, and
 132 960.065, F.S.; conforming cross-references; providing
 133 a directive to the Division of Law Revision; providing
 134 an effective date;

135

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

137

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

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

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

144 (j) To ensure that, when reunification or adoption is not
 145 possible, the child will be prepared for alternative permanency
 146 goals or placements, to include, but not be limited to, long-
 147 term foster care, independent living, custody to a relative on a
 148 permanent basis with or without legal guardianship, or custody
 149 to a foster parent or legal custodian on a permanent basis with
 150 or without legal guardianship. Permanency for a child who is

151 transitioning from foster care to independent living includes
 152 naturally occurring, lifelong, kin-like connections between the
 153 child and a supportive adult.

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

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

160 (10) PLAN FOR COMPREHENSIVE APPROACH.—

161 (a) The office shall develop a state plan for the
 162 promotion of adoption, support of adoptive families, and
 163 prevention of abuse, abandonment, and neglect of children. The
 164 Department of Children and Families, the Department of
 165 Corrections, the Department of Education, the Department of
 166 Health, the Department of Juvenile Justice, the Department of
 167 Law Enforcement, the Statewide Guardian ad Litem Office, and the
 168 Agency for Persons with Disabilities shall participate and fully
 169 cooperate in the development of the state plan at both the state
 170 and local levels. Furthermore, appropriate local agencies and
 171 organizations shall be provided an opportunity to participate in
 172 the development of the state plan at the local level.
 173 Appropriate local groups and organizations shall include, but
 174 not be limited to, community mental health centers; circuit
 175 guardian ad litem offices ~~programs for children under the~~

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

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

194 39.00145 Records concerning children.—

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

200 (a) A complete and accurate copy of any record in a

201 child's case record must be provided, upon request and at no
202 cost, to the child who is the subject of the case record and to
203 the child's caregiver, guardian ad litem, or attorney ad litem,
204 if one is appointed.

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

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

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

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

226 39.00146 Case record face sheet.—

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

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

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

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

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

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

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

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

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

251 amended to read:

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

255 (2) AGENCY AGREEMENTS.—

256 (b) The department shall enter into agreements with
257 district school boards or other local educational entities
258 regarding education and related services for children known to
259 the department who are of school age and children known to the
260 department who are younger than school age but who would
261 otherwise qualify for services from the district school board.
262 Such agreements must ~~shall~~ include, but are not limited to:

263 1. A requirement that the department shall:

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

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

274 c. Establish a protocol for the department to share
275 information about a child known to the department with the

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

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

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

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

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

299 b. Identify all educational and other services provided by
 300 the school and school district which the school district

301 believes are reasonably necessary to meet the educational needs
302 of a child known to the department.

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

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

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

326 department who has or is suspected of having a disability may
 327 include:

328 a. Referral for screening.

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

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

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

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

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

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

348 (b)1. Each district school superintendent or dependency
 349 court must appoint a surrogate parent for a child known to the
 350 department who has or is suspected of having a disability, as

351 defined in s. 1003.01(9), when:

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

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

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

376 may be a court-appointed guardian ad litem or a relative or
377 nonrelative adult who is involved in the child's life regardless
378 of whether that person has physical custody of the child. Each
379 person appointed as a surrogate parent must have the knowledge
380 and skills acquired by successfully completing training using
381 materials developed and approved by the Department of Education
382 to ensure adequate representation of the child.

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

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

400 5. For a child known to the department, the responsibility

401 to appoint a surrogate parent resides with both the district
402 school superintendent and the court with jurisdiction over the
403 child. If the court elects to appoint a surrogate parent, notice
404 shall be provided as soon as practicable to the child's school.
405 At any time the court determines that it is in the best
406 interests of a child to remove a surrogate parent, the court may
407 appoint a new surrogate parent for educational decisionmaking
408 purposes for that child.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

470 (32) "Guardian ad litem" means a person or an entity that
 471 is a fiduciary appointed by the court to represent a child in
 472 any civil, criminal, or administrative proceeding to which the
 473 child is a party, including, but not limited to, under this
 474 chapter, which uses a best interest standard for decisionmaking
 475 and advocacy. For purposes of this chapter, the term includes,

476 but is not limited to, the Statewide Guardian ad Litem Office,
 477 which includes all circuit guardian ad litem offices and the
 478 duly certified volunteers, staff, and attorneys assigned by the
 479 Statewide Guardian ad Litem Office to represent children; a
 480 court-appointed attorney; or a responsible adult who is
 481 appointed by the court. A guardian ad litem is a party to the
 482 judicial proceeding as a representative of the child and serves
 483 until the jurisdiction of the court over the child terminates or
 484 until excused by the court.

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

488 (39)~~(36)~~ "Institutional child abuse or neglect" means
 489 situations of known or suspected child abuse or neglect in which
 490 the person allegedly perpetrating the child abuse or neglect is
 491 an employee of a public or private school, public or private day
 492 care center, residential home, institution, facility, or agency
 493 or any other person at such institution responsible for the
 494 child's welfare as defined in subsection (57)~~(54)~~.

495 (61)~~(58)~~ "Party" means the parent or parents of the child,
 496 the petitioner, the department, the guardian ad litem ~~or the~~
 497 ~~representative of the guardian ad litem program when the program~~
 498 ~~has been appointed,~~ and the child. The presence of the child may
 499 be excused by order of the court when presence would not be in
 500 the child's best interest. Notice to the child may be excused by

501 order of the court when the age, capacity, or other condition of
 502 the child is such that the notice would be meaningless or
 503 detrimental to the child.

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

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

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

518 (14) The court may appoint an attorney ad litem for a
 519 child if the court believes the child is in need of such
 520 representation and determines that the child has a rational and
 521 factual understanding of the proceedings and sufficient present
 522 ability to consult with an attorney with a reasonable degree of
 523 rational understanding. The attorney ad litem may represent the
 524 child in proceedings outside of the dependency case to secure
 525 services and benefits that provide for the care, safety, and

526 protection of the child.

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

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

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

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

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

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

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

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

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

575 ~~(a) Resides in a skilled nursing facility or is being~~

576 ~~considered for placement in a skilled nursing home;~~
577 ~~(b) Is prescribed a psychotropic medication but declines~~
578 ~~assent to the psychotropic medication;~~
579 ~~(c) Has a diagnosis of a developmental disability as~~
580 ~~defined in s. 393.063;~~
581 ~~(d) Is being placed in a residential treatment center or~~
582 ~~being considered for placement in a residential treatment~~
583 ~~center; or~~
584 ~~(e) Is a victim of human trafficking as defined in s.~~
585 ~~787.06(2)(d).~~
586 (3)(a)-(4)(a) Before a court may appoint an attorney ad
587 litem, who may be compensated pursuant to this section, the
588 court must request a recommendation from the Statewide Guardian
589 ad Litem Office for an attorney who is willing to represent a
590 child without additional compensation. If such an attorney is
591 available within 15 days after the court's request, the court
592 must appoint that attorney. However, the court may appoint a
593 compensated attorney within the 15-day period if the Statewide
594 Guardian ad Litem Office informs the court that the office is
595 unable ~~it will not be able~~ to recommend an attorney within that
596 time period.
597 (b) A court order appointing ~~After~~ an attorney ad litem
598 must be in writing. ~~is appointed, the appointment continues in~~
599 ~~effect until the attorney is allowed to withdraw or is~~
600 ~~discharged by~~ The court must discharge ~~or until the case is~~

601 ~~dismissed.~~ an attorney ad litem who is appointed under this
602 section if the need for such representation is resolved. The
603 attorney ad litem may represent the child in proceedings outside
604 of the dependency case to secure services and benefits that
605 provide for the care, safety, and protection of the child ~~to~~
606 ~~represent the child shall provide the complete range of legal~~
607 ~~services, from the removal from home or from the initial~~
608 ~~appointment through all available appellate proceedings.~~ With
609 the permission of the court, the attorney ad litem ~~for the~~
610 ~~dependent child~~ may arrange for supplemental or separate counsel
611 to represent the child in appellate proceedings. ~~A court order~~
612 ~~appointing an attorney under this section must be in writing.~~

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

625 ~~(6) The department shall develop procedures to identify a~~

626 ~~dependent child who has a special need specified under~~
 627 ~~subsection (3) and to request that a court appoint an attorney~~
 628 ~~for the child.~~

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

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

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

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

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

641 39.0132 Oaths, records, and confidential information.—

642 (3) The clerk shall keep all court records required by
 643 this chapter separate from other records of the circuit court.
 644 All court records required by this chapter may ~~shall~~ not be open
 645 to inspection by the public. All records may ~~shall~~ be inspected
 646 only upon order of the court by persons deemed by the court to
 647 have a proper interest therein, except that, subject to ~~the~~
 648 ~~provisions of s. 63.162, a child,~~ and the parents of the child
 649 and their attorneys, the guardian ad litem, criminal conflict
 650 and civil regional counsels, law enforcement agencies, ~~and~~ the

651 department and its designees, and the attorney ad litem, if one
 652 is appointed, ~~shall~~ always have the right to inspect and copy
 653 any official record pertaining to the child. The Justice
 654 Administrative Commission may inspect court dockets required by
 655 this chapter as necessary to audit compensation of court-
 656 appointed attorneys ad litem. If the docket is insufficient for
 657 purposes of the audit, the commission may petition the court for
 658 additional documentation as necessary and appropriate. The court
 659 may permit authorized representatives of recognized
 660 organizations compiling statistics for proper purposes to
 661 inspect and make abstracts from official records, under whatever
 662 conditions upon their use and disposition the court may deem
 663 proper, and may punish by contempt proceedings any violation of
 664 those conditions.

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

667 39.0136 Time limitations; continuances.—

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

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

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

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

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

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

687 39.0139 Visitation or other contact; restrictions.—

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

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

698 (b) At the hearing, the court may receive and rely upon
 699 any relevant and material evidence submitted to the extent of
 700 its probative value, including written and oral reports or

701 recommendations from the Child Protection Team, the child's
702 therapist, the child's guardian ad litem, or the child's
703 attorney ad litem, if one is appointed, even if these reports,
704 recommendations, and evidence may not be admissible under the
705 rules of evidence.

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

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

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

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

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

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

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

737 39.402 Placement in a shelter.—

738 (8)

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

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

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

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

750 4. Inquire of those present at the shelter hearing as to

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

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

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

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

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

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

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

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

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

776 409.256.

777 (11)

778 (b) The court shall request that the parents consent to
 779 provide access to the child's medical records and provide
 780 information to the court, the department or its contract
 781 agencies, and the ~~any~~ guardian ad litem and ~~or~~ attorney ad
 782 litem, if one is appointed, for the child. If a parent is
 783 unavailable or unable to consent or withholds consent and the
 784 court determines access to the records and information is
 785 necessary to provide services to the child, the court shall
 786 issue an order granting access. The court may also order the
 787 parents to provide all known medical information to the
 788 department and to any others granted access under this
 789 subsection.

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

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

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

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

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

812 (4) PARTICIPANTS.—

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

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

825 a. The child, unless he or she is not of an age or

826 capacity to participate in the team, and the child's guardian ad
827 litem;

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

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

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

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

842 f. The case manager for the child, or his or her case
843 manager supervisor; and

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

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

851 reasonable opportunities.

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

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

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

859 2.3. A school personnel representative who has direct
 860 contact with the child;

861 3.4. A therapist or other behavioral health professional,
 862 if applicable;

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

866 5.6. Other community providers of services to the child or
 867 stakeholders, when applicable.

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

871 39.4023 Placement and education transitions; transition
 872 plans.—

873 (3) PLACEMENT TRANSITIONS.—

874 (d) Transition planning.—

875 1. If the supportive services provided pursuant to

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

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

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

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

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

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

901 d. The guardian ad litem, ~~if one is appointed;~~
 902 e. The attorney ad litem for the child, if one is
 903 appointed, ~~and~~
 904 f. The attorney for the department.

905 4. The transition plan must be developed through
 906 cooperation among the persons included in subparagraph 3., and
 907 such persons must share any relevant information necessary for
 908 its development. Subject to the child's needs and preferences,
 909 the transition plan must meet the requirements of s.
 910 409.1415(2)(b)8. and exclude any placement changes that occur
 911 between 7 p.m. and 8 a.m.

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

916 (4) EDUCATION TRANSITIONS.—

917 (c) Minimizing school changes.—

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

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

926 affected by any other decision being made by the
927 multidisciplinary team.

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

948 4. The multidisciplinary team and the individuals listed
949 in subparagraph 3. must consider, at a minimum, all of the
950 following factors when determining whether remaining in the

951 school or program of origin is in the child's best interest or,
 952 if not, when selecting a new school or program:

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

955 b. The preference of the child's parents or legal
 956 guardians.

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

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

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

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

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

974 h. Whether the child is an English Language Learner
 975 student and is receiving language services and, if so, whether

976 | those required services are available in a school or program
 977 | other than the school or program of origin.

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

980 | j. The availability of extracurricular activities
 981 | important to the child.

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

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

988 | m. The child's history of school transfers and how such
 989 | transfers have impacted the child academically, emotionally, and
 990 | behaviorally.

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

994 | o. The length of time the child has attended the school or
 995 | program of origin.

996 | 5. The cost of transportation cannot be a factor in making
 997 | a best interest determination.

998 | Section 17. Paragraph (f) of subsection (3) of section
 999 | 39.407, Florida Statutes, is amended to read:

1000 | 39.407 Medical, psychiatric, and psychological examination

1001 and treatment of child; physical, mental, or substance abuse
 1002 examination of person with or requesting child custody.—

1003 (3)

1004 (f)1. The department shall fully inform the court of the
 1005 child's medical and behavioral status as part of the social
 1006 services report prepared for each judicial review hearing held
 1007 for a child for whom psychotropic medication has been prescribed
 1008 or provided under this subsection. As a part of the information
 1009 provided to the court, the department shall furnish copies of
 1010 all pertinent medical records concerning the child which have
 1011 been generated since the previous hearing. On its own motion or
 1012 on good cause shown by any party, including the ~~any~~ guardian ad
 1013 litem, ~~attorney,~~ or attorney ad litem, if one is ~~who has been~~
 1014 appointed ~~to represent the child or the child's interests,~~ the
 1015 court may review the status more frequently than required in
 1016 this subsection.

1017 2. The court may, in the best interests of the child,
 1018 order the department to obtain a medical opinion addressing
 1019 whether the continued use of the medication under the
 1020 circumstances is safe and medically appropriate.

1021 Section 18. Paragraphs (m), (t), and (u) of subsection (1)
 1022 of section 39.4085, Florida Statutes, are amended to read:

1023 39.4085 Goals for dependent children; responsibilities;
 1024 education; Office of the Children's Ombudsman.—

1025 (1) The Legislature finds that the design and delivery of

1026 child welfare services should be directed by the principle that
1027 the health and safety of children, including the freedom from
1028 abuse, abandonment, or neglect, is of paramount concern and,
1029 therefore, establishes the following goals for children in
1030 shelter or foster care:

1031 (m) To receive meaningful case management and planning
1032 that will quickly return the child to his or her family or move
1033 the child on to other forms of permanency. For a child who is
1034 transitioning from foster care to independent living, permanency
1035 includes establishing naturally occurring, lifelong, kin-like
1036 connections between the child and a supportive adult.

1037 (t) To have a guardian ad litem appointed ~~to represent,~~
1038 ~~within reason, their best interests~~ and, if appropriate, an
1039 attorney ad litem ~~appointed to represent their legal interests;~~
1040 the guardian ad litem and attorney ad litem, if one is
1041 appointed, ~~shall~~ have immediate and unlimited access to the
1042 children they represent.

1043 (u) To have all their records available for review by
1044 their guardian ad litem and attorney ad litem, if one is
1045 appointed, if they deem such review necessary.

1046
1047 This subsection establishes goals and not rights. This
1048 subsection does not require the delivery of any particular
1049 service or level of service in excess of existing
1050 appropriations. A person does not have a cause of action against

1051 the state or any of its subdivisions, agencies, contractors,
 1052 subcontractors, or agents, based upon the adoption of or failure
 1053 to provide adequate funding for the achievement of these goals
 1054 by the Legislature. This subsection does not require the
 1055 expenditure of funds to meet the goals established in this
 1056 subsection except those funds specifically appropriated for such
 1057 purpose.

1058 Section 19. Subsection (8) of section 39.502, Florida
 1059 Statutes, is amended to read:

1060 39.502 Notice, process, and service.—

1061 (8) It is not necessary to the validity of a proceeding
 1062 covered by this part that the parents be present if their
 1063 identity or residence is unknown after a diligent search has
 1064 been made; however, ~~but in this event~~ the petitioner must ~~shall~~
 1065 file an affidavit of diligent search prepared by the person who
 1066 made the search and inquiry, and the court must ~~may~~ appoint a
 1067 guardian ad litem for the child if a guardian ad litem has not
 1068 previously been appointed.

1069 Section 20. Paragraph (c) of subsection (3) of section
 1070 39.522, Florida Statutes, is amended to read:

1071 39.522 Postdisposition change of custody.—

1072 (3)

1073 (c)1. The department or community-based care lead agency
 1074 must notify a current caregiver who has been in the physical
 1075 custody placement for at least 9 consecutive months and who

1076 meets all the established criteria in paragraph (b) of an intent
 1077 to change the physical custody of the child, and a
 1078 multidisciplinary team staffing must be held in accordance with
 1079 ss. 39.4022 and 39.4023 at least 21 days before the intended
 1080 date for the child's change in physical custody, unless there is
 1081 an emergency situation as defined in s. 39.4022(2)(b). If there
 1082 is not a unanimous consensus decision reached by the
 1083 multidisciplinary team, the department's official position must
 1084 be provided to the parties within the designated time period as
 1085 provided for in s. 39.4022.

1086 2. A caregiver who objects to the department's official
 1087 position on the change in physical custody must notify the court
 1088 and the department or community-based care lead agency of his or
 1089 her objection and the intent to request an evidentiary hearing
 1090 in writing in accordance with this section within 5 days after
 1091 receiving notice of the department's official position provided
 1092 under subparagraph 1. The transition of the child to the new
 1093 caregiver may not begin before the expiration of the 5-day
 1094 period within which the current caregiver may object.

1095 3. Upon the department or community-based care lead agency
 1096 receiving written notice of the caregiver's objection, the
 1097 change to the child's physical custody must be placed in
 1098 abeyance and the child may not be transitioned to a new physical
 1099 placement without a court order, unless there is an emergency
 1100 situation as defined in s. 39.4022(2)(b).

1101 4. Within 7 days after receiving written notice from the
 1102 caregiver, the court must conduct an initial case status
 1103 hearing, at which time the court must do all of the following:

1104 a. Grant party status to the current caregiver who is
 1105 seeking permanent custody and has maintained physical custody of
 1106 that child for at least 9 continuous months for the limited
 1107 purpose of filing a motion for a hearing on the objection and
 1108 presenting evidence pursuant to this subsection. †

1109 ~~b. Appoint an attorney for the child who is the subject of~~
 1110 ~~the permanent custody proceeding, in addition to the guardian ad~~
 1111 ~~litem, if one is appointed;~~

1112 ~~b.e.~~ Advise the caregiver of his or her right to retain
 1113 counsel for purposes of the evidentiary hearing. † ~~and~~

1114 ~~c.d.~~ Appoint a court-selected neutral and independent
 1115 licensed professional with expertise in the science and research
 1116 of child-parent bonding.

1117 Section 21. Paragraph (c) of subsection (1) and paragraph
 1118 (c) of subsection (3) of section 39.6012, Florida Statutes, are
 1119 amended to read:

1120 39.6012 Case plan tasks; services.—

1121 (1) The services to be provided to the parent and the
 1122 tasks that must be completed are subject to the following:

1123 (c) If there is evidence of harm as defined in s.
 1124 39.01(37)(g) ~~s. 39.01(34)(g)~~, the case plan must include as a
 1125 required task for the parent whose actions caused the harm that

1126 | the parent submit to a substance abuse disorder assessment or
 1127 | evaluation and participate and comply with treatment and
 1128 | services identified in the assessment or evaluation as being
 1129 | necessary.

1130 | (3) In addition to any other requirement, if the child is
 1131 | in an out-of-home placement, the case plan must include:

1132 | (c) When appropriate, for a child who is 13 years of age
 1133 | or older, a written description of the programs and services
 1134 | that will help the child prepare for the transition from foster
 1135 | care to independent living. The written description must include
 1136 | age-appropriate activities for the child's development of
 1137 | relationships, coping skills, and emotional well-being.

1138 | Section 22. Section 39.6036, Florida Statutes, is created
 1139 | to read:

1140 | 39.6036 Supportive adults for children transitioning out
 1141 | of foster care.-

1142 | (1) The Legislature finds that a committed, caring adult
 1143 | provides a lifeline for a child transitioning out of foster care
 1144 | to live independently. Accordingly, it is the intent of the
 1145 | Legislature that the Statewide Guardian ad Litem Office help
 1146 | children connect with supportive adults with the hope of
 1147 | creating an ongoing relationship that lasts into adulthood.

1148 | (2) The Statewide Guardian ad Litem Office shall work with
 1149 | a child who is transitioning out of foster care to identify at
 1150 | least one supportive adult with whom the child can enter into a

1151 formal agreement for an ongoing relationship and document such
1152 agreement in the child's court file. If the child cannot
1153 identify a supportive adult, the Statewide Guardian ad Litem
1154 Office shall work in coordination with the Office of Continuing
1155 Care to identify at least one supportive adult with whom the
1156 child can enter into a formal agreement for an ongoing
1157 relationship and document such agreement in the child's court
1158 file.

1159 Section 23. Paragraph (c) of subsection (10) of section
1160 39.621, Florida Statutes, is amended to read:

1161 39.621 Permanency determination by the court.—

1162 (10) The permanency placement is intended to continue
1163 until the child reaches the age of majority and may not be
1164 disturbed absent a finding by the court that the circumstances
1165 of the permanency placement are no longer in the best interest
1166 of the child.

1167 (c) The court shall base its decision concerning any
1168 motion by a parent for reunification or increased contact with a
1169 child on the effect of the decision on the safety, well-being,
1170 and physical and emotional health of the child. Factors that
1171 must be considered and addressed in the findings of fact of the
1172 order on the motion must include:

1173 1. The compliance or noncompliance of the parent with the
1174 case plan;

1175 2. The circumstances which caused the child's dependency

1176 and whether those circumstances have been resolved;
 1177 3. The stability and longevity of the child's placement;
 1178 4. The preferences of the child, if the child is of
 1179 sufficient age and understanding to express a preference;
 1180 5. The recommendation of the current custodian; and
 1181 6. Any ~~The~~ recommendation of the guardian ad litem, ~~if one~~
 1182 ~~has been appointed.~~

1183 Section 24. Subsection (2) of section 39.6241, Florida
 1184 Statutes, is amended to read:

1185 39.6241 Another planned permanent living arrangement.—

1186 (2) The department and the guardian ad litem must provide
 1187 the court with a recommended list and description of services
 1188 needed by the child, such as independent living services and
 1189 medical, dental, educational, or psychological referrals, and a
 1190 recommended list and description of services needed by his or
 1191 her caregiver. The guardian ad litem must also advise the court
 1192 whether the child has been connected with a supportive adult
 1193 and, if the child has been connected with a supportive adult,
 1194 whether the child has entered into a formal agreement with the
 1195 adult. If the child has entered into a formal agreement pursuant
 1196 to s. 39.6036, the guardian ad litem must ensure that the
 1197 agreement is documented in the child's court file.

1198 Section 25. Paragraphs (b) and (f) of subsection (1),
 1199 paragraph (c) of subsection (2), subsection (3), and paragraph
 1200 (e) of subsection (4) of section 39.701, Florida Statutes, are

1201 amended to read:

1202 39.701 Judicial review.—

1203 (1) GENERAL PROVISIONS.—

1204 (b)1. The court shall retain jurisdiction over a child
 1205 returned to his or her parents for a minimum period of 6 months
 1206 after ~~following~~ the reunification, but, at that time, based on a
 1207 report of the social service agency and the guardian ad litem,
 1208 ~~if one has been appointed,~~ and any other relevant factors, the
 1209 court shall make a determination as to whether supervision by
 1210 the department and the court's jurisdiction shall continue or be
 1211 terminated.

1212 2. Notwithstanding subparagraph 1., the court must retain
 1213 jurisdiction over a child if the child is placed in the home
 1214 with a parent or caregiver with an in-home safety plan and such
 1215 safety plan remains necessary for the child to reside safely in
 1216 the home.

1217 (f) Notice of a judicial review hearing or a citizen
 1218 review panel hearing, and a copy of the motion for judicial
 1219 review, if any, must be served by the clerk of the court upon
 1220 all of the following persons, if available to be served,
 1221 regardless of whether the person was present at the previous
 1222 hearing at which the date, time, and location of the hearing was
 1223 announced:

1224 1. The social service agency charged with the supervision
 1225 of care, custody, or guardianship of the child, if that agency

1226 is not the movant.

1227 2. The foster parent or legal custodian in whose home the

1228 child resides.

1229 3. The parents.

1230 4. The guardian ad litem for the child, ~~or the~~

1231 ~~representative of the guardian ad litem program if the program~~

1232 ~~has been appointed.~~

1233 5. The attorney ad litem for the child, if one is

1234 appointed.

1235 6. The child, if the child is 13 years of age or older.

1236 7. Any preadoptive parent.

1237 8. Such other persons as the court may direct.

1238 (2) REVIEW HEARINGS FOR CHILDREN YOUNGER THAN 18 YEARS OF

1239 AGE.—

1240 (c) Review determinations.—The court and any citizen

1241 review panel shall take into consideration the information

1242 contained in the social services study and investigation and all

1243 medical, psychological, and educational records that support the

1244 terms of the case plan; testimony by the social services agency,

1245 the parent, the foster parent or caregiver, the guardian ad

1246 litem, the ~~or~~ surrogate parent for educational decisionmaking if

1247 one has been appointed for the child, and any other person

1248 deemed appropriate; and any relevant and material evidence

1249 submitted to the court, including written and oral reports to

1250 the extent of their probative value. These reports and evidence

1251 may be received by the court in its effort to determine the
 1252 action to be taken with regard to the child and may be relied
 1253 upon to the extent of their probative value, even though not
 1254 competent in an adjudicatory hearing. In its deliberations, the
 1255 court and any citizen review panel shall seek to determine:

1256 1. If the parent was advised of the right to receive
 1257 assistance from any person or social service agency in the
 1258 preparation of the case plan.

1259 2. If the parent has been advised of the right to have
 1260 counsel present at the judicial review or citizen review
 1261 hearings. If not so advised, the court or citizen review panel
 1262 shall advise the parent of such right.

1263 3. If a guardian ad litem needs to be appointed for the
 1264 child in a case in which a guardian ad litem has not previously
 1265 been appointed ~~or if there is a need to continue a guardian ad~~
 1266 ~~litem in a case in which a guardian ad litem has been appointed.~~

1267 4. Who holds the rights to make educational decisions for
 1268 the child. If appropriate, the court may refer the child to the
 1269 district school superintendent for appointment of a surrogate
 1270 parent or may itself appoint a surrogate parent under the
 1271 Individuals with Disabilities Education Act and s. 39.0016.

1272 5. The compliance or lack of compliance of all parties
 1273 with applicable items of the case plan, including the parents'
 1274 compliance with child support orders.

1275 6. The compliance or lack of compliance with a visitation

1276 contract between the parent and the social service agency for
 1277 contact with the child, including the frequency, duration, and
 1278 results of the parent-child visitation and the reason for any
 1279 noncompliance.

1280 7. The frequency, kind, and duration of contacts among
 1281 siblings who have been separated during placement, as well as
 1282 any efforts undertaken to reunite separated siblings if doing so
 1283 is in the best interests of the child.

1284 8. The compliance or lack of compliance of the parent in
 1285 meeting specified financial obligations pertaining to the care
 1286 of the child, including the reason for failure to comply, if
 1287 applicable.

1288 9. Whether the child is receiving safe and proper care
 1289 according to s. 39.6012, including, but not limited to, the
 1290 appropriateness of the child's current placement, including
 1291 whether the child is in a setting that is as family-like and as
 1292 close to the parent's home as possible, consistent with the
 1293 child's best interests and special needs, and including
 1294 maintaining stability in the child's educational placement, as
 1295 documented by assurances from the community-based care lead
 1296 agency that:

1297 a. The placement of the child takes into account the
 1298 appropriateness of the current educational setting and the
 1299 proximity to the school in which the child is enrolled at the
 1300 time of placement.

1301 b. The community-based care lead agency has coordinated
 1302 with appropriate local educational agencies to ensure that the
 1303 child remains in the school in which the child is enrolled at
 1304 the time of placement.

1305 10. A projected date likely for the child's return home or
 1306 other permanent placement.

1307 11. When appropriate, the basis for the unwillingness or
 1308 inability of the parent to become a party to a case plan. The
 1309 court and the citizen review panel shall determine if the
 1310 efforts of the social service agency to secure party
 1311 participation in a case plan were sufficient.

1312 12. For a child who has reached 13 years of age but is not
 1313 yet 18 years of age, the adequacy of the child's preparation for
 1314 adulthood and independent living. For a child who is 15 years of
 1315 age or older, the court shall determine if appropriate steps are
 1316 being taken for the child to obtain a driver license or
 1317 learner's driver license.

1318 13. If amendments to the case plan are required.
 1319 Amendments to the case plan must be made under s. 39.6013.

1320 14. If the parents and caregivers have developed a
 1321 productive relationship that includes meaningful communication
 1322 and mutual support.

1323 (3) REVIEW HEARINGS FOR CHILDREN 16 AND 17 YEARS OF AGE.—
 1324 At each review hearing held under this subsection, the court
 1325 shall give the child and the guardian ad litem the opportunity

1326 to address the court and provide any information relevant to the
1327 child's best interest, particularly in relation to independent
1328 living transition services. The foster parent or legal
1329 custodian, ~~or guardian ad litem~~ may also provide any information
1330 relevant to the child's best interest to the court. In addition
1331 to the review and report required under paragraphs (1)(a) and
1332 (2)(a), respectively, and the review and report required under
1333 s. 39.822(2)(a)2., the court shall:

1334 (a) Inquire about the life skills the child has acquired
1335 and whether those services are age appropriate, at the first
1336 judicial review hearing held subsequent to the child's 16th
1337 birthday. At the judicial review hearing, the department shall
1338 provide the court with a report that includes specific
1339 information related to the life skills that the child has
1340 acquired since the child's 13th birthday or since the date the
1341 child came into foster care, whichever came later. For any child
1342 who may meet the requirements for appointment of a guardian
1343 advocate under s. 393.12 or a guardian under chapter 744, the
1344 updated case plan must be developed in a face-to-face conference
1345 with the child, if appropriate; the child's attorney ad litem,
1346 if one is appointed; the child's; any court-appointed guardian
1347 ad litem; the temporary custodian of the child; and the parent
1348 of the child, if the parent's rights have not been terminated.

1349 (b) The court shall hold a judicial review hearing within
1350 90 days after a child's 17th birthday. The court shall issue an

1351 order, separate from the order on judicial review, that the
1352 disability of nonage of the child has been removed under ss.
1353 743.044-743.047 for any disability that the court finds is in
1354 the child's best interest to remove. The department shall
1355 include in the social study report for the first judicial review
1356 that occurs after the child's 17th birthday written verification
1357 that the child has:

1358 1. A current Medicaid card and all necessary information
1359 concerning the Medicaid program sufficient to prepare the child
1360 to apply for coverage upon reaching the age of 18, if such
1361 application is appropriate.

1362 2. A certified copy of the child's birth certificate and,
1363 if the child does not have a valid driver license, a Florida
1364 identification card issued under s. 322.051.

1365 3. A social security card and information relating to
1366 social security insurance benefits if the child is eligible for
1367 those benefits. If the child has received such benefits and they
1368 are being held in trust for the child, a full accounting of
1369 these funds must be provided and the child must be informed as
1370 to how to access those funds.

1371 4. All relevant information related to the Road-to-
1372 Independence Program under s. 409.1451, including, but not
1373 limited to, eligibility requirements, information on
1374 participation, and assistance in gaining admission to the
1375 program. If the child is eligible for the Road-to-Independence

1376 Program, he or she must be advised that he or she may continue
 1377 to reside with the licensed family home or group care provider
 1378 with whom the child was residing at the time the child attained
 1379 his or her 18th birthday, in another licensed family home, or
 1380 with a group care provider arranged by the department.

1381 5. An open bank account or the identification necessary to
 1382 open a bank account and to acquire essential banking and
 1383 budgeting skills.

1384 6. Information on public assistance and how to apply for
 1385 public assistance.

1386 7. A clear understanding of where he or she will be living
 1387 on his or her 18th birthday, how living expenses will be paid,
 1388 and the educational program or school in which he or she will be
 1389 enrolled.

1390 8. Information related to the ability of the child to
 1391 remain in care until he or she reaches 21 years of age under s.
 1392 39.013.

1393 9. A letter providing the dates that the child is under
 1394 the jurisdiction of the court.

1395 10. A letter stating that the child is in compliance with
 1396 financial aid documentation requirements.

1397 11. The child's educational records.

1398 12. The child's entire health and mental health records.

1399 13. The process for accessing the child's case file.

1400 14. A statement encouraging the child to attend all

1401 judicial review hearings.

1402 15. Information on how to obtain a driver license or
1403 learner's driver license.

1404 (c) At the first judicial review hearing held subsequent
1405 to the child's 17th birthday, if the court determines pursuant
1406 to chapter 744 that there is a good faith basis to believe that
1407 the child qualifies for appointment of a guardian advocate,
1408 limited guardian, or plenary guardian for the child and that no
1409 less restrictive decisionmaking assistance will meet the child's
1410 needs:

1411 1. The department shall complete a multidisciplinary
1412 report which must include, but is not limited to, a psychosocial
1413 evaluation and educational report if such a report has not been
1414 completed within the previous 2 years.

1415 2. The department shall identify one or more individuals
1416 who are willing to serve as the guardian advocate under s.
1417 393.12 or as the plenary or limited guardian under chapter 744.
1418 Any other interested parties or participants may make efforts to
1419 identify such a guardian advocate, limited guardian, or plenary
1420 guardian. The child's biological or adoptive family members,
1421 including the child's parents if the parents' rights have not
1422 been terminated, may not be considered for service as the
1423 plenary or limited guardian unless the court enters a written
1424 order finding that such an appointment is in the child's best
1425 interests.

1426 3. Proceedings may be initiated within 180 days after the
1427 child's 17th birthday for the appointment of a guardian
1428 advocate, plenary guardian, or limited guardian for the child in
1429 a separate proceeding in the court division with jurisdiction
1430 over guardianship matters and pursuant to chapter 744. The
1431 Legislature encourages the use of pro bono representation to
1432 initiate proceedings under this section.

1433 4. In the event another interested party or participant
1434 initiates proceedings for the appointment of a guardian
1435 advocate, plenary guardian, or limited guardian for the child,
1436 the department shall provide all necessary documentation and
1437 information to the petitioner to complete a petition under s.
1438 393.12 or chapter 744 within 45 days after the first judicial
1439 review hearing after the child's 17th birthday.

1440 5. Any proceedings seeking appointment of a guardian
1441 advocate or a determination of incapacity and the appointment of
1442 a guardian must be conducted in a separate proceeding in the
1443 court division with jurisdiction over guardianship matters and
1444 pursuant to chapter 744.

1445 (d) If the court finds at the judicial review hearing
1446 after the child's 17th birthday that the department has not met
1447 its obligations to the child as stated in this part, in the
1448 written case plan, or in the provision of independent living
1449 services, the court may issue an order directing the department
1450 to show cause as to why it has not done so. If the department

1451 cannot justify its noncompliance, the court may give the
1452 department 30 days within which to comply. If the department
1453 fails to comply within 30 days, the court may hold the
1454 department in contempt.

1455 (e) If necessary, the court may review the status of the
1456 child more frequently during the year before the child's 18th
1457 birthday. At the last review hearing before the child reaches 18
1458 years of age, and in addition to the requirements of subsection
1459 (2), the court shall:

1460 1. Address whether the child plans to remain in foster
1461 care, and, if so, ensure that the child's transition plan
1462 includes a plan for meeting one or more of the criteria
1463 specified in s. 39.6251 and determine if the child has entered
1464 into a formal agreement for an ongoing relationship with a
1465 supportive adult.

1466 2. Ensure that the transition plan includes a supervised
1467 living arrangement under s. 39.6251.

1468 3. Ensure the child has been informed of:

1469 a. The right to continued support and services from the
1470 department and the community-based care lead agency.

1471 b. The right to request termination of dependency
1472 jurisdiction and be discharged from foster care.

1473 c. The opportunity to reenter foster care under s.
1474 39.6251.

1475 4. Ensure that the child, if he or she requests

1476 termination of dependency jurisdiction and discharge from foster
 1477 care, has been informed of:

1478 a. Services or benefits for which the child may be
 1479 eligible based on his or her former placement in foster care,
 1480 including, but not limited to, the assistance of the Office of
 1481 Continuing Care under s. 414.56.

1482 b. Services or benefits that may be lost through
 1483 termination of dependency jurisdiction.

1484 c. Other federal, state, local, or community-based
 1485 services or supports available to him or her.

1486 (4) REVIEW HEARINGS FOR YOUNG ADULTS IN FOSTER CARE.—
 1487 During each period of time that a young adult remains in foster
 1488 care, the court shall review the status of the young adult at
 1489 least every 6 months and must hold a permanency review hearing
 1490 at least annually.

1491 (e)1. Notwithstanding the provisions of this subsection,
 1492 if a young adult has chosen to remain in extended foster care
 1493 after he or she has reached 18 years of age, the department may
 1494 not close a case and the court may not terminate jurisdiction
 1495 until the court finds, following a hearing, that the following
 1496 criteria have been met:

1497 a.1. Attendance of the young adult at the hearing; or

1498 b.2. Findings by the court that:

1499 (I)a. The young adult has been informed by the department
 1500 of his or her right to attend the hearing and has provided

1501 written consent to waive this right; and
 1502 (II)~~b.~~ The young adult has been informed of the potential
 1503 negative effects of early termination of care, the option to
 1504 reenter care before reaching 21 years of age, the procedure for,
 1505 and limitations on, reentering care, and the availability of
 1506 alternative services, and has signed a document attesting that
 1507 he or she has been so informed and understands these provisions;
 1508 or

1509 (III)~~e.~~ The young adult has voluntarily left the program,
 1510 has not signed the document in sub-subparagraph b., and is
 1511 unwilling to participate in any further court proceeding.

1512 2.3. In all permanency hearings or hearings regarding the
 1513 transition of the young adult from care to independent living,
 1514 the court shall consult with the young adult regarding the
 1515 proposed permanency plan, case plan, and individual education
 1516 plan for the young adult and ensure that he or she has
 1517 understood the conversation. The court shall also inquire of the
 1518 young adult regarding his or her relationship with the
 1519 supportive adult with whom the young adult has entered into a
 1520 formal agreement for an ongoing relationship, if such agreement
 1521 exists.

1522 Section 26. Paragraph (a) of subsection (3) of section
 1523 39.801, Florida Statutes, is amended to read:

1524 39.801 Procedures and jurisdiction; notice; service of
 1525 process.—

1526 (3) Before the court may terminate parental rights, in
1527 addition to the other requirements set forth in this part, the
1528 following requirements must be met:

1529 (a) Notice of the date, time, and place of the advisory
1530 hearing for the petition to terminate parental rights; if
1531 applicable, instructions for appearance through audio-video
1532 communication technology; and a copy of the petition must be
1533 personally served upon the following persons, specifically
1534 notifying them that a petition has been filed:

1535 1. The parents of the child.

1536 2. The legal custodians of the child.

1537 3. If the parents who would be entitled to notice are dead
1538 or unknown, a living relative of the child, unless upon diligent
1539 search and inquiry no such relative can be found.

1540 4. Any person who has physical custody of the child.

1541 5. Any grandparent entitled to priority for adoption under
1542 s. 63.0425.

1543 6. Any prospective parent who has been identified under s.
1544 39.503 or s. 39.803, unless a court order has been entered
1545 pursuant to s. 39.503(4) or (9) or s. 39.803(4) or (9) which
1546 indicates no further notice is required. Except as otherwise
1547 provided in this section, if there is not a legal father, notice
1548 of the petition for termination of parental rights must be
1549 provided to any known prospective father who is identified under
1550 oath before the court or who is identified by a diligent search

1551 of the Florida Putative Father Registry. Service of the notice
 1552 of the petition for termination of parental rights is not
 1553 required if the prospective father executes an affidavit of
 1554 nonpaternity or a consent to termination of his parental rights
 1555 which is accepted by the court after notice and opportunity to
 1556 be heard by all parties to address the best interests of the
 1557 child in accepting such affidavit.

1558 7. The guardian ad litem for the child ~~or the~~
 1559 ~~representative of the guardian ad litem program, if the program~~
 1560 ~~has been appointed.~~

1561
 1562 A party may consent to service or notice by e-mail by providing
 1563 a primary e-mail address to the clerk of the court. The document
 1564 containing the notice to respond or appear must contain, in type
 1565 at least as large as the type in the balance of the document,
 1566 the following or substantially similar language: "FAILURE TO
 1567 APPEAR AT THIS ADVISORY HEARING CONSTITUTES CONSENT TO THE
 1568 TERMINATION OF PARENTAL RIGHTS OF THIS CHILD (OR CHILDREN). IF
 1569 YOU FAIL TO APPEAR ON THE DATE AND TIME SPECIFIED, YOU MAY LOSE
 1570 ALL LEGAL RIGHTS AS A PARENT TO THE CHILD OR CHILDREN NAMED IN
 1571 THE PETITION ATTACHED TO THIS NOTICE."

1572 Section 27. Subsection (2) of section 39.807, Florida
 1573 Statutes, is amended to read:

1574 39.807 Right to counsel; guardian ad litem.—

1575 (2) (a) The court shall appoint a guardian ad litem to

1576 represent the ~~best interest of the~~ child in any termination of
1577 parental rights proceedings and shall ascertain at each stage of
1578 the proceedings whether a guardian ad litem has been appointed.

1579 (b) The guardian ad litem has the ~~following~~
1580 responsibilities and authorities listed in s. 39.822.÷

1581 ~~1. To investigate the allegations of the petition and any~~
1582 ~~subsequent matters arising in the case and,~~

1583 (c) Unless excused by the court, the guardian ad litem
1584 must ~~to~~ file a written report. This report must include a
1585 statement of the wishes of the child and the recommendations of
1586 the guardian ad litem and must be provided to all parties and
1587 the court at least 72 hours before the disposition hearing.

1588 ~~2. To be present at all court hearings unless excused by~~
1589 ~~the court.~~

1590 ~~3. To represent the best interests of the child until the~~
1591 ~~jurisdiction of the court over the child terminates or until~~
1592 ~~excused by the court.~~

1593 ~~(c) A guardian ad litem is not required to post bond but~~
1594 ~~shall file an acceptance of the office.~~

1595 ~~(d) A guardian ad litem is entitled to receive service of~~
1596 ~~pleadings and papers as provided by the Florida Rules of~~
1597 ~~Juvenile Procedure.~~

1598 (d)(e) This subsection does not apply to any voluntary
1599 relinquishment of parental rights proceeding.

1600 Section 28. Subsection (2) of section 39.808, Florida

1601 Statutes, is amended to read:

1602 39.808 Advisory hearing; pretrial status conference.—

1603 (2) At the hearing the court shall inform the parties of
 1604 their rights under s. 39.807, ~~shall~~ appoint counsel for the
 1605 parties in accordance with legal requirements, and ~~shall~~ appoint
 1606 a guardian ad litem to represent the ~~interests of the~~ child if
 1607 one has not already been appointed.

1608 Section 29. Subsection (2) of section 39.815, Florida
 1609 Statutes, is amended to read:

1610 39.815 Appeal.—

1611 (2) An attorney for the department shall represent the
 1612 state upon appeal. When a notice of appeal is filed in the
 1613 circuit court, the clerk shall notify the attorney for the
 1614 department, ~~together with~~ the attorney for the parent, the
 1615 guardian ad litem, and the any attorney ad litem for the child,
 1616 if one is appointed.

1617 Section 30. Section 39.820, Florida Statutes, is repealed.

1618 Section 31. Subsections (1) and (3) of section 39.821,
 1619 Florida Statutes, are amended to read:

1620 39.821 Qualifications of guardians ad litem.—

1621 (1) Because of the special trust or responsibility placed
 1622 in a guardian ad litem, the Statewide Guardian ad Litem Office
 1623 ~~Program~~ may use any private funds collected by the office
 1624 ~~program~~, or any state funds so designated, to conduct a security
 1625 background investigation before certifying a volunteer to serve.

1626 A security background investigation must include, but need not
1627 be limited to, employment history checks, checks of references,
1628 local criminal history records checks through local law
1629 enforcement agencies, and statewide criminal history records
1630 checks through the Department of Law Enforcement. Upon request,
1631 an employer shall furnish a copy of the personnel record for the
1632 employee or former employee who is the subject of a security
1633 background investigation conducted under this section. The
1634 information contained in the personnel record may include, but
1635 need not be limited to, disciplinary matters and the reason why
1636 the employee was terminated from employment. An employer who
1637 releases a personnel record for purposes of a security
1638 background investigation is presumed to have acted in good faith
1639 and is not liable for information contained in the record
1640 without a showing that the employer maliciously falsified the
1641 record. A security background investigation conducted under this
1642 section must ensure that a person is not certified as a guardian
1643 ad litem if the person has an arrest awaiting final disposition
1644 for, been convicted of, regardless of adjudication, entered a
1645 plea of nolo contendere or guilty to, or been adjudicated
1646 delinquent and the record has not been sealed or expunged for,
1647 any offense prohibited under the provisions listed in s. 435.04.
1648 All applicants must undergo a level 2 background screening
1649 pursuant to chapter 435 before being certified to serve as a
1650 guardian ad litem. In analyzing and evaluating the information

1651 obtained in the security background investigation, the office
1652 ~~program~~ must give particular emphasis to past activities
1653 involving children, including, but not limited to, child-related
1654 criminal offenses or child abuse. The office ~~program~~ has sole
1655 discretion in determining whether to certify a person based on
1656 his or her security background investigation. The information
1657 collected pursuant to the security background investigation is
1658 confidential and exempt from s. 119.07(1).

1659 (3) It is a misdemeanor of the first degree, punishable as
1660 provided in s. 775.082 or s. 775.083, for any person to
1661 willfully, knowingly, or intentionally fail, by false statement,
1662 misrepresentation, impersonation, or other fraudulent means, to
1663 disclose in any application for a volunteer position or for paid
1664 employment with the Statewide Guardian ad Litem Office ~~Program~~,
1665 any material fact used in making a determination as to the
1666 applicant's qualifications for such position.

1667 Section 32. Section 39.822, Florida Statutes, is amended
1668 to read:

1669 39.822 Appointment of guardian ad litem for abused,
1670 abandoned, or neglected child.—

1671 (1) A guardian ad litem shall be appointed by the court at
1672 the earliest possible time to represent the child in any child
1673 abuse, abandonment, or neglect judicial proceeding, whether
1674 civil or criminal. A guardian ad litem is a fiduciary and must
1675 provide independent representation of the child using a best

- 1676 interest standard of decisionmaking and advocacy.
- 1677 (2)(a) A guardian ad litem must:
- 1678 1. Be present at all court hearings unless excused by the
1679 court.
- 1680 2. Investigate issues related to the best interest of the
1681 child who is the subject of the appointment, review all
1682 disposition recommendations and changes in placement, and,
1683 unless excused by the court, file written reports and
1684 recommendations in accordance with general law.
- 1685 3. Represent the child until the court's jurisdiction over
1686 the child terminates or until excused by the court.
- 1687 4. Advocate for the child's participation in the
1688 proceedings and to report the child's preferences to the court,
1689 to the extent the child has the ability and desire to express
1690 his or her preferences.
- 1691 5. Perform other duties that are consistent with the scope
1692 of the appointment.
- 1693 (b) A guardian ad litem shall have immediate and unlimited
1694 access to the children he or she represents.
- 1695 (c) A guardian ad litem is not required to post bond but
1696 must file an acceptance of the appointment.
- 1697 (d) A guardian ad litem is entitled to receive service of
1698 pleadings and papers as provided by the Florida Rules of
1699 Juvenile Procedure.
- 1700 (3) Any person participating in a civil or criminal

1701 judicial proceeding resulting from such appointment shall be
 1702 presumed prima facie to be acting in good faith and in so doing
 1703 shall be immune from any liability, civil or criminal, that
 1704 otherwise might be incurred or imposed.

1705 (4)~~(2)~~ In those cases in which the parents are financially
 1706 able, the parent or parents of the child shall reimburse the
 1707 court, in part or in whole, for the cost of provision of
 1708 guardian ad litem representation ~~services~~. Reimbursement to the
 1709 individual providing guardian ad litem representation is not
 1710 ~~services shall not be~~ contingent upon successful collection by
 1711 the court from the parent or parents.

1712 (5)~~(3)~~ Upon presentation by a guardian ad litem of a court
 1713 order appointing the guardian ad litem:

1714 (a) An agency, as defined in chapter 119, shall allow the
 1715 guardian ad litem to inspect and copy records related to the
 1716 best interests of the child who is the subject of the
 1717 appointment, including, but not limited to, records made
 1718 confidential or exempt from s. 119.07(1) or s. 24(a), Art. I of
 1719 the State Constitution. The guardian ad litem shall maintain the
 1720 confidential or exempt status of any records shared by an agency
 1721 under this paragraph.

1722 (b) A person or an organization, other than an agency
 1723 under paragraph (a), shall allow the guardian ad litem to
 1724 inspect and copy any records related to the best interests of
 1725 the child who is the subject of the appointment, including, but

1726 | not limited to, confidential records.

1727 |

1728 | For the purposes of this subsection, the term "records related
 1729 | to the best interests of the child" includes, but is not limited
 1730 | to, medical, mental health, substance abuse, child care,
 1731 | education, law enforcement, court, social services, and
 1732 | financial records.

1733 | ~~(4) The guardian ad litem or the program representative~~
 1734 | ~~shall review all disposition recommendations and changes in~~
 1735 | ~~placements, and must be present at all critical stages of the~~
 1736 | ~~dependency proceeding or submit a written report of~~
 1737 | ~~recommendations to the court. Written reports must be filed with~~
 1738 | ~~the court and served on all parties whose whereabouts are known~~
 1739 | ~~at least 72 hours prior to the hearing.~~

1740 | Section 33. Subsection (4) of section 39.827, Florida
 1741 | Statutes, is amended to read:

1742 | 39.827 Hearing for appointment of a guardian advocate.—

1743 | (4) The hearing under this section must ~~shall~~ remain
 1744 | confidential and closed to the public. The clerk shall keep all
 1745 | court records required by this part separate from other records
 1746 | of the circuit court. All court records required by this part
 1747 | are ~~shall be~~ confidential and exempt from ~~the provisions of s.~~
 1748 | 119.07(1). ~~All~~ Records may only ~~shall~~ be inspected ~~only~~ upon
 1749 | order of the court by persons deemed by the court to have a
 1750 | proper interest therein, except that a child and the parents or

1751 | custodians of the child and their attorneys, the guardian ad
 1752 | litem, and the department and its designees, and the attorney ad
 1753 | litem, if one is appointed, shall always have the right to
 1754 | inspect and copy any official record pertaining to the child.
 1755 | The court may permit authorized representatives of recognized
 1756 | organizations compiling statistics for proper purposes to
 1757 | inspect and make abstracts from official records, under whatever
 1758 | conditions upon their use and disposition the court may deem
 1759 | proper, and may punish by contempt proceedings any violation of
 1760 | those conditions. All information obtained pursuant to this part
 1761 | in the discharge of official duty by any judge, employee of the
 1762 | court, or authorized agent of the department is ~~shall be~~
 1763 | confidential and exempt from ~~the provisions of~~ s. 119.07(1) and
 1764 | may shall not be disclosed to anyone other than the authorized
 1765 | personnel of the court or the department and its designees,
 1766 | except upon order of the court.

1767 | Section 34. Paragraphs (a), (b), and (d) of subsection (1)
 1768 | and subsection (2) of section 39.8296, Florida Statutes, are
 1769 | amended to read:

1770 | 39.8296 Statewide Guardian ad Litem Office; legislative
 1771 | findings and intent; creation; appointment of executive
 1772 | director; duties of office.—

1773 | (1) LEGISLATIVE FINDINGS AND INTENT.—

1774 | (a) The Legislature finds that for the past 20 years, the
 1775 | Statewide Guardian Ad Litem Office ~~Program~~ has been the only

1776 mechanism for best interest representation for children in
 1777 Florida who are involved in dependency proceedings.

1778 (b) The Legislature also finds that while the Statewide
 1779 Guardian Ad Litem Office ~~Program~~ has been supervised by court
 1780 administration within the circuit courts since the office's
 1781 ~~program's~~ inception, there is a perceived conflict of interest
 1782 created by the supervision of program staff by the judges before
 1783 whom they appear.

1784 (d) It is therefore the intent of the Legislature to place
 1785 the Statewide Guardian Ad Litem Office ~~Program~~ in an appropriate
 1786 place and provide a statewide infrastructure to increase
 1787 functioning and standardization among the local offices ~~programs~~
 1788 currently operating in the 20 judicial circuits.

1789 (2) STATEWIDE GUARDIAN AD LITEM OFFICE.—There is created a
 1790 Statewide Guardian ad Litem Office within the Justice
 1791 Administrative Commission. The Justice Administrative Commission
 1792 shall provide administrative support and service to the office
 1793 to the extent requested by the executive director within the
 1794 available resources of the commission. The Statewide Guardian ad
 1795 Litem Office is not subject to control, supervision, or
 1796 direction by the Justice Administrative Commission in the
 1797 performance of its duties, but the employees of the office are
 1798 governed by the classification plan and salary and benefits plan
 1799 approved by the Justice Administrative Commission.

1800 (a) The head of the Statewide Guardian ad Litem Office is

1801 the executive director, who shall be appointed by the Governor
1802 from a list of a minimum of three eligible applicants submitted
1803 by a Guardian ad Litem Qualifications Committee. The Guardian ad
1804 Litem Qualifications Committee shall be composed of five
1805 persons, two persons appointed by the Governor, two persons
1806 appointed by the Chief Justice of the Supreme Court, and one
1807 person appointed by the Statewide Guardian ad Litem Office
1808 ~~Association~~. The committee shall provide for statewide
1809 advertisement and the receiving of applications for the position
1810 of executive director. The Governor shall appoint an executive
1811 director from among the recommendations, or the Governor may
1812 reject the nominations and request the submission of new
1813 nominees. The executive director must have knowledge in
1814 dependency law and knowledge of social service delivery systems
1815 available to meet the needs of children who are abused,
1816 neglected, or abandoned. The executive director shall serve on a
1817 full-time basis and shall personally, or through representatives
1818 of the office, carry out the purposes and functions of the
1819 Statewide Guardian ad Litem Office in accordance with state and
1820 federal law and the state's long-established policy of
1821 prioritizing children's best interests. The executive director
1822 shall report to the Governor. The executive director shall serve
1823 a 3-year term, subject to removal for cause by the Governor. Any
1824 person appointed to serve as the executive director may be
1825 permitted to serve more than one term without the necessity of

1826 convening the Guardian ad Litem Qualifications Committee.

1827 (b) The Statewide Guardian ad Litem Office shall, within
1828 available resources, have oversight responsibilities for and
1829 provide technical assistance to all guardian ad litem and
1830 attorney ad litem offices ~~programs~~ located within the judicial
1831 circuits.

1832 1. The office shall identify the resources required to
1833 implement methods of collecting, reporting, and tracking
1834 reliable and consistent case data.

1835 2. The office shall review the current guardian ad litem
1836 offices ~~programs~~ in Florida and other states.

1837 3. The office, in consultation with local guardian ad
1838 litem offices, shall develop statewide performance measures and
1839 standards.

1840 4. The office shall develop and maintain a guardian ad
1841 litem training program, which must be updated regularly, ~~which~~
1842 ~~shall include, but is not limited to, training on the~~
1843 ~~recognition of and responses to head trauma and brain injury in~~
1844 ~~a child under 6 years of age. The office shall establish a~~
1845 ~~curriculum committee to develop the training program specified~~
1846 ~~in this subparagraph. The curriculum committee shall include,~~
1847 ~~but not be limited to, dependency judges, directors of circuit~~
1848 ~~guardian ad litem programs, active certified guardians ad litem,~~
1849 ~~a mental health professional who specializes in the treatment of~~
1850 ~~children, a member of a child advocacy group, a representative~~

1851 ~~of a domestic violence advocacy group, an individual with a~~
1852 ~~degree in social work, and a social worker experienced in~~
1853 ~~working with victims and perpetrators of child abuse.~~

1854 5. The office shall review the various methods of funding
1855 guardian ad litem offices ~~programs~~, maximize the use of those
1856 funding sources to the extent possible, and review the kinds of
1857 services being provided by circuit guardian ad litem offices
1858 ~~programs~~.

1859 6. The office shall determine the feasibility or
1860 desirability of new concepts of organization, administration,
1861 financing, or service delivery designed to preserve the civil
1862 and constitutional rights and fulfill other needs of dependent
1863 children.

1864 7. The office shall ensure that each child has an attorney
1865 assigned to his or her case and, within available resources, is
1866 represented using multidisciplinary teams that may include
1867 volunteers, pro bono attorneys, social workers, and mentors.

1868 8. The office shall provide oversight and technical
1869 assistance to attorneys ad litem, including, but not limited to,
1870 all of the following:

1871 a. Develop an attorney ad litem training program in
1872 collaboration with dependency court stakeholders, including, but
1873 not limited to, dependency judges, representatives from legal
1874 aid providing attorney ad litem representation, and an attorney
1875 ad litem appointed from a registry maintained by the chief

1876 judge. The training program must be updated regularly with or
 1877 without convening the stakeholders group.

1878 b. Offer consultation and technical assistance to chief
 1879 judges in maintaining attorney registries for the selection of
 1880 attorneys ad litem.

1881 c. Assist with recruitment, training, and mentoring of
 1882 attorneys ad litem as needed.

1883 9.7. In an effort to promote normalcy and establish trust
 1884 between a ~~court-appointed volunteer~~ guardian ad litem and a
 1885 child alleged to be abused, abandoned, or neglected under this
 1886 chapter, a guardian ad litem may transport a child. However, a
 1887 guardian ad litem ~~volunteer~~ may not be required by a guardian ad
 1888 litem circuit office or ordered by ~~or directed by the program or~~
 1889 a court to transport a child.

1890 10.8. The office shall submit to the Governor, the
 1891 President of the Senate, the Speaker of the House of
 1892 Representatives, and the Chief Justice of the Supreme Court an
 1893 interim report describing the progress of the office in meeting
 1894 the goals as described in this section. The office shall submit
 1895 to the Governor, the President of the Senate, the Speaker of the
 1896 House of Representatives, and the Chief Justice of the Supreme
 1897 Court a proposed plan including alternatives for meeting the
 1898 state's guardian ad litem and attorney ad litem needs. This plan
 1899 may include recommendations for less than the entire state, may
 1900 include a phase-in system, and shall include estimates of the

1901 cost of each of the alternatives. Each year the office shall
 1902 provide a status report and provide further recommendations to
 1903 address the need for guardian ad litem representation services
 1904 and related issues.

1905 Section 35. Section 39.8297, Florida Statutes, is amended
 1906 to read:

1907 39.8297 County funding for guardian ad litem employees.—

1908 (1) A county and the executive director of the Statewide
 1909 Guardian ad Litem Office may enter into an agreement by which
 1910 the county agrees to provide funds to the local guardian ad
 1911 litem office in order to employ persons who will assist in the
 1912 operation of the guardian ad litem office ~~program~~ in the county.

1913 (2) The agreement, at a minimum, must provide that:

1914 (a) Funding for the persons who are employed will be
 1915 provided on at least a fiscal-year basis.

1916 (b) The persons who are employed will be hired,
 1917 supervised, managed, and terminated by the executive director of
 1918 the Statewide Guardian ad Litem Office. The statewide office is
 1919 responsible for compliance with all requirements of federal and
 1920 state employment laws, and shall fully indemnify the county from
 1921 any liability under such laws, as authorized by s. 768.28(19),
 1922 to the extent such liability is the result of the acts or
 1923 omissions of the Statewide Guardian ad Litem Office or its
 1924 agents or employees.

1925 (c) The county is the employer for purposes of s. 440.10

1926 and chapter 443.

1927 (d) Employees funded by the county under this section and
 1928 other county employees may be aggregated for purposes of a
 1929 flexible benefits plan pursuant to s. 125 of the Internal
 1930 Revenue Code of 1986.

1931 (e) Persons employed under this section may be terminated
 1932 after a substantial breach of the agreement or because funding
 1933 to the guardian ad litem office ~~program~~ has expired.

1934 (3) Persons employed under this section may not be counted
 1935 in a formula or similar process used by the Statewide Guardian
 1936 ad Litem Office to measure personnel needs of a judicial
 1937 circuit's guardian ad litem office ~~program~~.

1938 (4) Agreements created pursuant to this section do not
 1939 obligate the state to allocate funds to a county to employ
 1940 persons in the guardian ad litem office ~~program~~.

1941 Section 36. Section 39.8298, Florida Statutes, is amended
 1942 to read:

1943 39.8298 Guardian ad Litem direct-support organizations
 1944 ~~organization~~.—

1945 (1) AUTHORITY.—The Statewide Guardian ad Litem Office
 1946 created under s. 39.8296 is authorized to create a state direct-
 1947 support organization and to create or designate local direct-
 1948 support organizations. The executive director of the Statewide
 1949 Guardian ad Litem Office is responsible for designating local
 1950 direct-support organizations under this subsection.

1951 (a) The state direct-support organization and the local
 1952 direct-support organizations must be a Florida corporations
 1953 ~~corporation~~ not for profit, incorporated under ~~the provisions of~~
 1954 chapter 617. The state direct-support organization and the local
 1955 direct-support organizations ~~are~~ shall be exempt from paying
 1956 fees under s. 617.0122.

1957 (b) The state direct-support organization and each local
 1958 direct-support organization ~~shall~~ be organized and operated
 1959 to conduct programs and activities; raise funds; request and
 1960 receive grants, gifts, and bequests of moneys; acquire, receive,
 1961 hold, invest, and administer, in its own name, securities,
 1962 funds, objects of value, or other property, real or personal;
 1963 and make expenditures to or for the direct or indirect benefit
 1964 of the Statewide Guardian ad Litem Office, including the local
 1965 guardian ad litem offices.

1966 (c) If the executive director of the Statewide Guardian ad
 1967 Litem Office determines that the state direct-support
 1968 organization or a local direct-support organization is operating
 1969 in a manner that is inconsistent with the goals and purposes of
 1970 the Statewide Guardian ad Litem Office or not acting in the best
 1971 interest of the state, the executive director may terminate the
 1972 organization's contract and thereafter the organization may not
 1973 use the name of the Statewide Guardian ad Litem Office.

1974 (2) CONTRACTS ~~CONTRACT~~.—The state direct-support
 1975 organization and the local direct-support organizations shall

1976 operate under a written contract with the Statewide Guardian Ad
 1977 Litem Office. The written contract must, at a minimum, provide
 1978 for:

1979 (a) Approval of the articles of incorporation and bylaws
 1980 of the direct-support organization by the executive director of
 1981 the Statewide Guardian ad Litem Office.

1982 (b) Submission of an annual budget for the approval by the
 1983 executive director of the Statewide Guardian ad Litem Office.

1984 (c) The reversion without penalty to the Statewide
 1985 Guardian ad Litem Office, or to the state if the Statewide
 1986 Guardian ad Litem Office ceases to exist, of all moneys and
 1987 property held in trust by the state direct-support organization
 1988 for the Statewide Guardian Ad Litem Office if the direct-support
 1989 organization ceases to exist or if the contract is terminated.

1990 (d) The fiscal year of the state direct-support
 1991 organization and the local direct-support organizations, which
 1992 must begin July 1 of each year and end June 30 of the following
 1993 year.

1994 (e) The disclosure of material provisions of the contract
 1995 and the distinction between the Statewide Guardian ad Litem
 1996 Office and the state direct-support organization or the local
 1997 direct-support organization to donors of gifts, contributions,
 1998 or bequests, as well as on all promotional and fundraising
 1999 publications.

2000 (3) BOARD OF DIRECTORS.—The executive director of the

2001 Statewide Guardian ad Litem Office shall appoint a board of
 2002 directors for the state direct-support organization. The
 2003 executive director may designate employees of the Statewide
 2004 Guardian ad Litem Office to serve on the board of directors of
 2005 the state direct-support organization or a local direct-support
 2006 organization. Members of the board of the state direct-support
 2007 organization or a local direct-support organization shall serve
 2008 at the pleasure of the executive director.

2009 (4) USE OF PROPERTY AND SERVICES.—The executive director
 2010 of the Statewide Guardian ad Litem Office:

2011 (a) May authorize the use of facilities and property other
 2012 than money that are owned by the Statewide Guardian ad Litem
 2013 Office to be used by the state direct-support organization or a
 2014 local direct-support organization.

2015 (b) May authorize the use of personal services provided by
 2016 employees of the Statewide Guardian ad Litem Office to be used
 2017 by the state direct-support organization or a local direct-
 2018 support organization. For the purposes of this section, the term
 2019 "personal services" includes full-time personnel and part-time
 2020 personnel as well as payroll processing.

2021 (c) May prescribe the conditions by which the state
 2022 direct-support organization or a local direct-support
 2023 organization may use property, facilities, or personal services
 2024 of the office or the state direct-support organization.

2025 (d) May ~~shall~~ not authorize the use of property,

2026 facilities, or personal services by the state ~~of the~~ direct-
 2027 support organization or a local direct-support organization if
 2028 the organization does not provide equal employment opportunities
 2029 to all persons, regardless of race, color, religion, sex, age,
 2030 or national origin.

2031 (5) MONEYS.—Moneys of the state direct-support
 2032 organization or a local direct-support organization ~~must~~ may be
 2033 held in a separate depository account in the name of the direct-
 2034 support organization and subject to the provisions of the
 2035 contract with the Statewide Guardian ad Litem Office.

2036 (6) ANNUAL AUDIT.—The state direct-support organization
 2037 and a local direct-support organization ~~must~~ shall provide for
 2038 an annual financial audit in accordance with s. 215.981.

2039 (7) LIMITS ON DIRECT-SUPPORT ORGANIZATIONS ~~ORGANIZATION~~.—
 2040 The state direct-support organization and a local direct-support
 2041 organization ~~may~~ shall not exercise any power under s.
 2042 617.0302(12) or (16). A ~~No~~ state employee may not ~~shall~~ receive
 2043 compensation from the state direct-support organization or a
 2044 local direct-support organization for service on the board of
 2045 directors or for services rendered to the direct-support
 2046 organization.

2047 Section 37. Subsection (6) is added to section 414.56,
 2048 Florida Statutes, to read:

2049 414.56 Office of Continuing Care.—The department shall
 2050 establish an Office of Continuing Care to ensure young adults

2051 | who age out of the foster care system between 18 and 21 years of
 2052 | age, or 22 years of age with a documented disability, have a
 2053 | point of contact until the young adult reaches the age of 26 in
 2054 | order to receive ongoing support and care coordination needed to
 2055 | achieve self-sufficiency. Duties of the office include, but are
 2056 | not limited to:

2057 | (6) Working in coordination with the Statewide Guardian ad
 2058 | Litem Office to identify supportive adults for children
 2059 | transitioning out of foster care to live independently, in
 2060 | accordance with s. 39.6036.

2061 | Section 38. Section 1009.898, Florida Statutes, is created
 2062 | to read:

2063 | 1009.898 Pathway to Prosperity grants.—

2064 | (1) The Pathway to Prosperity program shall administer the
 2065 | following grants to youth and young adults aging out of foster
 2066 | care:

2067 | (a) Grants to provide financial literacy instruction using
 2068 | a curriculum developed by the Department of Financial Services.

2069 | (b) Grants to provide SAT and ACT preparation, including
 2070 | one-on-one support and fee waivers for the examinations.

2071 | (c) Grants to youth and young adults planning to pursue
 2072 | trade careers or paid apprenticeships.

2073 | (2) If a youth who is aging out of foster care is reunited
 2074 | with his or her parents, the grants remain available for the
 2075 | youth for up to 6 months after reunification.

2076 Section 39. Subsection (1) of section 29.008, Florida
 2077 Statutes, is amended to read:
 2078 29.008 County funding of court-related functions.—
 2079 (1) Counties are required by s. 14, Art. V of the State
 2080 Constitution to fund the cost of communications services,
 2081 existing radio systems, existing multiagency criminal justice
 2082 information systems, and the cost of construction or lease,
 2083 maintenance, utilities, and security of facilities for the
 2084 circuit and county courts, public defenders' offices, state
 2085 attorneys' offices, guardian ad litem offices, and the offices
 2086 of the clerks of the circuit and county courts performing court-
 2087 related functions. For purposes of this section, the term
 2088 "circuit and county courts" includes the offices and staffing of
 2089 the guardian ad litem offices ~~programs~~, and the term "public
 2090 defenders' offices" includes the offices of criminal conflict
 2091 and civil regional counsel. The county designated under s.
 2092 35.05(1) as the headquarters for each appellate district shall
 2093 fund these costs for the appellate division of the public
 2094 defender's office in that county. For purposes of implementing
 2095 these requirements, the term:
 2096 (a) "Facility" means reasonable and necessary buildings
 2097 and office space and appurtenant equipment and furnishings,
 2098 structures, real estate, easements, and related interests in
 2099 real estate, including, but not limited to, those for the
 2100 purpose of housing legal materials for use by the general public

2101 and personnel, equipment, or functions of the circuit or county
 2102 courts, public defenders' offices, state attorneys' offices, and
 2103 court-related functions of the office of the clerks of the
 2104 circuit and county courts and all storage. The term "facility"
 2105 includes all wiring necessary for court reporting services. The
 2106 term also includes access to parking for such facilities in
 2107 connection with such court-related functions that may be
 2108 available free or from a private provider or a local government
 2109 for a fee. The office space provided by a county may not be less
 2110 than the standards for space allotment adopted by the Department
 2111 of Management Services, except this requirement applies only to
 2112 facilities that are leased, or on which construction commences,
 2113 after June 30, 2003. County funding must include physical
 2114 modifications and improvements to all facilities as are required
 2115 for compliance with the Americans with Disabilities Act. Upon
 2116 mutual agreement of a county and the affected entity in this
 2117 paragraph, the office space provided by the county may vary from
 2118 the standards for space allotment adopted by the Department of
 2119 Management Services.

2120 1. As of July 1, 2005, equipment and furnishings shall be
 2121 limited to that appropriate and customary for courtrooms,
 2122 hearing rooms, jury facilities, and other public areas in
 2123 courthouses and any other facility occupied by the courts, state
 2124 attorneys, public defenders, guardians ad litem, and criminal
 2125 conflict and civil regional counsel. Court reporting equipment

2126 | in these areas or facilities is not a responsibility of the
 2127 | county.

2128 | 2. Equipment and furnishings under this paragraph in
 2129 | existence and owned by counties on July 1, 2005, except for that
 2130 | in the possession of the clerks, for areas other than
 2131 | courtrooms, hearing rooms, jury facilities, and other public
 2132 | areas in courthouses and any other facility occupied by the
 2133 | courts, state attorneys, and public defenders, shall be
 2134 | transferred to the state at no charge. This provision does not
 2135 | apply to any communications services as defined in paragraph
 2136 | (f).

2137 | (b) "Construction or lease" includes, but is not limited
 2138 | to, all reasonable and necessary costs of the acquisition or
 2139 | lease of facilities for all judicial officers, staff, jurors,
 2140 | volunteers of a tenant agency, and the public for the circuit
 2141 | and county courts, the public defenders' offices, state
 2142 | attorneys' offices, and for performing the court-related
 2143 | functions of the offices of the clerks of the circuit and county
 2144 | courts. This includes expenses related to financing such
 2145 | facilities and the existing and future cost and bonded
 2146 | indebtedness associated with placing the facilities in use.

2147 | (c) "Maintenance" includes, but is not limited to, all
 2148 | reasonable and necessary costs of custodial and groundskeeping
 2149 | services and renovation and reconstruction as needed to
 2150 | accommodate functions for the circuit and county courts, the

2151 public defenders' offices, and state attorneys' offices and for
2152 performing the court-related functions of the offices of the
2153 clerks of the circuit and county court and for maintaining the
2154 facilities in a condition appropriate and safe for the use
2155 intended.

2156 (d) "Utilities" means all electricity services for light,
2157 heat, and power; natural or manufactured gas services for light,
2158 heat, and power; water and wastewater services and systems,
2159 stormwater or runoff services and systems, sewer services and
2160 systems, all costs or fees associated with these services and
2161 systems, and any costs or fees associated with the mitigation of
2162 environmental impacts directly related to the facility.

2163 (e) "Security" includes but is not limited to, all
2164 reasonable and necessary costs of services of law enforcement
2165 officers or licensed security guards and all electronic,
2166 cellular, or digital monitoring and screening devices necessary
2167 to ensure the safety and security of all persons visiting or
2168 working in a facility; to provide for security of the facility,
2169 including protection of property owned by the county or the
2170 state; and for security of prisoners brought to any facility.
2171 This includes bailiffs while providing courtroom and other
2172 security for each judge and other quasi-judicial officers.

2173 (f) "Communications services" are defined as any
2174 reasonable and necessary transmission, emission, and reception
2175 of signs, signals, writings, images, and sounds of intelligence

2176 of any nature by wire, radio, optical, audio equipment, or other
 2177 electromagnetic systems and includes all facilities and
 2178 equipment owned, leased, or used by judges, clerks, public
 2179 defenders, state attorneys, guardians ad litem, criminal
 2180 conflict and civil regional counsel, and all staff of the state
 2181 courts system, state attorneys' offices, public defenders'
 2182 offices, and clerks of the circuit and county courts performing
 2183 court-related functions. Such system or services shall include,
 2184 but not be limited to:

2185 1. Telephone system infrastructure, including computer
 2186 lines, telephone switching equipment, and maintenance, and
 2187 facsimile equipment, wireless communications, cellular
 2188 telephones, pagers, and video teleconferencing equipment and
 2189 line charges. Each county shall continue to provide access to a
 2190 local carrier for local and long distance service and shall pay
 2191 toll charges for local and long distance service.

2192 2. All computer networks, systems and equipment, including
 2193 computer hardware and software, modems, printers, wiring,
 2194 network connections, maintenance, support staff or services
 2195 including any county-funded support staff located in the offices
 2196 of the circuit court, county courts, state attorneys, public
 2197 defenders, guardians ad litem, and criminal conflict and civil
 2198 regional counsel; training, supplies, and line charges necessary
 2199 for an integrated computer system to support the operations and
 2200 management of the state courts system, the offices of the public

2201 defenders, the offices of the state attorneys, the guardian ad
 2202 litem offices, the offices of criminal conflict and civil
 2203 regional counsel, and the offices of the clerks of the circuit
 2204 and county courts; and the capability to connect those entities
 2205 and reporting data to the state as required for the transmission
 2206 of revenue, performance accountability, case management, data
 2207 collection, budgeting, and auditing purposes. The integrated
 2208 computer system shall be operational by July 1, 2006, and, at a
 2209 minimum, permit the exchange of financial, performance
 2210 accountability, case management, case disposition, and other
 2211 data across multiple state and county information systems
 2212 involving multiple users at both the state level and within each
 2213 judicial circuit and be able to electronically exchange judicial
 2214 case background data, sentencing scoresheets, and video evidence
 2215 information stored in integrated case management systems over
 2216 secure networks. Once the integrated system becomes operational,
 2217 counties may reject requests to purchase communications services
 2218 included in this subparagraph not in compliance with standards,
 2219 protocols, or processes adopted by the board established
 2220 pursuant to former s. 29.0086.

- 2221 3. Courier messenger and subpoena services.
- 2222 4. Auxiliary aids and services for qualified individuals
- 2223 with a disability which are necessary to ensure access to the
- 2224 courts. Such auxiliary aids and services include, but are not
- 2225 limited to, sign language interpretation services required under

2226 the federal Americans with Disabilities Act other than services
2227 required to satisfy due-process requirements and identified as a
2228 state funding responsibility pursuant to ss. 29.004-29.007,
2229 real-time transcription services for individuals who are hearing
2230 impaired, and assistive listening devices and the equipment
2231 necessary to implement such accommodations.

2232 (g) "Existing radio systems" includes, but is not limited
2233 to, law enforcement radio systems that are used by the circuit
2234 and county courts, the offices of the public defenders, the
2235 offices of the state attorneys, and for court-related functions
2236 of the offices of the clerks of the circuit and county courts.
2237 This includes radio systems that were operational or under
2238 contract at the time Revision No. 7, 1998, to Art. V of the
2239 State Constitution was adopted and any enhancements made
2240 thereafter, the maintenance of those systems, and the personnel
2241 and supplies necessary for operation.

2242 (h) "Existing multiagency criminal justice information
2243 systems" includes, but is not limited to, those components of
2244 the multiagency criminal justice information system as defined
2245 in s. 943.045, supporting the offices of the circuit or county
2246 courts, the public defenders' offices, the state attorneys'
2247 offices, or those portions of the offices of the clerks of the
2248 circuit and county courts performing court-related functions
2249 that are used to carry out the court-related activities of those
2250 entities. This includes upgrades and maintenance of the current

2251 equipment, maintenance and upgrades of supporting technology
 2252 infrastructure and associated staff, and services and expenses
 2253 to assure continued information sharing and reporting of
 2254 information to the state. The counties shall also provide
 2255 additional information technology services, hardware, and
 2256 software as needed for new judges and staff of the state courts
 2257 system, state attorneys' offices, public defenders' offices,
 2258 guardian ad litem offices, and the offices of the clerks of the
 2259 circuit and county courts performing court-related functions.

2260 Section 40. Paragraph (a) of subsection (1) of section
 2261 39.6011, Florida Statutes, is amended to read:

2262 39.6011 Case plan development.—

2263 (1) The department shall prepare a draft of the case plan
 2264 for each child receiving services under this chapter. A parent
 2265 of a child may not be threatened or coerced with the loss of
 2266 custody or parental rights for failing to admit in the case plan
 2267 of abusing, neglecting, or abandoning a child. Participating in
 2268 the development of a case plan is not an admission to any
 2269 allegation of abuse, abandonment, or neglect, and it is not a
 2270 consent to a finding of dependency or termination of parental
 2271 rights. The case plan shall be developed subject to the
 2272 following requirements:

2273 (a) The case plan must be developed in a face-to-face
 2274 conference with the parent of the child, the ~~any~~ court-appointed
 2275 guardian ad litem, and, if appropriate, the child and the

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2276 temporary custodian of the child.

2277 Section 41. Subsection (8) of section 40.24, Florida
2278 Statutes, is amended to read:

2279 40.24 Compensation and reimbursement policy.—

2280 (8) In circuits that elect to allow jurors to donate their
2281 jury service fee upon conclusion of juror service, each juror
2282 may irrevocably donate all of the juror's compensation to the 26
2283 U.S.C. s. 501(c)(3) organization specified by the Statewide
2284 Guardian ad Litem Office ~~program~~ or to a domestic violence
2285 shelter as specified annually on a rotating basis by the clerk
2286 of court in the circuit for the juror's county of residence. The
2287 funds collected may not reduce or offset the amount of
2288 compensation that the Statewide Guardian ad Litem Office ~~program~~
2289 or domestic violence shelter would otherwise receive from the
2290 state. The clerk of court shall ensure that all jurors are given
2291 written notice at the conclusion of their service that they have
2292 the option to so donate their compensation, and that the
2293 applicable program specified by the Statewide Guardian ad Litem
2294 Office ~~program~~ or a domestic violence shelter receives all funds
2295 donated by the jurors. Any circuit guardian ad litem office
2296 ~~program~~ receiving donations of juror compensation must expend
2297 such moneys on services for children for whom guardians ad litem
2298 have been appointed.

2299 Section 42. Subsections (5), (6), and (7) of section
2300 43.16, Florida Statutes, are amended to read:

2301 43.16 Justice Administrative Commission; membership,
 2302 powers and duties.—

2303 (5) The duties of the commission shall include, but not be
 2304 limited to, the following:

2305 (a) The maintenance of a central state office for
 2306 administrative services and assistance when possible to and on
 2307 behalf of the state attorneys and public defenders of Florida,
 2308 the capital collateral regional counsel of Florida, the criminal
 2309 conflict and civil regional counsel, and the Statewide Guardian
 2310 Ad Litem Office ~~Program~~.

2311 (b) Each state attorney, public defender, and criminal
 2312 conflict and civil regional counsel and the Statewide Guardian
 2313 Ad Litem Office ~~Program~~ shall continue to prepare necessary
 2314 budgets, vouchers that represent valid claims for reimbursement
 2315 by the state for authorized expenses, and other things
 2316 incidental to the proper administrative operation of the office,
 2317 such as revenue transmittals to the Chief Financial Officer and
 2318 automated systems plans, but will forward such items to the
 2319 commission for recording and submission to the proper state
 2320 officer. However, when requested by a state attorney, a public
 2321 defender, a criminal conflict and civil regional counsel, or the
 2322 Statewide Guardian Ad Litem Office ~~Program~~, the commission will
 2323 either assist in the preparation of budget requests, voucher
 2324 schedules, and other forms and reports or accomplish the entire
 2325 project involved.

2326 (6) The commission, each state attorney, each public
 2327 defender, the criminal conflict and civil regional counsel, the
 2328 capital collateral regional counsel, and the Statewide Guardian
 2329 Ad Litem Office Program shall establish and maintain internal
 2330 controls designed to:

2331 (a) Prevent and detect fraud, waste, and abuse as defined
 2332 in s. 11.45(1).

2333 (b) Promote and encourage compliance with applicable laws,
 2334 rules, contracts, grant agreements, and best practices.

2335 (c) Support economical and efficient operations.

2336 (d) Ensure reliability of financial records and reports.

2337 (e) Safeguard assets.

2338 (7) ~~The provisions contained in~~ This section is ~~shall be~~
 2339 supplemental to ~~those of~~ chapter 27, relating to state
 2340 attorneys, public defenders, criminal conflict and civil
 2341 regional counsel, and capital collateral regional counsel; to
 2342 ~~those of~~ chapter 39, relating to the Statewide Guardian Ad Litem
 2343 Office Program; or to other laws pertaining hereto.

2344 Section 43. Paragraph (a) of subsection (1) and subsection
 2345 (4) of section 61.402, Florida Statutes, are amended to read:

2346 61.402 Qualifications of guardians ad litem.—

2347 (1) A person appointed as a guardian ad litem pursuant to
 2348 s. 61.401 must be:

2349 (a) Certified by the Statewide Guardian Ad Litem Office
 2350 ~~Program~~ pursuant to s. 39.821;

2351 (4) Nothing in this section requires the Statewide
 2352 Guardian Ad Litem Office ~~Program~~ or a not-for-profit legal aid
 2353 organization to train or certify guardians ad litem appointed
 2354 under this chapter.

2355 Section 44. Paragraph (x) of subsection (2) of section
 2356 110.205, Florida Statutes, is amended to read:

2357 110.205 Career service; exemptions.—

2358 (2) EXEMPT POSITIONS.—The exempt positions that are not
 2359 covered by this part include the following:

2360 (x) All officers and employees of the Justice
 2361 Administrative Commission, Office of the State Attorney, Office
 2362 of the Public Defender, regional offices of capital collateral
 2363 counsel, offices of criminal conflict and civil regional
 2364 counsel, and Statewide Guardian Ad Litem Office, including the
 2365 circuit guardian ad litem offices ~~programs~~.

2366 Section 45. Paragraph (b) of subsection (96) of section
 2367 320.08058, Florida Statutes, is amended to read:

2368 320.08058 Specialty license plates.—

2369 (96) GUARDIAN AD LITEM LICENSE PLATES.—

2370 (b) The annual use fees from the sale of the plate shall
 2371 be distributed to the Florida Guardian Ad Litem Foundation,
 2372 Inc., a direct-support organization and a nonprofit corporation
 2373 under s. 501(c)(3) of the Internal Revenue Code. Up to 10
 2374 percent of the proceeds may be used for administrative costs and
 2375 the marketing of the plate. The remainder of the proceeds must

2376 | be used in this state to support the mission and efforts of the
 2377 | Statewide Guardian Ad Litem Office ~~Program~~ to represent abused,
 2378 | abandoned, and neglected children and advocate for their best
 2379 | interests; recruit and retain volunteer child advocates; and
 2380 | meet the unique needs of the dependent children the program
 2381 | serves.

2382 | Section 46. Paragraph (e) of subsection (3) of section
 2383 | 943.053, Florida Statutes, is amended to read:

2384 | 943.053 Dissemination of criminal justice information;
 2385 | fees.—

2386 | (3)

2387 | (e) The fee per record for criminal history information
 2388 | provided pursuant to this subsection and s. 943.0542 is \$24 per
 2389 | name submitted, except that the fee for the Statewide Guardian
 2390 | Ad Litem Office ~~program~~ and vendors of the Department of
 2391 | Children and Families, the Department of Juvenile Justice, the
 2392 | Agency for Persons with Disabilities, and the Department of
 2393 | Elderly Affairs is \$8 for each name submitted; the fee for a
 2394 | state criminal history provided for application processing as
 2395 | required by law to be performed by the Department of Agriculture
 2396 | and Consumer Services is \$15 for each name submitted; and the
 2397 | fee for requests under s. 943.0542, which implements the
 2398 | National Child Protection Act, is \$18 for each volunteer name
 2399 | submitted. An office of the public defender or an office of
 2400 | criminal conflict and civil regional counsel may not be assessed

2401 a fee for Florida criminal history information or wanted person
 2402 information.

2403 Section 47. Subsection (2) of section 985.43, Florida
 2404 Statutes, is amended to read:

2405 985.43 Predisposition reports; other evaluations.—

2406 (2) The court shall consider the child's entire assessment
 2407 and predisposition report and shall review the records of
 2408 earlier judicial proceedings before making a final disposition
 2409 of the case. If the child is under the jurisdiction of a
 2410 dependency court, the court may receive and consider any
 2411 information provided by the Statewide Guardian Ad Litem Office
 2412 ~~Program~~ and the child's attorney ad litem, if one is appointed.
 2413 The court may, by order, require additional evaluations and
 2414 studies to be performed by the department; the county school
 2415 system; or any social, psychological, or psychiatric agency of
 2416 the state. The court shall order the educational needs
 2417 assessment completed under s. 985.18(2) to be included in the
 2418 assessment and predisposition report.

2419 Section 48. Subsection (4) of section 985.441, Florida
 2420 Statutes, is amended to read:

2421 985.441 Commitment.—

2422 (4) The department may transfer a child, when necessary to
 2423 appropriately administer the child's commitment, from one
 2424 facility or program to another facility or program operated,
 2425 contracted, subcontracted, or designated by the department,

2426 including a postcommitment nonresidential conditional release
 2427 program, except that the department may not transfer any child
 2428 adjudicated solely for a misdemeanor to a residential program
 2429 except as provided in subsection (2). The department shall
 2430 notify the court that committed the child to the department and
 2431 any attorney of record for the child, in writing, of its intent
 2432 to transfer the child from a commitment facility or program to
 2433 another facility or program of a higher or lower restrictiveness
 2434 level. If the child is under the jurisdiction of a dependency
 2435 court, the department shall also provide notice to the
 2436 dependency court, ~~and~~ the Department of Children and Families,
 2437 ~~and, if appointed,~~ the Statewide Guardian Ad Litem Office,
 2438 ~~Program~~ and the child's attorney ad litem, if one is appointed.
 2439 The court that committed the child may agree to the transfer or
 2440 may set a hearing to review the transfer. If the court does not
 2441 respond within 10 days after receipt of the notice, the transfer
 2442 of the child shall be deemed granted.

2443 Section 49. Subsection (3) of section 985.455, Florida
 2444 Statutes, is amended to read:

2445 985.455 Other dispositional issues.—

2446 (3) Any commitment of a delinquent child to the department
 2447 must be for an indeterminate period of time, which may include
 2448 periods of temporary release; however, the period of time may
 2449 not exceed the maximum term of imprisonment that an adult may
 2450 serve for the same offense, except that the duration of a

2451 minimum-risk nonresidential commitment for an offense that is a
2452 misdemeanor of the second degree, or is equivalent to a
2453 misdemeanor of the second degree, may be for a period not to
2454 exceed 6 months. The duration of the child's placement in a
2455 commitment program of any restrictiveness level shall be based
2456 on objective performance-based treatment planning. The child's
2457 treatment plan progress and adjustment-related issues shall be
2458 reported to the court quarterly, unless the court requests
2459 monthly reports. If the child is under the jurisdiction of a
2460 dependency court, the court may receive and consider any
2461 information provided by the Statewide Guardian Ad Litem Office
2462 ~~Program~~ or the child's attorney ad litem, if one is appointed.
2463 The child's length of stay in a commitment program may be
2464 extended if the child fails to comply with or participate in
2465 treatment activities. The child's length of stay in the program
2466 shall not be extended for purposes of sanction or punishment.
2467 Any temporary release from such program must be approved by the
2468 court. Any child so committed may be discharged from
2469 institutional confinement or a program upon the direction of the
2470 department with the concurrence of the court. The child's
2471 treatment plan progress and adjustment-related issues must be
2472 communicated to the court at the time the department requests
2473 the court to consider releasing the child from the commitment
2474 program. The department shall give the court that committed the
2475 child to the department reasonable notice, in writing, of its

2476 | desire to discharge the child from a commitment facility. The
 2477 | court that committed the child may thereafter accept or reject
 2478 | the request. If the court does not respond within 10 days after
 2479 | receipt of the notice, the request of the department shall be
 2480 | deemed granted. This section does not limit the department's
 2481 | authority to revoke a child's temporary release status and
 2482 | return the child to a commitment facility for any violation of
 2483 | the terms and conditions of the temporary release.

2484 | Section 50. Paragraph (b) of subsection (4) of section
 2485 | 985.461, Florida Statutes, is amended to read:

2486 | 985.461 Transition to adulthood.—

2487 | (4) As part of the child's treatment plan, the department
 2488 | may provide transition-to-adulthood services to children
 2489 | released from residential commitment. To support participation
 2490 | in transition-to-adulthood services and subject to
 2491 | appropriation, the department may:

2492 | (b) Use community reentry teams to assist in the
 2493 | development of a list of age-appropriate activities and
 2494 | responsibilities to be incorporated in the child's written case
 2495 | plan for any youth who is under the custody or supervision of
 2496 | the department. Community reentry teams may include
 2497 | representatives from school districts, law enforcement,
 2498 | workforce development services, community-based service
 2499 | providers, the Statewide Guardian Ad Litem Office ~~Program~~, and
 2500 | the youth's family. Such community reentry teams must be created

2501 within existing resources provided to the department. Activities
 2502 may include, but are not limited to, life skills training,
 2503 including training to develop banking and budgeting skills,
 2504 interviewing and career planning skills, parenting skills,
 2505 personal health management, and time management or
 2506 organizational skills; educational support; employment training;
 2507 and counseling.

2508 Section 51. Paragraph (h) of subsection (11) of section
 2509 985.48, Florida Statutes, is amended to read:

2510 985.48 Juvenile sexual offender commitment programs;
 2511 sexual abuse intervention networks.—

2512 (11) Membership of a sexual abuse intervention network
 2513 shall include, but is not limited to, representatives from:

2514 (h) The Statewide Guardian Ad Litem Office ~~program~~;

2515 Section 52. Subsection (1) of section 39.302, Florida
 2516 Statutes, is amended to read:

2517 39.302 Protective investigations of institutional child
 2518 abuse, abandonment, or neglect.—

2519 (1) The department shall conduct a child protective
 2520 investigation of each report of institutional child abuse,
 2521 abandonment, or neglect. Upon receipt of a report that alleges
 2522 that an employee or agent of the department, or any other entity
 2523 or person covered by s. 39.01(39) or (57) ~~s. 39.01(36) or (54)~~,
 2524 acting in an official capacity, has committed an act of child
 2525 abuse, abandonment, or neglect, the department shall initiate a

2526 child protective investigation within the timeframe established
2527 under s. 39.101(2) and notify the appropriate state attorney,
2528 law enforcement agency, and licensing agency, which shall
2529 immediately conduct a joint investigation, unless independent
2530 investigations are more feasible. When conducting investigations
2531 or having face-to-face interviews with the child, investigation
2532 visits shall be unannounced unless it is determined by the
2533 department or its agent that unannounced visits threaten the
2534 safety of the child. If a facility is exempt from licensing, the
2535 department shall inform the owner or operator of the facility of
2536 the report. Each agency conducting a joint investigation is
2537 entitled to full access to the information gathered by the
2538 department in the course of the investigation. A protective
2539 investigation must include an interview with the child's parent
2540 or legal guardian. The department shall make a full written
2541 report to the state attorney within 3 business days after making
2542 the oral report. A criminal investigation shall be coordinated,
2543 whenever possible, with the child protective investigation of
2544 the department. Any interested person who has information
2545 regarding the offenses described in this subsection may forward
2546 a statement to the state attorney as to whether prosecution is
2547 warranted and appropriate. Within 15 days after the completion
2548 of the investigation, the state attorney shall report the
2549 findings to the department and shall include in the report a
2550 determination of whether or not prosecution is justified and

2551 appropriate in view of the circumstances of the specific case.

2552 Section 53. Paragraph (c) of subsection (1) of section
2553 39.521, Florida Statutes, is amended to read:

2554 39.521 Disposition hearings; powers of disposition.—

2555 (1) A disposition hearing shall be conducted by the court,
2556 if the court finds that the facts alleged in the petition for
2557 dependency were proven in the adjudicatory hearing, or if the
2558 parents or legal custodians have consented to the finding of
2559 dependency or admitted the allegations in the petition, have
2560 failed to appear for the arraignment hearing after proper
2561 notice, or have not been located despite a diligent search
2562 having been conducted.

2563 (c) When any child is adjudicated by a court to be
2564 dependent, the court having jurisdiction of the child has the
2565 power by order to:

2566 1. Require the parent and, when appropriate, the legal
2567 guardian or the child to participate in treatment and services
2568 identified as necessary. The court may require the person who
2569 has custody or who is requesting custody of the child to submit
2570 to a mental health or substance abuse disorder assessment or
2571 evaluation. The order may be made only upon good cause shown and
2572 pursuant to notice and procedural requirements provided under
2573 the Florida Rules of Juvenile Procedure. The mental health
2574 assessment or evaluation must be administered by a qualified
2575 professional as defined in s. 39.01, and the substance abuse

2576 assessment or evaluation must be administered by a qualified
2577 professional as defined in s. 397.311. The court may also
2578 require such person to participate in and comply with treatment
2579 and services identified as necessary, including, when
2580 appropriate and available, participation in and compliance with
2581 a mental health court program established under chapter 394 or a
2582 treatment-based drug court program established under s. 397.334.
2583 Adjudication of a child as dependent based upon evidence of harm
2584 as defined in s. 39.01(37)(g) ~~s. 39.01(34)(g)~~ demonstrates good
2585 cause, and the court shall require the parent whose actions
2586 caused the harm to submit to a substance abuse disorder
2587 assessment or evaluation and to participate and comply with
2588 treatment and services identified in the assessment or
2589 evaluation as being necessary. In addition to supervision by the
2590 department, the court, including the mental health court program
2591 or the treatment-based drug court program, may oversee the
2592 progress and compliance with treatment by a person who has
2593 custody or is requesting custody of the child. The court may
2594 impose appropriate available sanctions for noncompliance upon a
2595 person who has custody or is requesting custody of the child or
2596 make a finding of noncompliance for consideration in determining
2597 whether an alternative placement of the child is in the child's
2598 best interests. Any order entered under this subparagraph may be
2599 made only upon good cause shown. This subparagraph does not
2600 authorize placement of a child with a person seeking custody of

2601 the child, other than the child's parent or legal custodian, who
2602 requires mental health or substance abuse disorder treatment.

2603 2. Require, if the court deems necessary, the parties to
2604 participate in dependency mediation.

2605 3. Require placement of the child either under the
2606 protective supervision of an authorized agent of the department
2607 in the home of one or both of the child's parents or in the home
2608 of a relative of the child or another adult approved by the
2609 court, or in the custody of the department. Protective
2610 supervision continues until the court terminates it or until the
2611 child reaches the age of 18, whichever date is first. Protective
2612 supervision shall be terminated by the court whenever the court
2613 determines that permanency has been achieved for the child,
2614 whether with a parent, another relative, or a legal custodian,
2615 and that protective supervision is no longer needed. The
2616 termination of supervision may be with or without retaining
2617 jurisdiction, at the court's discretion, and shall in either
2618 case be considered a permanency option for the child. The order
2619 terminating supervision by the department must set forth the
2620 powers of the custodian of the child and include the powers
2621 ordinarily granted to a guardian of the person of a minor unless
2622 otherwise specified. Upon the court's termination of supervision
2623 by the department, further judicial reviews are not required if
2624 permanency has been established for the child.

2625 4. Determine whether the child has a strong attachment to

2626 | the prospective permanent guardian and whether such guardian has
 2627 | a strong commitment to permanently caring for the child.

2628 | Section 54. Paragraph (c) of subsection (2) of section
 2629 | 61.13, Florida Statutes, is amended to read:

2630 | 61.13 Support of children; parenting and time-sharing;
 2631 | powers of court.—

2632 | (2)

2633 | (c) The court shall determine all matters relating to
 2634 | parenting and time-sharing of each minor child of the parties in
 2635 | accordance with the best interests of the child and in
 2636 | accordance with the Uniform Child Custody Jurisdiction and
 2637 | Enforcement Act, except that modification of a parenting plan
 2638 | and time-sharing schedule requires a showing of a substantial
 2639 | and material change of circumstances.

2640 | 1. It is the public policy of this state that each minor
 2641 | child has frequent and continuing contact with both parents
 2642 | after the parents separate or the marriage of the parties is
 2643 | dissolved and to encourage parents to share the rights and
 2644 | responsibilities, and joys, of childrearing. Unless otherwise
 2645 | provided in this section or agreed to by the parties, there is a
 2646 | rebuttable presumption that equal time-sharing of a minor child
 2647 | is in the best interests of the minor child. To rebut this
 2648 | presumption, a party must prove by a preponderance of the
 2649 | evidence that equal time-sharing is not in the best interests of
 2650 | the minor child. Except when a time-sharing schedule is agreed

2651 to by the parties and approved by the court, the court must
2652 evaluate all of the factors set forth in subsection (3) and make
2653 specific written findings of fact when creating or modifying a
2654 time-sharing schedule.

2655 2. The court shall order that the parental responsibility
2656 for a minor child be shared by both parents unless the court
2657 finds that shared parental responsibility would be detrimental
2658 to the child. In determining detriment to the child, the court
2659 shall consider:

2660 a. Evidence of domestic violence, as defined in s. 741.28;

2661 b. Whether either parent has or has had reasonable cause
2662 to believe that he or she or his or her minor child or children
2663 are or have been in imminent danger of becoming victims of an
2664 act of domestic violence as defined in s. 741.28 or sexual
2665 violence as defined in s. 784.046(1)(c) by the other parent
2666 against the parent or against the child or children whom the
2667 parents share in common regardless of whether a cause of action
2668 has been brought or is currently pending in the court;

2669 c. Whether either parent has or has had reasonable cause
2670 to believe that his or her minor child or children are or have
2671 been in imminent danger of becoming victims of an act of abuse
2672 ~~as defined in s. 39.01(2), abandonment as defined in s.~~
2673 ~~39.01(1), or neglect,~~ as those terms are defined in s. 39.01, s.
2674 ~~39.01(50)~~ by the other parent against the child or children whom
2675 the parents share in common regardless of whether a cause of

2676 | action has been brought or is currently pending in the court;
 2677 | and
 2678 | d. Any other relevant factors.
 2679 | 3. The following evidence creates a rebuttable presumption
 2680 | that shared parental responsibility is detrimental to the child:
 2681 | a. A parent has been convicted of a misdemeanor of the
 2682 | first degree or higher involving domestic violence, as defined
 2683 | in s. 741.28 and chapter 775;
 2684 | b. A parent meets the criteria of s. 39.806(1)(d); or
 2685 | c. A parent has been convicted of or had adjudication
 2686 | withheld for an offense enumerated in s. 943.0435(1)(h)1.a., and
 2687 | at the time of the offense:
 2688 | (I) The parent was 18 years of age or older.
 2689 | (II) The victim was under 18 years of age or the parent
 2690 | believed the victim to be under 18 years of age.
 2691 |
 2692 | If the presumption is not rebutted after the convicted parent is
 2693 | advised by the court that the presumption exists, shared
 2694 | parental responsibility, including time-sharing with the child,
 2695 | and decisions made regarding the child, may not be granted to
 2696 | the convicted parent. However, the convicted parent is not
 2697 | relieved of any obligation to provide financial support. If the
 2698 | court determines that shared parental responsibility would be
 2699 | detrimental to the child, it may order sole parental
 2700 | responsibility and make such arrangements for time-sharing as

2701 specified in the parenting plan as will best protect the child
2702 or abused spouse from further harm. Whether or not there is a
2703 conviction of any offense of domestic violence or child abuse or
2704 the existence of an injunction for protection against domestic
2705 violence, the court shall consider evidence of domestic violence
2706 or child abuse as evidence of detriment to the child.

2707 4. In ordering shared parental responsibility, the court
2708 may consider the expressed desires of the parents and may grant
2709 to one party the ultimate responsibility over specific aspects
2710 of the child's welfare or may divide those responsibilities
2711 between the parties based on the best interests of the child.
2712 Areas of responsibility may include education, health care, and
2713 any other responsibilities that the court finds unique to a
2714 particular family.

2715 5. The court shall order sole parental responsibility for
2716 a minor child to one parent, with or without time-sharing with
2717 the other parent if it is in the best interests of the minor
2718 child.

2719 6. There is a rebuttable presumption against granting
2720 time-sharing with a minor child if a parent has been convicted
2721 of or had adjudication withheld for an offense enumerated in s.
2722 943.0435(1)(h)1.a., and at the time of the offense:

2723 a. The parent was 18 years of age or older.

2724 b. The victim was under 18 years of age or the parent
2725 believed the victim to be under 18 years of age.

2726
 2727 A parent may rebut the presumption upon a specific finding in
 2728 writing by the court that the parent poses no significant risk
 2729 of harm to the child and that time-sharing is in the best
 2730 interests of the minor child. If the presumption is rebutted,
 2731 the court must consider all time-sharing factors in subsection
 2732 (3) when developing a time-sharing schedule.

2733 7. Access to records and information pertaining to a minor
 2734 child, including, but not limited to, medical, dental, and
 2735 school records, may not be denied to either parent. Full rights
 2736 under this subparagraph apply to either parent unless a court
 2737 order specifically revokes these rights, including any
 2738 restrictions on these rights as provided in a domestic violence
 2739 injunction. A parent having rights under this subparagraph has
 2740 the same rights upon request as to form, substance, and manner
 2741 of access as are available to the other parent of a child,
 2742 including, without limitation, the right to in-person
 2743 communication with medical, dental, and education providers.

2744 Section 55. Paragraph (d) of subsection (4) of section
 2745 119.071, Florida Statutes, is amended to read:

2746 119.071 General exemptions from inspection or copying of
 2747 public records.—

2748 (4) AGENCY PERSONNEL INFORMATION.—

2749 (d)1. For purposes of this paragraph, the term:

2750 a. "Home addresses" means the dwelling location at which

2751 an individual resides and includes the physical address, mailing
 2752 address, street address, parcel identification number, plot
 2753 identification number, legal property description, neighborhood
 2754 name and lot number, GPS coordinates, and any other descriptive
 2755 property information that may reveal the home address.

2756 b. "Judicial assistant" means a court employee assigned to
 2757 the following class codes: 8140, 8150, 8310, and 8320.

2758 c. "Telephone numbers" includes home telephone numbers,
 2759 personal cellular telephone numbers, personal pager telephone
 2760 numbers, and telephone numbers associated with personal
 2761 communications devices.

2762 2.a. The home addresses, telephone numbers, dates of
 2763 birth, and photographs of active or former sworn law enforcement
 2764 personnel or of active or former civilian personnel employed by
 2765 a law enforcement agency, including correctional and
 2766 correctional probation officers, personnel of the Department of
 2767 Children and Families whose duties include the investigation of
 2768 abuse, neglect, exploitation, fraud, theft, or other criminal
 2769 activities, personnel of the Department of Health whose duties
 2770 are to support the investigation of child abuse or neglect, and
 2771 personnel of the Department of Revenue or local governments
 2772 whose responsibilities include revenue collection and
 2773 enforcement or child support enforcement; the names, home
 2774 addresses, telephone numbers, photographs, dates of birth, and
 2775 places of employment of the spouses and children of such

2776 personnel; and the names and locations of schools and day care
2777 facilities attended by the children of such personnel are exempt
2778 from s. 119.07(1) and s. 24(a), Art. I of the State
2779 Constitution.

2780 b. The home addresses, telephone numbers, dates of birth,
2781 and photographs of current or former nonsworn investigative
2782 personnel of the Department of Financial Services whose duties
2783 include the investigation of fraud, theft, workers' compensation
2784 coverage requirements and compliance, other related criminal
2785 activities, or state regulatory requirement violations; the
2786 names, home addresses, telephone numbers, dates of birth, and
2787 places of employment of the spouses and children of such
2788 personnel; and the names and locations of schools and day care
2789 facilities attended by the children of such personnel are exempt
2790 from s. 119.07(1) and s. 24(a), Art. I of the State
2791 Constitution.

2792 c. The home addresses, telephone numbers, dates of birth,
2793 and photographs of current or former nonsworn investigative
2794 personnel of the Office of Financial Regulation's Bureau of
2795 Financial Investigations whose duties include the investigation
2796 of fraud, theft, other related criminal activities, or state
2797 regulatory requirement violations; the names, home addresses,
2798 telephone numbers, dates of birth, and places of employment of
2799 the spouses and children of such personnel; and the names and
2800 locations of schools and day care facilities attended by the

2801 children of such personnel are exempt from s. 119.07(1) and s.
2802 24(a), Art. I of the State Constitution.

2803 d. The home addresses, telephone numbers, dates of birth,
2804 and photographs of current or former firefighters certified in
2805 compliance with s. 633.408; the names, home addresses, telephone
2806 numbers, photographs, dates of birth, and places of employment
2807 of the spouses and children of such firefighters; and the names
2808 and locations of schools and day care facilities attended by the
2809 children of such firefighters are exempt from s. 119.07(1) and
2810 s. 24(a), Art. I of the State Constitution.

2811 e. The home addresses, dates of birth, and telephone
2812 numbers of current or former justices of the Supreme Court,
2813 district court of appeal judges, circuit court judges, and
2814 county court judges, ~~and of~~ current judicial assistants; the
2815 names, home addresses, telephone numbers, dates of birth, and
2816 places of employment of the spouses and children of current or
2817 former justices and judges and ~~of~~ current judicial assistants;
2818 and the names and locations of schools and day care facilities
2819 attended by the children of current or former justices and
2820 judges and of current judicial assistants are exempt from s.
2821 119.07(1) and s. 24(a), Art. I of the State Constitution. This
2822 sub-subparagraph is subject to the Open Government Sunset Review
2823 Act in accordance with s. 119.15 and shall stand repealed on
2824 October 2, 2028, unless reviewed and saved from repeal through
2825 reenactment by the Legislature.

2826 f. The home addresses, telephone numbers, dates of birth,
2827 and photographs of current or former state attorneys, assistant
2828 state attorneys, statewide prosecutors, or assistant statewide
2829 prosecutors; the names, home addresses, telephone numbers,
2830 photographs, dates of birth, and places of employment of the
2831 spouses and children of current or former state attorneys,
2832 assistant state attorneys, statewide prosecutors, or assistant
2833 statewide prosecutors; and the names and locations of schools
2834 and day care facilities attended by the children of current or
2835 former state attorneys, assistant state attorneys, statewide
2836 prosecutors, or assistant statewide prosecutors are exempt from
2837 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

2838 g. The home addresses, dates of birth, and telephone
2839 numbers of general magistrates, special magistrates, judges of
2840 compensation claims, administrative law judges of the Division
2841 of Administrative Hearings, and child support enforcement
2842 hearing officers; the names, home addresses, telephone numbers,
2843 dates of birth, and places of employment of the spouses and
2844 children of general magistrates, special magistrates, judges of
2845 compensation claims, administrative law judges of the Division
2846 of Administrative Hearings, and child support enforcement
2847 hearing officers; and the names and locations of schools and day
2848 care facilities attended by the children of general magistrates,
2849 special magistrates, judges of compensation claims,
2850 administrative law judges of the Division of Administrative

2851 Hearings, and child support enforcement hearing officers are
 2852 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 2853 Constitution.

2854 h. The home addresses, telephone numbers, dates of birth,
 2855 and photographs of current or former human resource, labor
 2856 relations, or employee relations directors, assistant directors,
 2857 managers, or assistant managers of any local government agency
 2858 or water management district whose duties include hiring and
 2859 firing employees, labor contract negotiation, administration, or
 2860 other personnel-related duties; the names, home addresses,
 2861 telephone numbers, dates of birth, and places of employment of
 2862 the spouses and children of such personnel; and the names and
 2863 locations of schools and day care facilities attended by the
 2864 children of such personnel are exempt from s. 119.07(1) and s.
 2865 24(a), Art. I of the State Constitution.

2866 i. The home addresses, telephone numbers, dates of birth,
 2867 and photographs of current or former code enforcement officers;
 2868 the names, home addresses, telephone numbers, dates of birth,
 2869 and places of employment of the spouses and children of such
 2870 personnel; and the names and locations of schools and day care
 2871 facilities attended by the children of such personnel are exempt
 2872 from s. 119.07(1) and s. 24(a), Art. I of the State
 2873 Constitution.

2874 j. The home addresses, telephone numbers, places of
 2875 employment, dates of birth, and photographs of current or former

2876 guardians ad litem, as defined in s. 39.01 ~~s. 39.820~~; the names,
2877 home addresses, telephone numbers, dates of birth, and places of
2878 employment of the spouses and children of such persons; and the
2879 names and locations of schools and day care facilities attended
2880 by the children of such persons are exempt from s. 119.07(1) and
2881 s. 24(a), Art. I of the State Constitution.

2882 k. The home addresses, telephone numbers, dates of birth,
2883 and photographs of current or former juvenile probation
2884 officers, juvenile probation supervisors, detention
2885 superintendents, assistant detention superintendents, juvenile
2886 justice detention officers I and II, juvenile justice detention
2887 officer supervisors, juvenile justice residential officers,
2888 juvenile justice residential officer supervisors I and II,
2889 juvenile justice counselors, juvenile justice counselor
2890 supervisors, human services counselor administrators, senior
2891 human services counselor administrators, rehabilitation
2892 therapists, and social services counselors of the Department of
2893 Juvenile Justice; the names, home addresses, telephone numbers,
2894 dates of birth, and places of employment of spouses and children
2895 of such personnel; and the names and locations of schools and
2896 day care facilities attended by the children of such personnel
2897 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2898 Constitution.

2899 l. The home addresses, telephone numbers, dates of birth,
2900 and photographs of current or former public defenders, assistant

2901 public defenders, criminal conflict and civil regional counsel,
 2902 and assistant criminal conflict and civil regional counsel; the
 2903 names, home addresses, telephone numbers, dates of birth, and
 2904 places of employment of the spouses and children of current or
 2905 former public defenders, assistant public defenders, criminal
 2906 conflict and civil regional counsel, and assistant criminal
 2907 conflict and civil regional counsel; and the names and locations
 2908 of schools and day care facilities attended by the children of
 2909 current or former public defenders, assistant public defenders,
 2910 criminal conflict and civil regional counsel, and assistant
 2911 criminal conflict and civil regional counsel are exempt from s.
 2912 119.07(1) and s. 24(a), Art. I of the State Constitution.

2913 m. The home addresses, telephone numbers, dates of birth,
 2914 and photographs of current or former investigators or inspectors
 2915 of the Department of Business and Professional Regulation; the
 2916 names, home addresses, telephone numbers, dates of birth, and
 2917 places of employment of the spouses and children of such current
 2918 or former investigators and inspectors; and the names and
 2919 locations of schools and day care facilities attended by the
 2920 children of such current or former investigators and inspectors
 2921 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 2922 Constitution.

2923 n. The home addresses, telephone numbers, and dates of
 2924 birth of county tax collectors; the names, home addresses,
 2925 telephone numbers, dates of birth, and places of employment of

2926 | the spouses and children of such tax collectors; and the names
 2927 | and locations of schools and day care facilities attended by the
 2928 | children of such tax collectors are exempt from s. 119.07(1) and
 2929 | s. 24(a), Art. I of the State Constitution.

2930 | o. The home addresses, telephone numbers, dates of birth,
 2931 | and photographs of current or former personnel of the Department
 2932 | of Health whose duties include, or result in, the determination
 2933 | or adjudication of eligibility for social security disability
 2934 | benefits, the investigation or prosecution of complaints filed
 2935 | against health care practitioners, or the inspection of health
 2936 | care practitioners or health care facilities licensed by the
 2937 | Department of Health; the names, home addresses, telephone
 2938 | numbers, dates of birth, and places of employment of the spouses
 2939 | and children of such personnel; and the names and locations of
 2940 | schools and day care facilities attended by the children of such
 2941 | personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
 2942 | the State Constitution.

2943 | p. The home addresses, telephone numbers, dates of birth,
 2944 | and photographs of current or former impaired practitioner
 2945 | consultants who are retained by an agency or current or former
 2946 | employees of an impaired practitioner consultant whose duties
 2947 | result in a determination of a person's skill and safety to
 2948 | practice a licensed profession; the names, home addresses,
 2949 | telephone numbers, dates of birth, and places of employment of
 2950 | the spouses and children of such consultants or their employees;

2951 and the names and locations of schools and day care facilities
2952 attended by the children of such consultants or employees are
2953 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2954 Constitution.

2955 q. The home addresses, telephone numbers, dates of birth,
2956 and photographs of current or former emergency medical
2957 technicians or paramedics certified under chapter 401; the
2958 names, home addresses, telephone numbers, dates of birth, and
2959 places of employment of the spouses and children of such
2960 emergency medical technicians or paramedics; and the names and
2961 locations of schools and day care facilities attended by the
2962 children of such emergency medical technicians or paramedics are
2963 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2964 Constitution.

2965 r. The home addresses, telephone numbers, dates of birth,
2966 and photographs of current or former personnel employed in an
2967 agency's office of inspector general or internal audit
2968 department whose duties include auditing or investigating waste,
2969 fraud, abuse, theft, exploitation, or other activities that
2970 could lead to criminal prosecution or administrative discipline;
2971 the names, home addresses, telephone numbers, dates of birth,
2972 and places of employment of spouses and children of such
2973 personnel; and the names and locations of schools and day care
2974 facilities attended by the children of such personnel are exempt
2975 from s. 119.07(1) and s. 24(a), Art. I of the State

2976 Constitution.

2977 s. The home addresses, telephone numbers, dates of birth,

2978 and photographs of current or former directors, managers,

2979 supervisors, nurses, and clinical employees of an addiction

2980 treatment facility; the home addresses, telephone numbers,

2981 photographs, dates of birth, and places of employment of the

2982 spouses and children of such personnel; and the names and

2983 locations of schools and day care facilities attended by the

2984 children of such personnel are exempt from s. 119.07(1) and s.

2985 24(a), Art. I of the State Constitution. For purposes of this

2986 sub-subparagraph, the term "addiction treatment facility" means

2987 a county government, or agency thereof, that is licensed

2988 pursuant to s. 397.401 and provides substance abuse prevention,

2989 intervention, or clinical treatment, including any licensed

2990 service component described in s. 397.311(26).

2991 t. The home addresses, telephone numbers, dates of birth,

2992 and photographs of current or former directors, managers,

2993 supervisors, and clinical employees of a child advocacy center

2994 that meets the standards of s. 39.3035(2) and fulfills the

2995 screening requirement of s. 39.3035(3), and the members of a

2996 Child Protection Team as described in s. 39.303 whose duties

2997 include supporting the investigation of child abuse or sexual

2998 abuse, child abandonment, child neglect, and child exploitation

2999 or to provide services as part of a multidisciplinary case

3000 review team; the names, home addresses, telephone numbers,

3001 | photographs, dates of birth, and places of employment of the
 3002 | spouses and children of such personnel and members; and the
 3003 | names and locations of schools and day care facilities attended
 3004 | by the children of such personnel and members are exempt from s.
 3005 | 119.07(1) and s. 24(a), Art. I of the State Constitution.

3006 | u. The home addresses, telephone numbers, places of
 3007 | employment, dates of birth, and photographs of current or former
 3008 | staff and domestic violence advocates, as defined in s.
 3009 | 90.5036(1) (b), of domestic violence centers certified by the
 3010 | Department of Children and Families under chapter 39; the names,
 3011 | home addresses, telephone numbers, places of employment, dates
 3012 | of birth, and photographs of the spouses and children of such
 3013 | personnel; and the names and locations of schools and day care
 3014 | facilities attended by the children of such personnel are exempt
 3015 | from s. 119.07(1) and s. 24(a), Art. I of the State
 3016 | Constitution.

3017 | v. The home addresses, telephone numbers, dates of birth,
 3018 | and photographs of current or former inspectors or investigators
 3019 | of the Department of Agriculture and Consumer Services; the
 3020 | names, home addresses, telephone numbers, dates of birth, and
 3021 | places of employment of the spouses and children of current or
 3022 | former inspectors or investigators; and the names and locations
 3023 | of schools and day care facilities attended by the children of
 3024 | current or former inspectors or investigators are exempt from s.
 3025 | 119.07(1) and s. 24(a), Art. I of the State Constitution. This

3026 sub-subparagraph is subject to the Open Government Sunset Review
 3027 Act in accordance with s. 119.15 and shall stand repealed on
 3028 October 2, 2028, unless reviewed and saved from repeal through
 3029 reenactment by the Legislature.

3030 3. An agency that is the custodian of the information
 3031 specified in subparagraph 2. and that is not the employer of the
 3032 officer, employee, justice, judge, or other person specified in
 3033 subparagraph 2. must maintain the exempt status of that
 3034 information only if the officer, employee, justice, judge, other
 3035 person, or employing agency of the designated employee submits a
 3036 written and notarized request for maintenance of the exemption
 3037 to the custodial agency. The request must state under oath the
 3038 statutory basis for the individual's exemption request and
 3039 confirm the individual's status as a party eligible for exempt
 3040 status.

3041 4.a. A county property appraiser, as defined in s.
 3042 192.001(3), or a county tax collector, as defined in s.
 3043 192.001(4), who receives a written and notarized request for
 3044 maintenance of the exemption pursuant to subparagraph 3. must
 3045 comply by removing the name of the individual with exempt status
 3046 and the instrument number or Official Records book and page
 3047 number identifying the property with the exempt status from all
 3048 publicly available records maintained by the property appraiser
 3049 or tax collector. For written requests received on or before
 3050 July 1, 2021, a county property appraiser or county tax

3051 collector must comply with this sub-subparagraph by October 1,
 3052 2021. A county property appraiser or county tax collector may
 3053 not remove the street address, legal description, or other
 3054 information identifying real property within the agency's
 3055 records so long as a name or personal information otherwise
 3056 exempt from inspection and copying pursuant to this section is
 3057 not associated with the property or otherwise displayed in the
 3058 public records of the agency.

3059 b. Any information restricted from public display,
 3060 inspection, or copying under sub-subparagraph a. must be
 3061 provided to the individual whose information was removed.

3062 5. An officer, an employee, a justice, a judge, or other
 3063 person specified in subparagraph 2. may submit a written request
 3064 for the release of his or her exempt information to the
 3065 custodial agency. The written request must be notarized and must
 3066 specify the information to be released and the party authorized
 3067 to receive the information. Upon receipt of the written request,
 3068 the custodial agency must release the specified information to
 3069 the party authorized to receive such information.

3070 6. The exemptions in this paragraph apply to information
 3071 held by an agency before, on, or after the effective date of the
 3072 exemption.

3073 7. Information made exempt under this paragraph may be
 3074 disclosed pursuant to s. 28.2221 to a title insurer authorized
 3075 pursuant to s. 624.401 and its affiliates as defined in s.

3076 624.10; a title insurance agent or title insurance agency as
3077 defined in s. 626.841(1) or (2), respectively; or an attorney
3078 duly admitted to practice law in this state and in good standing
3079 with The Florida Bar.

3080 8. The exempt status of a home address contained in the
3081 Official Records is maintained only during the period when a
3082 protected party resides at the dwelling location. Upon
3083 conveyance of real property after October 1, 2021, and when such
3084 real property no longer constitutes a protected party's home
3085 address as defined in sub-subparagraph 1.a., the protected party
3086 must submit a written request to release the removed information
3087 to the county recorder. The written request to release the
3088 removed information must be notarized, must confirm that a
3089 protected party's request for release is pursuant to a
3090 conveyance of his or her dwelling location, and must specify the
3091 Official Records book and page, instrument number, or clerk's
3092 file number for each document containing the information to be
3093 released.

3094 9. Upon the death of a protected party as verified by a
3095 certified copy of a death certificate or court order, any party
3096 can request the county recorder to release a protected
3097 decedent's removed information unless there is a related request
3098 on file with the county recorder for continued removal of the
3099 decedent's information or unless such removal is otherwise
3100 prohibited by statute or by court order. The written request to

3101 release the removed information upon the death of a protected
3102 party must attach the certified copy of a death certificate or
3103 court order and must be notarized, must confirm the request for
3104 release is due to the death of a protected party, and must
3105 specify the Official Records book and page number, instrument
3106 number, or clerk's file number for each document containing the
3107 information to be released. A fee may not be charged for the
3108 release of any document pursuant to such request.

3109 10. Except as otherwise expressly provided in this
3110 paragraph, this paragraph is subject to the Open Government
3111 Sunset Review Act in accordance with s. 119.15 and shall stand
3112 repealed on October 2, 2024, unless reviewed and saved from
3113 repeal through reenactment by the Legislature.

3114 Section 56. Subsection (4) of section 322.09, Florida
3115 Statutes, is amended to read:

3116 322.09 Application of minors; responsibility for
3117 negligence or misconduct of minor.—

3118 (4) Notwithstanding subsections (1) and (2), if a
3119 caregiver of a minor who is under the age of 18 years and is in
3120 out-of-home care as defined in s. 39.01 ~~s. 39.01(55)~~, an
3121 authorized representative of a residential group home at which
3122 such a minor resides, the caseworker at the agency at which the
3123 state has placed the minor, or a guardian ad litem specifically
3124 authorized by the minor's caregiver to sign for a learner's
3125 driver license signs the minor's application for a learner's

3126 driver license, that caregiver, group home representative,
 3127 caseworker, or guardian ad litem does not assume any obligation
 3128 or become liable for any damages caused by the negligence or
 3129 willful misconduct of the minor by reason of having signed the
 3130 application. Before signing the application, the caseworker,
 3131 authorized group home representative, or guardian ad litem shall
 3132 notify the caregiver or other responsible party of his or her
 3133 intent to sign and verify the application.

3134 Section 57. Paragraph (p) of subsection (4) of section
 3135 394.495, Florida Statutes, is amended to read:

3136 394.495 Child and adolescent mental health system of care;
 3137 programs and services.—

3138 (4) The array of services may include, but is not limited
 3139 to:

3140 (p) Trauma-informed services for children who have
 3141 suffered sexual exploitation as defined in s. 39.01(80)(g) ~~s.~~
 3142 ~~39.01(77)(g)~~.

3143 Section 58. Section 627.746, Florida Statutes, is amended
 3144 to read:

3145 627.746 Coverage for minors who have a learner's driver
 3146 license; additional premium prohibited.—An insurer that issues
 3147 an insurance policy on a private passenger motor vehicle to a
 3148 named insured who is a caregiver of a minor who is under the age
 3149 of 18 years and is in out-of-home care as defined in s. 39.01 ~~s.~~
 3150 ~~39.01(55)~~ may not charge an additional premium for coverage of

3151 the minor while the minor is operating the insured vehicle, for
 3152 the period of time that the minor has a learner's driver
 3153 license, until such time as the minor obtains a driver license.

3154 Section 59. Paragraph (c) of subsection (1) of section
 3155 934.255, Florida Statutes, is amended to read:

3156 934.255 Subpoenas in investigations of sexual offenses.—

3157 (1) As used in this section, the term:

3158 (c) "Sexual abuse of a child" means a criminal offense
 3159 based on any conduct described in s. 39.01(80) ~~s. 39.01(77)~~.

3160 Section 60. Subsection (5) of section 960.065, Florida
 3161 Statutes, is amended to read:

3162 960.065 Eligibility for awards.—

3163 (5) A person is not ineligible for an award pursuant to
 3164 paragraph (2)(a), paragraph (2)(b), or paragraph (2)(c) if that
 3165 person is a victim of sexual exploitation of a child as defined
 3166 in s. 39.01(80)(g) ~~s. 39.01(77)(g)~~.

3167 Section 61. The Division of Law Revision is requested to
 3168 prepare a reviser's bill for the 2025 Regular Session of the
 3169 Legislature to substitute the term "Statewide Guardian ad Litem
 3170 Office" for the term "Guardian Ad Litem Program" or "Statewide
 3171 Guardian Ad Litem Program" throughout the Florida Statutes.

3172 Section 62. This act shall take effect July 1, 2024.