

By Senator Bradley

6-00485-24

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1 A bill to be entitled
2 An act relating to the appointment of courtroom animal
3 advocates; creating s. 828.035, F.S.; authorizing a
4 court to order that a separate advocate be appointed
5 in the interests of justice for certain criminal
6 proceedings regarding a cat or dog's welfare or
7 custody; providing that a judge's decision denying an
8 appointment of such an advocate is not subject to
9 appeal; authorizing an appointed advocate to take
10 certain actions involving the proceedings; providing
11 requirements for an individual to serve as an
12 advocate; providing applicability; providing an
13 effective date.

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

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17 Section 1. Section 828.035, Florida Statutes, is created to
18 read:

19 828.035 Courtroom animal advocates.—

20 (1) In any prosecution or other court proceeding under s.
21 413.081, s. 843.19, or this chapter or in any criminal
22 proceeding regarding the welfare or custody of a cat or dog, the
23 court may order, upon its own initiative or upon the request of
24 a party or counsel for a party, that a separate advocate be
25 appointed to represent the interests of justice. If a court
26 orders that an advocate be appointed to represent the interests
27 of justice, the court must appoint an advocate who meets the
28 requirements of subsection (3). A decision by the court denying
29 a request to appoint a separate advocate to represent the

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30 interests of justice is not subject to appeal.

31 (2) An advocate appointed by the court pursuant to
32 subsection (1) may do all of the following:

33 (a) Monitor the case.

34 (b) Consult any individual who has information that could
35 aid the judge or the finder of fact and review records relating
36 to the condition of the cat or dog and the defendant's actions,
37 including, but not limited to, records from animal control
38 officers, veterinarians, and police officers.

39 (c) Attend hearings.

40 (d) Present information or recommendations to the court
41 pertinent to determinations that relate to the interests of
42 justice, provided that such information and recommendations are
43 based solely upon the duties authorized pursuant to this
44 subsection.

45 (3) To serve, on a voluntary basis, as an advocate under
46 this section, an individual must be an attorney or a certified
47 emeritus lawyer under rules of The Florida Bar who has knowledge
48 of animal issues and the legal system or must be a law school
49 student who has an interest in animal issues and the legal
50 system and who is certified by the Florida Supreme Court as a
51 certified legal intern in this state. Advocates are required to
52 be trained to understand their roles and responsibilities under
53 subsection (2). A list of qualified advocates must be maintained
54 by the Animal Law Section of The Florida Bar.

55 (4) This section does not apply to an entity that is
56 accredited through a nationally or internationally recognized
57 zoo or aquarium accreditation organization.

58 Section 2. This act shall take effect July 1, 2024.