

1 A bill to be entitled
2 An act relating to parenting plan recommendations by
3 court-appointed psychologists; amending s. 61.122,
4 F.S.; revising the requirements a parent must follow
5 before filing a legal action against a court-appointed
6 psychologist who developed a parenting plan
7 recommendation in certain cases; making technical
8 changes; providing an effective date.

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

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12 Section 1. Subsections (3) and (4) of section 61.122,
13 Florida Statutes, are amended to read:

14 61.122 Parenting plan recommendation; presumption of
15 psychologist's good faith; prerequisite to parent's filing suit;
16 award of fees, costs, reimbursement.—

17 (3) A parent who desires to file a legal action against a
18 court-appointed psychologist who developed ~~has acted in good~~
19 ~~faith in developing~~ a parenting plan recommendation in a ~~must~~
20 ~~petition the judge who presided over the~~ dissolution of
21 marriage, case of domestic violence, or paternity matter
22 involving the relationship of a child and a parent, including
23 time-sharing of children, must conduct a reasonable
24 investigation and follow the procedures required under s.
25 766.104 ~~to appoint another psychologist. Upon the parent's~~

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26 | ~~showing of good cause, the court shall appoint another~~
27 | ~~psychologist. The court shall determine who is responsible for~~
28 | ~~all court costs and attorney's fees associated with making such~~
29 | ~~an appointment.~~

30 | (4) If a legal action, whether it be a civil action, a
31 | criminal action, or an administrative proceeding, is filed
32 | against a court-appointed psychologist in a dissolution of
33 | marriage, case of domestic violence, or paternity matter
34 | involving the relationship of a child and a parent, including
35 | time-sharing of children, the claimant is responsible for all
36 | reasonable costs and reasonable attorney ~~attorney's~~ fees
37 | associated with the action for both parties if the psychologist
38 | is held not liable. If the psychologist is held liable in civil
39 | court, the psychologist must pay all reasonable costs and
40 | reasonable attorney ~~attorney's~~ fees for the claimant.

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