

1 A bill to be entitled
2 An act relating to post-trial counseling services for
3 jurors; creating s. 40.61, F.S.; creating a post-trial
4 counseling program for jurors in each judicial
5 circuit; providing the program's purpose; requiring
6 the Office of the State Courts Administrator to
7 provide administrative support for the program;
8 requiring the chief judge of the circuit to administer
9 the program and, in consultation with the Department
10 of Children and Families, take specified actions;
11 requiring the judicial circuit to provide a specified
12 number of counseling sessions at no charge to a juror
13 under certain circumstances; authorizing the judicial
14 circuit to provide a specified number of counseling
15 sessions at no charge to jurors under specified
16 circumstances; authorizing judges to extend jury
17 service for a specified administrative purpose if a
18 juror requests counseling before the conclusion of a
19 trial; providing that certain protections available to
20 a juror during a trial apply during an administrative
21 extension; prohibiting a clerk of the court from
22 releasing the name of a juror who requests post-trial
23 counseling services; providing that a juror who
24 requests post-trial counseling services within a
25 specified timeframe after the conclusion of a trial

26 must be offered a referral to specified providers;
 27 requiring the judicial circuits to annually submit, by
 28 a specified date, a certain report to the Department
 29 of Children and Families; providing an effective date.
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31 Be It Enacted by the Legislature of the State of Florida:
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33 Section 1. Section 40.61, Florida Statutes, is created to
 34 read:

35 40.61 Post-trial juror counseling program.-

36 (1) A post-trial juror counseling program is created
 37 within each judicial circuit to provide post-trial counseling
 38 services to jurors who served in a trial in which a reasonable
 39 person would likely experience trauma or distress due to the
 40 gravity of the offense or the subject matter. The Office of the
 41 State Courts Administrator shall provide administrative support
 42 for the program.

43 (2) The chief judge of the circuit shall administer the
 44 program and, in consultation with the Department of Children and
 45 Families, shall do all of the following:

46 (a) Identify those trials, as described in subsection (1),
 47 after which a juror may need counseling services. At a minimum,
 48 post-trial counseling services must be offered to jurors who
 49 served or were impaneled for a trial relating to:

50 1. The killing or attempted killing of another human

51 being.

52 2. Sexual misconduct or offenses.

53 3. The neglect, abuse, or endangerment of minors.

54 (b) Require judges in the circuit to inform jurors of the
55 availability of the program.

56 (c) Offer post-trial counseling services for jurors
57 through a community mental health center or clinic as defined in
58 s. 394.455. Such counseling may be offered through a telehealth
59 provider as defined in s. 456.47(1).

60 (3)(a) The judicial circuit shall provide six post-trial
61 counseling sessions at no charge to a juror who requests such
62 counseling before the conclusion of the trial pursuant to
63 paragraph (4)(a).

64 (b) The judicial circuit may provide six post-trial
65 counseling sessions at no charge to a juror who requests such
66 counseling after the conclusion of a trial, but within the six
67 months after the trial pursuant to paragraph (4)(b).

68 (4)(a)1. If a judge presides over a trial for which post-
69 trial counseling services are required to be offered and a
70 selected or impaneled juror requests post-trial counseling
71 services before the conclusion of the trial, the judge must
72 extend the jury's service for administrative purposes to
73 accommodate any juror who requests counseling. The extension
74 must provide enough time to allow jurors to seek six counseling
75 sessions.

76 2. The same protections that apply to jurors during a
 77 trial apply during an administrative extension.

78 3. The clerk of the court may not release the name of a
 79 juror who requests post-trial counseling services.

80 (b) If a juror does not request post-trial counseling
 81 services before the conclusion of a trial for which post-trial
 82 counseling services are required to be offered, but requests
 83 such services within 6 months after such trial concludes, the
 84 judicial circuit must offer a referral to the juror for
 85 counseling services through a provider who is licensed to
 86 provide such services and who has an existing relationship with
 87 the Department of Children and Families.

88 (5) By December 31, 2024, and annually by each December 31
 89 thereafter, each judicial circuit shall submit a report to the
 90 Department of Children and Families which, at a minimum,
 91 includes the number of jurors who requested post-trial
 92 counseling services, whether each such juror made the request
 93 before or after the conclusion of a trial, the amount of
 94 sessions provided in each instance, and the costs incurred by
 95 the judicial circuit in connection with the services offered.

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