

By Senator Gaetz

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1 A bill to be entitled
2 An act relating to guardians ad litem; amending s.
3 61.403, F.S.; authorizing a court to consider certain
4 information provided by a guardian ad litem; providing
5 an effective date.

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

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9 Section 1. Subsection (5) of section 61.403, Florida
10 Statutes, is amended to read:

11 61.403 Guardians ad litem; powers and authority.—A guardian
12 ad litem when appointed shall act as next friend of the child,
13 investigator or evaluator, not as attorney or advocate but shall
14 act in the child's best interest. A guardian ad litem shall have
15 the powers, privileges, and responsibilities to the extent
16 necessary to advance the best interest of the child, including,
17 but not limited to, the following:

18 (5) The guardian ad litem may address the court and make
19 written or oral recommendations to the court. The guardian ad
20 litem shall file a written report which may include
21 recommendations and a statement of the wishes of the child. The
22 report must be filed and served on all parties at least 20 days
23 prior to the hearing at which it will be presented unless the
24 court waives such time limit. The guardian ad litem must be
25 provided with copies of all pleadings, notices, and other
26 documents filed in the action and is entitled to reasonable
27 notice before any action affecting the child is taken by either
28 of the parties, their counsel, or the court. The court may
29 consider the information contained in the guardian ad litem's

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30 report and testimony in making decisions, and the technical
31 rules of evidence do not exclude the report or testimony from
32 consideration.

33 Section 2. This act shall take effect July 1, 2025.