

**By** the Committee on Judiciary; and Senator Grall

590-02738-26

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A bill to be entitled

An act relating to family law; amending s. 61.13, F.S.; requiring that certain time-sharing matters be accorded priority on a court's calendar; providing procedural requirements for evidentiary hearings on motions seeking to establish temporary parental responsibility and time-sharing and on motions to enforce compliance with existing time-sharing orders; requiring the Office of the State Courts Administrator to prepare and publish on its website a publicly accessible annual report for certain evidentiary hearings held in each judicial circuit; requiring that the report include specified information; requiring the office to submit the report to the Legislature; prohibiting the reports from containing certain personal identifying information; authorizing the Supreme Court to adopt rules; amending s. 742.031, F.S.; requiring, rather than authorizing, a court to make a determination of appropriate parenting plans in certain proceedings; deleting provisions requiring the obligee parent to receive, or the mother to be presumed to have, all time-sharing and sole parental responsibility under certain circumstances; providing an effective date.

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

Section 1. Subsection (10) is added to section 61.13, Florida Statutes, to read:

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30        61.13 Support of children; parenting and time-sharing;  
31 powers of court; evidentiary hearing reports.-

32        (10) (a) The following time-sharing matters must be accorded  
33 priority on the court's calendar:

34        1. An evidentiary hearing on an initial verified motion  
35 affirmatively seeking to establish temporary parental  
36 responsibility and time-sharing. Such motion must be filed  
37 separately from the initial petition for dissolution or petition  
38 to establish paternity, as applicable. The initiating party must  
39 attach a proposed temporary parenting plan to the motion. The  
40 responding party must file and serve a proposed temporary  
41 parenting plan within 10 days after receipt of service of the  
42 verified motion and attached proposed temporary parenting plan.  
43 However, failure of the responding party to file or serve a  
44 proposed temporary parenting plan is not a bar to moving forward  
45 on the motion. Portions of the proposed temporary parenting  
46 plans which are not in dispute must be adopted as a voluntary  
47 agreed schedule between the parties. Absent good cause, the  
48 court shall conduct a hearing on the contested issues within 30  
49 days after the motion is served. The court may not refer the  
50 parties to mediation as a condition precedent to the court  
51 setting or conducting a hearing unless the court has the consent  
52 of both parties. The court shall issue an order on temporary  
53 parental responsibility and time-sharing within 30 days after  
54 the conclusion of the evidentiary hearing.

55        2. An evidentiary hearing on a motion to enforce compliance  
56 with an existing time-sharing order. The court shall conduct a  
57 hearing on a motion seeking to enforce compliance with an  
58 existing time-sharing order within 5 business days after the

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59 motion is served. If the judge assigned to the case is not able  
60 to conduct the hearing within 5 business days, an available  
61 family division judge must conduct the hearing during regular  
62 business hours. The court shall issue an order within 5 days  
63 after the conclusion of the evidentiary hearing.

64 (b)1. Beginning July 1, 2027, and annually each July 1  
65 thereafter, the Office of the State Courts Administrator shall  
66 prepare and publish on its website a publicly accessible annual  
67 report on evidentiary hearings held under paragraph (a) in each  
68 judicial circuit. The report must include, at a minimum, all of  
69 the following:

70 a. The number of evidentiary hearings held under  
71 subparagraphs (a)1. and 2.

72 b. The average time from the filing of a motion to the  
73 issue of an order.

74 c. Rates of compliance with the statutory timeframes for  
75 rulings on motions.

76 2. Upon publication, the Office of the State Courts  
77 Administrator shall submit the report to the President of the  
78 Senate and the Speaker of the House of Representatives.

79 3. Reports prepared under this paragraph may not contain  
80 personal identifying information of litigants or minor children.

81 4. The Supreme Court may adopt rules to implement this  
82 paragraph, including data collection and reporting standards.

83 Section 2. Subsections (1) and (2) of section 742.031,  
84 Florida Statutes, are amended to read:

85 742.031 Hearings; court orders for support, hospital  
86 expenses, and attorney fees.—

87 (1) Hearings for the purpose of establishing or refuting

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88 the allegations of the complaint and answer must be held in the  
89 chambers and may be restricted to persons, in addition to the  
90 parties involved and their counsel, as the judge in his or her  
91 discretion may direct. The court shall determine the issues of  
92 paternity of the child and the ability of the parties ~~parents~~ to  
93 support the child. Each party's social security number must be  
94 recorded in the file containing the adjudication of paternity.  
95 If the court finds that the alleged father is the father of the  
96 child, it must so order. If appropriate, the court may order the  
97 father to pay the complainant, her guardian, or any other person  
98 assuming responsibility for the child moneys sufficient to pay  
99 reasonable attorney fees, hospital or medical expenses, cost of  
100 confinement, and any other expenses incident to the birth of the  
101 child and to pay all costs of the proceeding. Bills for  
102 pregnancy, childbirth, and scientific testing are admissible as  
103 evidence without requiring third-party foundation testimony and  
104 constitute *prima facie* evidence of amounts incurred for such  
105 services or for testing on behalf of the child. The court shall  
106 order either or both parties ~~parents~~ owing a duty of support to  
107 the child to pay support under chapter 61. The court must issue,  
108 upon motion by a party, a temporary order requiring child  
109 support for a minor child under s. 61.30 pending an  
110 administrative or judicial determination of parentage if there  
111 is clear and convincing evidence of paternity on the basis of  
112 genetic tests or other evidence. The court shall ~~may~~ also make a  
113 determination of an appropriate parenting plan, including a  
114 time-sharing schedule, in accordance with chapter 61.

115 ~~(2) If a judgment of paternity contains only a child support award with no parenting plan or time sharing schedule,~~

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117 the obligee parent shall receive all of the time sharing and  
118 ~~sole parental responsibility without prejudice to the obligor~~  
119 parent. If a paternity judgment contains no such provisions, the  
120 mother shall be presumed to have all of the time sharing and  
121 ~~sole parental responsibility.~~

122 Section 3. This act shall take effect July 1, 2026.