

HB 971

2026

A bill to be entitled
An act relating to family law; amending s. 26.20, F.S.; requiring that at least one judge be available in each judicial circuit on weekends, holidays, and after hours on weekdays to hear motions to enforce certain orders and agreements; requiring a chief judge to assign a circuit judge to be available for certain hearings; 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 pleadings seeking temporary parental responsibility and time-sharing schedules and on motions to enforce compliance with existing time-sharing orders or agreements; amending s. 742.031, F.S.; requiring a court to issue upon motion by a party, rather than authorizing the 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:

26 **Section 1. Section 26.20, Florida Statutes, is amended to**
27 **read:**

28 26.20 Availability of judge for hearings.—At least one
29 circuit judge in each circuit must be available at all times to
30 hold and conduct hearings with limited notice. In each circuit,
31 there must be at least one judge available on Saturdays,
32 Sundays, holidays, and after hours on weekdays to hear motions
33 for a temporary injunction ex parte in domestic violence cases
34 and motions to enforce time-sharing orders issued or agreements
35 entered into pursuant to s. 61.13 or s. 742.031. The chief judge
36 shall may assign a judge for this purpose.

37 **Section 2. Subsection (10) is added to section 61.13,**
38 **Florida Statutes, to read:**

39 61.13 Support of children; parenting and time-sharing;
40 powers of court.—

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

43 (a) An evidentiary hearing on an initial pleading seeking
44 temporary parental responsibility and time-sharing schedule not
45 agreed to by the parties. Each parent must file a proposed
46 temporary parenting plan with the clerk of the court as part of
47 his or her initial pleading seeking temporary affirmative
48 relief. Portions of the proposed temporary parenting plans which
49 are in agreement with each other must be adopted as a voluntary
50 agreed schedule between the parents before an evidentiary

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51 hearing. Absent good cause, the court shall set a hearing on the
52 contested issues within 30 days after the pleading is filed. The
53 court may not refer the parties to mediation as a condition
54 precedent to the court holding a hearing unless the court has
55 the consent of both parties. The court shall issue an order on
56 temporary parental responsibility and time-sharing within 30
57 days after the evidentiary hearing.

58 (b) An evidentiary hearing on a motion to enforce
59 compliance with an existing time-sharing order or agreement. The
60 court shall set a hearing on a motion seeking to enforce
61 compliance with an existing time-sharing order or agreement
62 within 5 business days after the motion is filed. If the judge
63 assigned to the case is not able to conduct the hearing within 5
64 business days, a judge who is available pursuant to s. 26.20
65 must hold the hearing, which may occur during regular business
66 hours, on a Saturday, Sunday, or holiday, or after hours on a
67 weekday.

68 **Section 3. Subsections (3) and (4) of section 742.031,**
69 **Florida Statutes, are renumbered as subsections (2) and (3),**
70 **respectively, and subsection (1) and present subsection (2) are**
71 **amended to read:**

72 742.031 Hearings; court orders for support, hospital
73 expenses, and attorney fees.—

74 (1) Hearings for the purpose of establishing or refuting
75 the allegations of the complaint and answer must be held in the

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76 chambers and may be restricted to persons, in addition to the
77 parties involved and their counsel, as the judge in his or her
78 discretion may direct. The court shall determine the issues of
79 paternity of the child and the ability of the parents to support
80 the child. Each party's social security number must be recorded
81 in the file containing the adjudication of paternity. If the
82 court finds that the alleged father is the father of the child,
83 it must so order. If appropriate, the court may order the father
84 to pay the complainant, her guardian, or any other person
85 assuming responsibility for the child moneys sufficient to pay
86 reasonable attorney fees, hospital or medical expenses, cost of
87 confinement, and any other expenses incident to the birth of the
88 child and to pay all costs of the proceeding. Bills for
89 pregnancy, childbirth, and scientific testing are admissible as
90 evidence without requiring third-party foundation testimony and
91 constitute *prima facie* evidence of amounts incurred for such
92 services or for testing on behalf of the child. The court shall
93 order either or both parents owing a duty of support to the
94 child to pay support under chapter 61. The court must issue,
95 upon motion by a party, a temporary order requiring child
96 support for a minor child under s. 61.30 pending an
97 administrative or judicial determination of parentage if there
98 is clear and convincing evidence of paternity on the basis of
99 genetic tests or other evidence. The court shall, upon motion by
100 a party, issue may also make a determination of an appropriate

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101 parenting plan, including a time-sharing schedule, in accordance
102 with chapter 61.

103 ~~(2) If a judgment of paternity contains only a child support award with no parenting plan or time-sharing schedule, the obligee parent shall receive all of the time-sharing and sole parental responsibility without prejudice to the obligor parent. If a paternity judgment contains no such provisions, the mother shall be presumed to have all of the time-sharing and sole parental responsibility.~~

110 **Section 4.** This act shall take effect July 1, 2026.