

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 34C

SPONSOR: Senator Cowin

SUBJECT: Ad Litem/Children/Pilot Program

DATE: November 27, 2001 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Mannelli</u>	<u>Revell</u>	<u>AP</u>	<u>Favorable</u>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

Section 39.4086, F.S., currently appropriates funds from General Revenue to operate a pilot Attorney Ad Litem program in the Ninth Judicial Circuit (Orange and Osceola Counties). This bill deletes funding for that pilot project, thus freeing up General Revenue funds for other court programs.

This bill substantially amends section 39.4086, Florida Statutes.

II. Present Situation:

Section 39.4086, F.S., specifies that it is the intent of the Legislature that children who are maintained in out-of-home care by court order receive competent legal representation and also creates a pilot Attorney Ad Litem Program in the Ninth Judicial Circuit.

Among other things, the Ninth Judicial Circuit is authorized to contract with private or public entities to represent the rights of children taken into custody by the Department of Children and Family Services (DCF). The Office of the State Courts Administrator (OSCA) is directed to develop a training program for Attorneys Ad Litem and to identify measurable outcomes, including, but not limited to, the impact of counsel on: child safety, improvements in the provision of appropriate services, and reductions in the length of stay of children in state care.

Section 39.4086, F.S., also appropriates funds from General Revenue to operate the pilot program and to provide adequate guardian ad litem representation for all children involved in the pilot program.

III. Effect of Proposed Changes:

This bill would delete funding for the pilot program by eliminating the recurring appropriation and by specifying that OSCA shall conduct the pilot program in the Ninth Judicial Circuit only upon a specific appropriation of funds.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Any contracts with private entities to represent children as Attorneys Ad Litem would need to be terminated.

C. Government Sector Impact:

Eliminating the pilot Attorney Ad Litem program in the Ninth Judicial Circuit would save the state \$1.6 million on an annualized basis.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.