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LEGISLATIVE ACTION

Senate

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House

Appropriations Subcommittee on Criminal and Civil Justice (Book)
recommended the following:

Senate Amendment (with title amendment)

Delete lines 104 - 570

and insert:

Representation to provide direct representation, any private
court-appointed counsel who is compensated pursuant to s.
27.5305, any privately retained counsel or pro bono counsel, or
any other attorney who is appointed to represent the child under
this chapter.

(11)~~(10)~~ "Caregiver" means the parent, legal custodian,



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11 permanent guardian, adult household member, or other person
12 responsible for a child's welfare as defined in subsection (55)
13 ~~(54)~~.

14 (38)~~(37)~~ "Institutional child abuse or neglect" means
15 situations of known or suspected child abuse or neglect in which
16 the person allegedly perpetrating the child abuse or neglect is
17 an employee of a public or private school, public or private day
18 care center, residential home, institution, facility, or agency
19 or any other person at such institution responsible for the
20 child's welfare as defined in subsection (55) ~~(54)~~.

21 Section 2. Subsection (13) is added to section 39.013,
22 Florida Statutes, to read:

23 39.013 Procedures and jurisdiction; right to counsel.-

24 (13) The court shall appoint an attorney for the child
25 pursuant to s. 39.831.

26 Section 3. Subsections (4) and (5) of section 39.01305,
27 Florida Statutes, are amended to read:

28 39.01305 Appointment of an attorney for a dependent child
29 with certain special needs.-

30 (4)(a) An attorney for the child appointed under this
31 section shall be made in accordance with s. 39.831 ~~Before a~~
32 ~~court may appoint an attorney, who may be compensated pursuant~~
33 ~~to this section, the court must request a recommendation from~~
34 ~~the Statewide Guardian Ad Litem Office for an attorney who is~~
35 ~~willing to represent a child without additional compensation. If~~
36 ~~such an attorney is available within 15 days after the court's~~
37 ~~request, the court must appoint that attorney. However, the~~
38 ~~court may appoint a compensated attorney within the 15-day~~
39 ~~period if the Statewide Guardian Ad Litem Office informs the~~



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40 ~~court that it will not be able to recommend an attorney within~~
41 ~~that time period.~~

42 ~~(b) After an attorney is appointed, the appointment~~
43 ~~continues in effect until the attorney is allowed to withdraw or~~
44 ~~is discharged by the court or until the case is dismissed. An~~
45 ~~attorney who is appointed under this section to represent the~~
46 ~~child shall provide the complete range of legal services, from~~
47 ~~the removal from home or from the initial appointment through~~
48 ~~all available appellate proceedings. With the permission of the~~
49 ~~court, the attorney for the dependent child may arrange for~~
50 ~~supplemental or separate counsel to represent the child in~~
51 ~~appellate proceedings. A court order appointing an attorney~~
52 ~~under this section must be in writing.~~

53 ~~(5) Unless the attorney has agreed to provide pro bono~~
54 ~~services, an appointed attorney or organization must be~~
55 ~~adequately compensated. All appointed attorneys and~~
56 ~~organizations, including pro bono attorneys, must be provided~~
57 ~~with access to funding for expert witnesses, depositions, and~~
58 ~~other due process costs of litigation. Payment of attorney fees~~
59 ~~and case-related due process costs are subject to appropriations~~
60 ~~and review by the Justice Administrative Commission for~~
61 ~~reasonableness. The Justice Administrative Commission shall~~
62 ~~contract with attorneys appointed by the court. Attorney fees~~
63 ~~may not exceed \$1,000 per child per year.~~

64 Section 4. Part XI of chapter 39, Florida Statutes,
65 entitled "GUARDIANS AD LITEM AND GUARDIAN ADVOCATES," is renamed
66 "GUARDIANS AD LITEM, GUARDIAN ADVOCATES, AND ATTORNEY FOR THE
67 CHILD."

68 Section 5. Section 39.822, Florida Statutes, is amended to



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69 read:

70 39.822 Appointment of guardian ad litem for abused,
71 abandoned, or neglected child.—

72 (1) (a) Before July 1, 2022, a guardian ad litem must ~~shall~~
73 be appointed by the court at the earliest possible time to
74 represent a ~~the~~ child in any child abuse, abandonment, or
75 neglect judicial proceeding, whether civil or criminal.

76 (b) On or after July 1, 2022, a guardian ad litem:

77 1. Must be appointed by the court at the earliest possible
78 time to represent a child under the following circumstances:

79 a. The child remains in his or her home or nonlicensed
80 placement under the protective supervision of the department;

81 b. The child is the subject of a dependency proceeding
82 under this chapter and the subject of a criminal proceeding;

83 c. The child is the subject of a termination of parental
84 rights proceeding under part X of this chapter; or

85 d. The child is a dependent child as described in s.
86 39.01305(3).

87 2. May be appointed at the court's discretion upon a
88 finding that circumstances exist which require the appointment.

89 (2) If a child who is appointed a guardian ad litem when
90 placed under the protective supervision of the department as
91 required under subparagraph (1)(b) is subsequently appointed an
92 attorney for the child pursuant to s. 39.831, the court has the
93 discretion to maintain the appointment of the guardian ad litem
94 notwithstanding the appointment of an attorney for the child.

95 (3) Upon request by a child who is the subject of a
96 dependency proceeding under this chapter and who has a guardian
97 ad litem assigned, or upon any party presenting evidence that



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98 there is reasonable cause to suspect the assigned guardian ad
99 litem has a conflict of interest as defined in s.
100 39.8296(2)(b)9., the court may:

101 (a) Order that a new guardian ad litem be assigned; or
102 (b) Unless otherwise provided by law, discharge the child's
103 current guardian ad litem and appoint an attorney for the child
104 if one is not appointed.

105 (4) Any person participating in a civil or criminal
106 judicial proceeding resulting from such appointment shall be
107 presumed prima facie to be acting in good faith and in so doing
108 shall be immune from any liability, civil or criminal, that
109 otherwise might be incurred or imposed.

110 (5)~~(2)~~ In those cases in which the parents are financially
111 able, the parent or parents of the child shall reimburse the
112 court, in part or in whole, for the cost of provision of
113 guardian ad litem services. Reimbursement to the individual
114 providing guardian ad litem services may ~~shall~~ not be contingent
115 upon successful collection by the court from the parent or
116 parents.

117 (6)~~(3)~~ Upon presentation by a guardian ad litem of a court
118 order appointing the guardian ad litem:

119 (a) An agency, as defined in chapter 119, shall allow the
120 guardian ad litem to inspect and copy records related to the
121 best interests of the child who is the subject of the
122 appointment, including, but not limited to, records made
123 confidential or exempt from s. 119.07(1) or s. 24(a), Art. I of
124 the State Constitution. The guardian ad litem shall maintain the
125 confidential or exempt status of any records shared by an agency
126 under this paragraph.



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127 (b) A person or organization, other than an agency under
128 paragraph (a), shall allow the guardian ad litem to inspect and
129 copy any records related to the best interests of the child who
130 is the subject of the appointment, including, but not limited
131 to, confidential records.

132
133 For the purposes of this subsection, the term "records related
134 to the best interests of the child" includes, but is not limited
135 to, medical, mental health, substance abuse, child care,
136 education, law enforcement, court, social services, and
137 financial records.

138 ~~(7)(4)~~ The guardian ad litem or the program representative
139 shall review all disposition recommendations and changes in
140 placements, and must be present at all critical stages of the
141 dependency proceeding or submit a written report of
142 recommendations to the court. Written reports must be filed with
143 the court and served on all parties whose whereabouts are known
144 at least 72 hours before ~~prior to~~ the hearing.

145 Section 6. Subsection (2) of section 39.8296, Florida
146 Statutes, is amended to read:

147 39.8296 Statewide Guardian Ad Litem Office; legislative
148 findings and intent; creation; appointment of executive
149 director; duties of office.—

150 (2) STATEWIDE GUARDIAN AD LITEM OFFICE.—There is created a
151 Statewide Guardian Ad Litem Office within the Justice
152 Administrative Commission. The Justice Administrative Commission
153 shall provide administrative support and service to the office
154 to the extent requested by the executive director within the
155 available resources of the commission. The Statewide Guardian Ad



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156 Litem Office is not subject to control, supervision, or
157 direction by the Justice Administrative Commission in the
158 performance of its duties, but the employees of the office are
159 governed by the classification plan and salary and benefits plan
160 approved by the Justice Administrative Commission.

161 (a) The head of the Statewide Guardian Ad Litem Office is
162 the executive director, who shall be appointed by the Governor
163 from a list of a minimum of three eligible applicants submitted
164 by the Child Well-Being a Guardian Ad Litem Qualifications
165 Committee. The Child Well-Being Guardian Ad Litem Qualifications
166 Committee shall be composed of five persons, two persons
167 appointed by the Governor, two persons appointed by the Chief
168 Justice of the Supreme Court, and one person appointed by the
169 Statewide Guardian Ad Litem Association. The committee shall
170 provide for statewide advertisement and the receiving of
171 applications for the position of executive director. The
172 Governor shall appoint an executive director from among the
173 recommendations, or the Governor may reject the nominations and
174 request the submission of new nominees. The executive director
175 must have knowledge in dependency law and knowledge of social
176 service delivery systems available to meet the needs of children
177 who are abused, neglected, or abandoned. The executive director
178 shall serve on a full-time basis and shall personally, or
179 through representatives of the office, carry out the purposes
180 and functions of the Statewide Guardian Ad Litem Office in
181 accordance with state and federal law. The executive director
182 shall report to the Governor. The executive director shall serve
183 a 3-year term, subject to removal for cause by the Governor. Any
184 person appointed to serve as the executive director may be



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185 reappointed ~~permitted~~ to serve more than one term in accordance
186 with the process provided for in this paragraph. Every second or
187 subsequent appointment shall be for a term of 3 years.

188 (b) The Statewide Guardian Ad Litem Office shall, within
189 available resources, have oversight responsibilities for and
190 provide technical assistance to all guardian ad litem and
191 attorney ad litem programs located within the judicial circuits.

192 1. The office shall identify the resources required to
193 implement methods of collecting, reporting, and tracking
194 reliable and consistent case data.

195 2. The office shall review the current guardian ad litem
196 programs in Florida and other states.

197 3. The office, in consultation with local guardian ad litem
198 offices, shall develop statewide performance measures and
199 standards.

200 4. The office shall develop a guardian ad litem training
201 program, which shall include, but is not limited to, training on
202 the recognition of and responses to head trauma and brain injury
203 in a child under 6 years of age. The office shall establish a
204 curriculum committee to develop the training program specified
205 in this subparagraph. The curriculum committee shall include,
206 but not be limited to, dependency judges, directors of circuit
207 guardian ad litem programs, active certified guardians ad litem,
208 a mental health professional who specializes in the treatment of
209 children, a member of a child advocacy group, a representative
210 of a domestic violence advocacy group, an individual with a
211 degree in social work, and a social worker experienced in
212 working with victims and perpetrators of child abuse.

213 5. The office shall review the various methods of funding



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214 guardian ad litem programs, maximize the use of those funding
215 sources to the extent possible, and review the kinds of services
216 being provided by circuit guardian ad litem programs.

217 6. The office shall determine the feasibility or
218 desirability of new concepts of organization, administration,
219 financing, or service delivery designed to preserve the civil
220 and constitutional rights and fulfill other needs of dependent
221 children.

222 7. In an effort to promote normalcy and establish trust
223 between a court-appointed volunteer guardian ad litem and a
224 child alleged to be abused, abandoned, or neglected under this
225 chapter, a guardian ad litem may transport a child. However, a
226 guardian ad litem volunteer may not be required or directed by
227 the program or a court to transport a child.

228 8. The office shall submit to the Governor, the President
229 of the Senate, the Speaker of the House of Representatives, and
230 the Chief Justice of the Supreme Court an interim report
231 describing the progress of the office in meeting the goals as
232 described in this section. The office shall submit to the
233 Governor, the President of the Senate, the Speaker of the House
234 of Representatives, and the Chief Justice of the Supreme Court a
235 proposed plan including alternatives for meeting the state's
236 guardian ad litem and attorney ad litem needs. This plan may
237 include recommendations for less than the entire state, may
238 include a phase-in system, and shall include estimates of the
239 cost of each of the alternatives. Each year the office shall
240 provide a status report and provide further recommendations to
241 address the need for guardian ad litem services and related
242 issues.



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243 9. The office shall develop guidelines to identify any
244 possible conflicts of interest of a guardian ad litem when he or
245 she is being considered for assignment to a child's case. The
246 office may not assign a guardian ad litem for whom a conflict of
247 interest has been identified to a child's case. For purposes of
248 this subparagraph, the term "conflicts of interest" means the
249 guardian ad litem:

250 a. Has a personal relationship that could influence a
251 recommendation regarding a child whom he or she is serving as a
252 guardian ad litem;

253 b. Is in a position to derive a personal benefit from his
254 or her role as a guardian ad litem; or

255 c. Has a particular factor or circumstance, including
256 personal bias or prejudice against a protected class of the
257 child or the child's family, that prevents or substantially
258 impairs his or her ability to fairly and fully discharge the
259 duties of the guardian ad litem.

260 (c) The Statewide Guardian Ad Litem Office shall identify
261 any guardian ad litem who is experiencing an issue with his or
262 her physical or mental health and who appears to present a
263 danger to any child to whom the guardian ad litem is assigned.
264 As soon as possible after identification, the office must remove
265 such guardian ad litem from all assigned cases, terminate his or
266 her direct child contact volunteer services with the Guardian Ad
267 Litem Program, and disclose such action to the appropriate
268 circuit court. The Statewide Guardian Ad Litem Program may
269 permit a guardian ad litem with physical or mental health issues
270 identified in accordance with this paragraph to work in the
271 office without direct child contact provided such issues do not



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272 negatively affect his or her ability to perform any required
273 work duties or pose a risk of harm to any children represented
274 by the program. A guardian ad litem who has caused harm to any
275 child during the course of his or her appointment shall not be
276 employed or permitted to volunteer for the program.

277 Section 7. Section 39.83, Florida Statutes, is created to
278 read:

279 39.83 Statewide Office of Child Representation;
280 qualifications, appointment, and duties of executive director
281 and attorney for the child.-

282 (1) STATEWIDE OFFICE OF CHILD REPRESENTATION.-

283 (a) There is created a Statewide Office of Child
284 Representation within the Justice Administrative Commission. The
285 Justice Administrative Commission shall provide administrative
286 support and services to the statewide office as directed by the
287 executive director within the available resources of the
288 commission. The statewide office is not subject to control,
289 supervision, or direction by the Justice Administrative
290 Commission in the performance of its duties, but the employees
291 of the office are governed by the classification plan and salary
292 and benefits plan approved by the Justice Administrative
293 Commission.

294 (b) The head of the Statewide Office of Child
295 Representation is the executive director who must be a member of
296 The Florida Bar in good standing for at least 5 years and have
297 knowledge of dependency law and the social service delivery
298 systems available to meet the needs of children who are abused,
299 neglected, or abandoned. The executive director shall be
300 appointed in accordance with the process, and serve in



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301 accordance with the terms and requirements, provided in s.
302 39.8296(2)(a) for the head of the Statewide Guardian Ad Litem
303 Office. The appointment for the initial executive director must
304 be completed by January 1, 2022.

305 (c) The Statewide Office of Child Representation, within
306 available resources of the Justice Administrative Commission, is
307 responsible for oversight of, and for providing technical
308 assistance to, all offices of child representation in this
309 state. The statewide office:

310 1. Shall identify the resources required to implement
311 methods of collecting, reporting, and tracking reliable and
312 consistent case data;

313 2. Shall review and collect information relating to offices
314 of child representation and other models of attorney
315 representation of children in other states;

316 3. In consultation with the regional offices of child
317 representation established under subsection (2), shall develop
318 statewide performance measures and standards;

319 4. Shall develop a training program for each attorney for
320 the child. To that end, the statewide office shall establish a
321 curriculum committee composed of members including, but not
322 limited to, a dependency judge, a director of circuit guardian
323 ad litem programs, an active certified guardian ad litem, a
324 mental health professional who specializes in the treatment of
325 children, a member of a child advocacy group, a representative
326 of a domestic violence advocacy group, an individual with at
327 least a Master of Social Work degree, and a social worker
328 experienced in working with victims and perpetrators of child
329 abuse;



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330 5. Shall develop protocols that must be implemented to
331 assist children who are represented by the Statewide Office of
332 Child Representation, regional offices, or its contracted local
333 agencies in meeting eligibility requirements to receive all
334 available federal funding. This subparagraph may not be
335 construed to mean that the protocols may interfere with zealous
336 and effective representation of the children;

337 6. Shall review the various methods of funding the regional
338 offices, maximize the use of those funding sources to the extent
339 possible, and review the kinds of services being provided by the
340 regional offices;

341 7. Shall determine the feasibility or desirability of new
342 concepts of organization, administration, financing, or service
343 delivery designed to preserve the civil and constitutional
344 rights of, and fulfill other needs of, dependent children;

345 8. Shall establish standards and protocols for
346 representation of children with diminished capacity;

347 9. Shall submit to the Governor, the President of the
348 Senate, the Speaker of the House of Representatives, and the
349 Chief Justice of the Supreme Court:

350 a. An interim report describing the progress of the
351 statewide office in meeting the responsibilities described in
352 this paragraph.

353 b. A proposed plan that includes alternatives for meeting
354 the representation needs of children in this state. The plan may
355 include recommendations for implementation in only a portion of
356 this state or phased-in statewide implementation and must
357 include an estimate of the cost of each such alternative.

358 c. An annual status report that includes any additional



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359 recommendations for addressing the representation needs of
360 children in this state and related issues.

361 (d) The department or community-based care lead agency
362 shall take any steps necessary to obtain all available federal
363 funding and maintain compliance with eligibility requirements.

364 (e) The office may contract with a local nonprofit agency
365 to provide direct attorney representation to a child, including
366 but not limited to representation in the dependency proceeding
367 as provided for in s. 39.831, if the office determines that the
368 contract is the most efficient method to satisfy its statutory
369 duties and if federal funding has been approved for this purpose
370 or the local agency is required in the contract to seek such
371 approval. The office must ensure that reimbursement of any Title
372 IV-E funds is properly documented.

373 (2) REGIONAL OFFICES OF CHILD REPRESENTATION.—

374 (a) An office of child representation is created within the
375 area served by each of the five district courts of appeal. The
376 offices shall commence fulfilling their statutory purpose and
377 duties on July 1, 2022.

378 (b) Each regional office of child representation is
379 assigned to the Justice Administrative Commission for
380 administrative purposes. The commission shall provide
381 administrative support and service to the offices within the
382 available resources of the commission. The offices are not
383 subject to control, supervision, or direction by the commission
384 in the performance of their duties, but the employees of the
385 offices are governed by the classification plan and the salary
386 and benefits plan approved by the commission.

387 (3) CHILD REPRESENTATION COUNSEL; DUTIES.—The child



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388 representation counsel shall serve on a full-time basis and may
389 not engage in the private practice of law while holding office.
390 Each assistant child representation counsel shall give priority
391 and preference to his or her duties as assistant child
392 representation counsel and may not otherwise engage in the
393 practice of dependency law. However, a part-time child
394 representation counsel may practice dependency law for private
395 payment so long as the representation does not result in a legal
396 or ethical conflict of interest with a case in which the office
397 of child representation is providing representation.

398 Section 8. Section 39.831, Florida Statutes, is created to
399 read:

400 39.831 Attorney for the child.-

401 (1) APPOINTMENT.-

402 (a) An attorney for the child:

403 1. Shall be appointed by the court as provided in s.

404 39.01305(3);

405 2. Shall be appointed by the court for any child who is
406 placed in out-of-home licensed care on or after July 1, 2022,
407 and who is the subject of a dependency proceeding under this
408 chapter; or

409 3. May be appointed at the court's discretion to represent
410 a child who is the subject of a dependency proceeding upon a
411 finding that circumstances exist which require the appointment.

412 (b) The court shall appoint the Statewide Office of Child
413 Representation unless the child is otherwise represented by
414 counsel.

415 (c) An attorney for the child appointed pursuant to this
416 section shall represent the child only in the dependency



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417 proceeding, which may include representation in fair hearings
418 and appellate proceedings that are directly related to matters
419 needing resolution for the child to achieve permanency. The
420 Statewide Office of Child Representation or local nonprofit
421 agency appointed to represent a child in the dependency
422 proceeding shall provide representation in fair hearings within
423 the resources allotted for representation in the dependency
424 proceeding. Trained staff of the office of child representation
425 or local nonprofit agency may attend the fair hearings rather
426 than the appointed attorney when appropriate. Trained staff for
427 purposes of this paragraph may include, but is not limited to,
428 social workers, case managers, education advocates, or health
429 care advocates.

430 (d) Notwithstanding the basis on which an attorney for the
431 child is appointed under paragraph (a), the appointment of the
432 attorney for the child continues in effect until the attorney
433 for the child is allowed to withdraw or is discharged by the
434 court or until the case is dismissed. An attorney for the child
435 who is appointed under this section to represent a child shall
436 provide all required legal services in the dependency proceeding
437 or fair hearings provided for in this section from the time of
438 the child's removal from home or of the attorney for the child's
439 initial appointment through all appellate proceedings. With the
440 permission of the court, the appointed attorney for the child
441 may arrange for supplemental or separate counsel to represent
442 the child in appellate proceedings. A court order appointing an
443 attorney for the child under this section must be in writing.

444 (e) If, at any time during the representation of two or
445 more children in a dependency proceeding, a child representation



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446 counsel determines that the interests of those clients are so
447 adverse or hostile that they cannot all be counseled by child
448 representation counsel or his or her staff because of a conflict
449 of interest, the child representation counsel shall file a
450 motion to withdraw and move the court to appoint other counsel.
451 Child representation counsel shall not automatically determine
452 the appointment to represent siblings is a conflict of interest.
453 If requested by the Justice Administrative Commission, the child
454 representation counsel shall submit a copy of the motion to the
455 Justice Administrative Commission at the time it is filed with
456 the court. The court shall review and may inquire or conduct a
457 hearing into the adequacy of the child representation counsel's
458 submissions regarding a conflict of interest without requiring
459 the disclosure of any confidential communications. The court
460 shall deny the motion to withdraw if the court finds the grounds
461 for withdrawal are insufficient or the asserted conflict is not
462 prejudicial to the client. If the court grants the motion to
463 withdraw, the court shall appoint one or more private attorneys
464 to represent the person in accordance with the requirements and
465 process provided for in s. 27.40. The clerk of court shall
466 inform the child representation counsel and the commission when
467 the court appoints private counsel.

468 (f) Unless the attorney has agreed to provide pro bono
469 services, an appointed attorney or organization must be
470 adequately compensated as provided in s. 27.5305. All appointed
471 attorneys and organizations, including pro bono attorneys, must
472 be provided with access to funding for expert witnesses,
473 depositions, and other due process costs of litigation. Payment
474 of attorney fees and case-related due process costs are subject



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475 to appropriations and review by the Justice Administrative
476 Commission for reasonableness. The Justice Administrative
477 Commission shall contract with attorneys appointed by the court.
478 Attorney fees may not exceed \$1,000 per child per year.

479 (g) In cases in which one or both parents are financially
480 able, the parent or parents, as applicable, of the child shall
481 reimburse the court, in whole or in part, for the cost of
482 services provided under this section; however, reimbursement for
483 services provided by the attorney for the child may not be
484 contingent upon successful collection by the court of
485 reimbursement from the parent or parents.

486
487 ===== T I T L E A M E N D M E N T =====

488 And the title is amended as follows:

489 Delete lines 7 - 74

490 and insert:

491 advocates, and attorney for the child"; amending s.
492 39.822, F.S.; conforming provisions to changes made by
493 the act; specifying circumstances under which a court
494 is authorized or required, on or after a specified
495 date, to appoint a guardian ad litem; permitting the
496 court to maintain the appointment of a guardian ad
497 litem in specified circumstances; authorizing the
498 court to order that a new guardian ad litem be
499 assigned for a child or discharge a guardian ad litem
500 and appoint an attorney for the child under specified
501 circumstances; amending s. 39.8296, F.S.; renaming the
502 Guardian Ad Litem Qualifications Committee as the
503 Child Well-Being Qualifications Committee; specifying



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504 that the executive director of the Statewide Guardian
505 Ad Litem Office may be reappointed; clarifying that
506 second and subsequent appointments made for the
507 executive director of the office are for 3 years;
508 requiring the office to develop guidelines to identify
509 conflicts of interest of guardians ad litem;
510 prohibiting the office from assigning such guardians;
511 defining the term "conflicts of interest"; requiring
512 the office to identify guardians ad litem who are
513 experiencing health issues and who present a danger to
514 the child to whom the guardian ad litem is assigned;
515 requiring the office to remove such guardians from
516 assigned cases, terminate their volunteer services in
517 specified circumstances, and disclose such actions to
518 the circuit court; creating s. 39.83, F.S.; creating
519 the Statewide Office of Child Representation within
520 the Justice Administration Commission; requiring the
521 commission to provide administrative support and
522 services to the statewide office; providing that the
523 statewide office is not subject to control,
524 supervision, or direction by the commission; providing
525 that employees of the statewide office are governed by
526 the classification plan and salary and benefits plan
527 approved by the commission; providing that the head of
528 the statewide office is the executive director;
529 providing the process for appointment; requiring that
530 the initial executive director be appointed by a
531 specified date; providing responsibilities of the
532 office; authorizing the office to contract with local



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533 nonprofit agencies under certain conditions; creating
534 a regional office of child representation within the
535 boundaries of each of the five district courts of
536 appeal; requiring such offices to commence fulfilling
537 their purpose and duties on a specified date;
538 requiring the commission to provide administrative
539 support to the regional offices; providing that the
540 offices are not subject to control, supervision, or
541 direction by the commission; providing that employees
542 of the offices are governed by the classification plan
543 and salary and benefits plan for the commission;
544 prescribing qualifications for an attorney for the
545 child; providing certain prohibitions; creating s.
546 39.831, F.S.; specifying when the court is authorized
547 or required to appoint an attorney for the child;
548 requiring the court to appoint the Statewide Office of
549 Child Representation; providing for the scope of
550 representation for court-appointed counsel; limiting
551 resources to be allocated; providing staff may attend
552 fair hearings; providing for the duration of attorney
553 representation; permitting attorney for the child to
554 arrange for supplemental or substitute counsel in
555 specified circumstances; providing for the appointment
556 of private counsel when the office has a conflict of
557 interest; requiring an attorney for the child to be
558 compensated and have access to funding for expenses
559 with specified conditions; providing conditions under
560 which a parent is required to reimburse the court for
561 the cost of the attorney; requiring