

By Senator Bradley

6-00602B-23

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1                   A bill to be entitled  
2           An act relating to the appointment of courtroom animal  
3           advocates; creating s. 828.035, F.S.; authorizing a  
4           court to order that a separate advocate be appointed  
5           in the interests of justice for certain civil and  
6           criminal proceedings regarding an animal's welfare or  
7           custody; providing that a judge's decision denying an  
8           appointment is not subject to appeal; authorizing an  
9           appointed advocate to take certain actions involving  
10          the proceedings; providing requirements for an  
11          individual to serve as an advocate; providing an  
12          effective date.

13  
14 Be It Enacted by the Legislature of the State of Florida:

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16           Section 1. Section 828.035, Florida Statutes, is created to  
17           read:

18           828.035 Courtroom animal advocates.—

19           (1) In any prosecution or other court proceeding under s.  
20           413.081, s. 843.19, or this chapter or in any civil or criminal  
21           proceeding regarding the welfare or custody of an animal, the  
22           court may order, upon its own initiative or upon the request of  
23           a party or counsel for a party, that a separate advocate be  
24           appointed to represent the interests of justice. If a court  
25           orders that an advocate be appointed to represent the interests  
26           of justice, the court must appoint such an advocate who meets  
27           the requirements of subsection (3). A decision by the court  
28           denying a request to appoint a separate advocate to represent  
29           the interests of justice is not subject to appeal.

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30       (2) An advocate appointed by the court pursuant to  
31 subsection (1) may do all of the following:

32           (a) Monitor the case.

33           (b) Consult any individual who has information that could  
34 aid the judge or finder of fact and review records relating to  
35 the condition of the animal and the defendant's actions,  
36 including, but not limited to, records from animal control  
37 officers, veterinarians, and police officers.

38           (c) Attend hearings.

39           (d) Present information or recommendations to the court  
40 pertinent to determinations that relate to the interests of  
41 justice, provided such information and recommendations are based  
42 solely upon the duties authorized pursuant to this subsection.

43       (3) To serve, on a voluntary basis, as an advocate under  
44 this section, an individual must be an attorney with knowledge  
45 of animal issues and the legal system or a law school student  
46 who has an interest in animal issues and the legal system and  
47 who is certified by the Florida Supreme Court as a certified  
48 legal intern in this state.

49       Section 2. This act shall take effect July 1, 2023.